

IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

PRESENT:*MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, C.J.**MR. JUSTICE CH. IJAZ AHMAD**MR. JUSTICE GHULAM RABBANI*HUMAN RIGHTS CASE NO. 1356-P OF 2009*(Application BY Bibi Fatima)*

|                 |   |
|-----------------|---|
| Applicant       | In Person   |
| On Court Notice | Mr. Dil Muhammad Alizai, DAG<br>Mr. Mehmood Raza, Addl. AG Balochistan<br>Ch. Arshad Ali, AIR (Crimes)<br>Malik Muhammad Iqbal, SP H/Q<br>Mr. Lal Jan, DPO Kalat<br>Mr. Shukrullah, I/O |
| Date of hearing | 13.04.2010  |

ORDER

Learned Additional Advocate General Balochistan states that on account of intervention of acting PPO Balochistan inquiry of the case has been entrusted to Director Crimes Branch/DIGP Mr. Rehmatullah Khan Niazi who is an experienced officer, therefore, some time be given for expediting the matter. We do not feel satisfied on the action taken by the PPO because mere transfer of investigation from head of the one Branch to the other would not solve the problem as we feel that no one is taking interest with full commitment to achieve the object as became evident when, yesterday, we asked the learned Advocate General whether this matter was taken up/discussed in the Border joint meeting of Pak - Iran officers as the minor is alleged to be in Mushhad, Iran, he stated that no such steps were taken. Today, he has, however, informed that he had contacted the PPO Balochistan who would discuss this issue in the said meeting. Be that as it may, reluctantly we grant one month's period to do the needful failing which the PPO shall himself appear before

the Court to offer an explanation for not complying with the order of the Court if in the meantime minor girl is not recovered. To be fixed after one month.

Islamabad  
13-04-2010  
*Zulfiqar*

**IN THE SUPREME COURT OF PAKISTAN**

*(Original Jurisdiction)*

**PRESENT:**

**MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, C.J.**

**MR. JUSTICE CH. IJAZ AHMED**

**MR. JUSTICE GHULAM RABBANI**

**Human Rights Case No. 1356-P of 2009**

*(Application by Bibi Fatima)*

**Applicants:**            *In person*

**On Court Notice:**    *Mr. Dil Muhammad Alizai, DAG*  
*Mr. Mehmood Raza Addl. A.G. Balochistan*  
*Ch. Arshad Ali, AIG (Crimes)*  
*Malik Muhammad Iqbal, SP- H/Q*  
*Mr. Lal Jan, DPO Kalat*  
*Mr. Shukrullah, I/O*

**Date of hearing**        *12.04.2010*

**ORDER**

*A report has been submitted by the Additional Advocate General on behalf of PPO, Balochistan, which is not satisfactory, however, he requests for some time to take instructions from latter.*

*Adjourned for tomorrow i.e. 13.4.10.*

Islamabad, the

*12<sup>th</sup> April, 2010*

*Nisar/\**

**IN THE SUPREME COURT OF PAKISTAN**  
**(ORIGINAL JURISDICTION)**

**PRESENT:**

**Mr. Justice Iftikhar Muhammad Chaudhry, HCJ.**  
**Mr. Justice Ch. Ijaz Ahmed**  
**Mr. Justice Khalil-ur-Rehman Ramday**

**Human Rights Case No.1356-P of 2009**

(Application by Bibi Fatima)

Applicant: In person

On Court notice: Mr. Mehmood Raza, Addl. A.G. Baluchistan  
Mr. Lal Jan, DPO, Qalat  
Malik Muhammad Iqbal, SP/HQ, Quetta,  
Mr. Shakirullah, I/O  
Mr. Jaffer Shah, Dy. Director, FIA

Date of hearing: 18.03.2010

**ORDER**

Learned Addl A.G. Quetta has submitted report, which is not satisfactory. However, he states that last opportunity be given to the police for effecting recovery and producing the minor, Maryyam before this Court.

2. Request is allowed. Adjourned to 12.4.2010.

Islamabad, the  
18<sup>th</sup> March, 2010  
Nisar/\*

**IN THE SUPREME COURT OF PAKISTAN**  
**(ORIGINAL JURISDICTION)**

**PRESENT:**

Mr. Justice Iftikhar Muhammad Chaudhry, HCJ.  
Mr. Justice Ch. Ijaz Ahmed  
Mr. Justice Khalil-ur-Rehman Ramday

**Human Rights Case No.1356-P of 2009**  
(Application by Bibi Fatima)

Applicant: In person

On Court notice: Mr. Mehmood Raza, Addl. A.G. Baluchistan  
Mr. Lal Jan, DPO, Qalat  
Malik Muhammad Iqbal, SP/HQ, Quetta,  
Mr. Shakirullah, I/O  
Mr. Jaffer Shah, Dy. Director, FIA

Date of hearing: 18.03.2010

**ORDER**

Learned Addl A.G. Quetta has submitted report, which is not satisfactory. However, he states that last opportunity be given to the police for effecting recovery and producing the minor, Maryyam before this Court.

2. Request is allowed. Adjourned to 12.4.2010.

Islamabad, the  
18<sup>th</sup> March, 2010  
Nisaf\*

**IN THE SUPREME COURT OF PAKISTAN**

*(Appellate Jurisdiction)*

**PRESENT:**

**MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, C.J.**

**MR. JUSTICE CH. IJAZ AHMED**

**MR. JUSTICE GHULAM RABBANI**

**Human Rights Case No. 1356-P/2009.**

*(Application by Bibi Fatima)*

Applicant: *Bibi Fatima, in person.*

On court's notice: *Mr. Mehmood Raza, Addl. A.G.  
Mr. Abdul Hayee, DPO  
Mr. Shakirullah, IO, PS, City Qalat  
Mr. Muhammad Azam Khan, Director (L) FIA  
Mr. Jaffar Shah, Dy. Director FIA*

Date of hearing *16.02.2010*

**ORDER**

*Mr. Muhammad Azam Khan, Director (Legal) FIA has submitted report indicating the steps taken by FIA for effecting recovery of Mst. Maryyam daughter of Bibi Fatima. However, he stated that despite their best efforts, they failed to make any break through. No doubt, primarily it is the task of the police which is required to be accomplished by them but it seems that police is not showing any interest, therefore, a letter be sent to the P.P.O. Balochistan for constituting a competent team for effecting the recovery of Mst. Maryyam and producing her before the Court. Adjourned to a date in office after three weeks.*

*Islamabad*

*16-02-2010*

*A. Rehman*

**IN THE SUPREME COURT OF PAKISTAN**

*(Appellate Jurisdiction)*

**PRESENT:**

**MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, C.J.**

**MR. JUSTICE CH. IJAZ AHMAD**

**MR. JUSTICE GHULAM RABBANI**

**Human Rights Case No. 1356-P/2009**

*(Application by Bibi Fatima)*

*Applicant: Bibi Ftima in person.*

*On Court's notice: Mr. Shah Khawar, DAG  
Mr. Mehmood Raza, Addl. A.G.  
Mr. Noor Ahmed M Hasni, AIGP  
Mr. Shakirullah I.O. P.S. City Qalat  
Mr. Muhammad Azam Khan,  
Director, (L), FIA.  
Mr. Jaffar Shah, Dy. Director, FIA with  
Abdullah Brahvi (in custody)*

*Voluntary appeared: Abdul Khaliq father of Abdullah Brahvi*

*Date of hearing 04.01.2010.*

**ORDER**

*Learned Deputy Attorney General for Pakistan has submitted report filed by Azam Khan Director, Legal, FIA stating therein steps so far taken for effecting recovery of Mst. Maryyam.*

*2. Mr. Mehmood Raza, Additional Advocate General, Balochistan has also filed a report perusal whereof indicates that there was a report that Mst. Maryyam was shifted from Afghanistan to Quetta but subsequently that report was not confirmed. Mst. Fatima states that according to her information, her daughter Maryyam is still in Quetta but the police is not helping her.*

*3. In such view of the matter, we direct Director General, FIA to look into the matter and provide help ma*

and in this behalf necessary instructions may be issued to the authorities of FIA in Balochistan.

4. Learned Deputy Attorney General has stated that matter has also been discussed with the Attorney General and with the law enforcing agencies and plan is being chalked out to effect the recovery of Mst. Maryyam either from Afghanistan or Quetta.

5. Abdul Khaliq father of Abdullah Brahvi has also appeared. He states that police is causing un-necessary harassment to him. He has been kept in unauthorized custody for a period of three months in the crime branch of Police and one month in Qalat. The Inspector General Police, Balochistan is directed to conduct inquiry and submit report as to why father of Abdullah Brahvi is being harassed; rather police should seek his assistance instead of causing harassment to him. The report must be sent on the next date of hearing, fixing responsibility and action taken against the delinquent officials. Abdullah Brahvi is directed to be taken back to Qalat and need not be produced on the next date of hearing unless otherwise directed.

6. Adjourned to 15.2.2010.



**IN THE SUPRME COURT OF PAKISTAN**  
(Original Jurisdiction)

**PRESENT:**

**Mr. Justice Iftikhar Muhammad Chaudhry, CJ.**  
**Mr. Justice Mian Shakirullah Jan**  
**Mr. Justice Tariq Parvez**

**Human Rights Case No.1356-P of 2009**  
(Application by Bibi Fatima)

Applicant: In person

On Court Notice: Mr. Abdul Rahim Mengal, Addl. A.G. Baluchistan  
Mr. Abdul Hayee, DPO, Qalat  
Abdullah ~~Shah~~ (in custody)

For F.I.A.: Mr. Azam Khan, Director Law  
Mr. Safer Shah, I/O

Date of hearing: 01.12.2009

**ORDER**

DG, FIA submitted a report through Mr. Azam Khan, Director, Law, a perusal whereof indicates that hectic efforts are being made for affecting recovery of Mst. Maryum who is, reportedly, kept in Iran.

2. Abdullah Zehri (produced in custody) stated that he has no contact with his family members, therefore, he is not in a position to convey message to his brother Nasrullah, in whose custody his daughter is presently residing in Kirman or Mashhad (Iran).

3. In such view of the matter police authorities are directed to take Abdullah Zehri to Qalat, where from it will be possible for him to establish contact with his relatives so they may arrange production of the minor. In the meanwhile D.G. FIA shall accelerate the efforts for affecting recovery of the minor.

4. Adjourned to 4<sup>th</sup> <sup>January 2010</sup> ~~December, 2009~~ when Abdullah Zehri shall be produced in the Court.

Islamabad, the  
1<sup>st</sup> December, 2009  
Nisar/\*

**IN THE SUPREME COURT OF PAKISTAN**  
**(Original Jurisdiction)**

**PRESENT:**

**Mr. Justice Iftikhar Muhammad Chaudhry, CJ.**

**Mr. Justice Ch. Ijaz Ahmed**

**Mr. Justice Rahmat Hussain Jafferri**

**Human Rights Case No.1356-P of 2009**

(Application by Bibi Fatima)

Applicant: In person

On Court Notice: Mr. Mehmood Raza, Addl. A.C. Balochistan  
Mr. Azam Khan, Director Law, FIA  
Mr. Chaakar Shah, Dy. Director, FIA  
Mr. Shakarullah, SHO  
With Abdullah Zehri (in custody)

Date of hearing: 06.11.2009

**ORDER**

Mr. Azam Khan, Director(Law) FIA has submitted a report wherein details have been furnished about the steps taken so far to effect recovery of Mst. Maryyam (minor). However, he states that as Maryyam has not been recovered, therefore, efforts are being made.

2. We appreciate that FIA has taken interest in tracing Mst. Maryyum, who is, statedly, in Zahidan. Abdullah Zehri states that if he is released, he would be in a position to produce the child. It may be noted that he is detained in FIR No.35/08, challan of which has been submitted before Judicial Magistrate, therefore, this Court would not be empowered to release him unless produced before the said Court. He states that if he is taken back to Qalat, he is ready to furnish guarantee to the effect that Mst. Maryyam would be produced before the Court. In view of the hectic efforts made by the FIA, we are not in a position to believe in his statement because he has not given so far clear statement. However, he is at liberty to produce guarantor, if he is desirous, before this Court

on the next date of hearing to the effect that if the petitioner is allowed to be released, he would come back and produce Mst. Maryyam before the Court.

3. Let the FIA and the police continue their efforts to effect recovery of Mst. Maryyam. In the meanwhile Abdullah Zehri be kept in Adyala Jail, Rawalpindi.

Adjourned to 1<sup>st</sup> December, 2009.

Islamabad, the  
6<sup>th</sup> November, 2009  
Nisar/\*





**IN THE SUPREME COURT OF PAKISTAN**  
(Original Jurisdiction)

**PRESENT:**

**MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, C.J.**  
**MR. JUSTICE GHULAM RABBANI**  
**MR. JUSTICE JAWWAD S. KHAWAJA**

**Human Rights Case No.1356-P of 2009**  
(Application of Bibi Fatima)

|                  |   |
|------------------|---|
| Applicant        | In person   |
| On Court Notice: | Mr. Aminuddin Bazai<br>Addl. A.G. Baluchistan<br>Mr. Abdul Hai, DPO Qalat<br>Mr. Shakirullah, S.I.Qalat Citi<br>With Abdullah Zehri, (in custody) |
| Date of hearing: | 30.09.2009  |

**ORDER**

DPO Qalat Mr. Abdul Hai has produced Abdullah Zehri in police custody. Abdullah Zehri states that in order to ensure production of the minor Bibi Maryam, he is contacting his brother who was living in Iran but now has shifted to Afghanistan. He states he will try his best to produce Bibi Maryam but some time may be granted to do the needful. In the meantime DPO Qalat is also directed to approach the concerned authorities through Chief Secretary for tracing Bibi Maryam and produce her before the Court. In this behalf the same efforts shall be made as for causing the arrest of Abdullah Zehri. If need be the Chief secretary may also approach the Foreign Office in this behalf. Adjourned to 15<sup>th</sup> October, 2009.

Islamabad

**IN THE SUPREME COURT OF PAKISTAN**  
**(ORIGINAL JURISDICTION)**

**PRESENT:**

**Mr. Justice Iftikhar Muhammad Chaudhry, CJ.**  
**Mr. Justice Sardar Muhammad Raza Khan**  
**Mr. Justice Nasir-ul-Mulk**

**Human Rights Case No.1356 of 2009**  
**(Application of Bibi Fatima)**

On Court Notice: Mr. Muhammad Azam Khattak,  
Addl. A.G. Baluchistan  
Mr. Abdul Haiee, DPO Qalat  
Mr. Shakirullah, S.I. Qalat Citi  
With Abdullah Brahvi, (in custody)

Date of hearing: 17.09.2009

**ORDER**

Abdullah Brahvi has been produced in custody. Shakirullah, Sub-Inspector, SHO Qalat stated that he has taken his custody in Taftan from FIA and he has been brought to Islamabad for producing in this Court. However, a case has already been registered against him at Qalat, therefore, he has been arrested in the same.

2. Abdullah Brahvi stated that if some time is granted, he will produce Mst. Maryum, the minor, before the Court. Request is allowed.

Adjourned to 30<sup>th</sup> September, 2009.

3. Mr. Abdul Hahi, DPO Qalat is directed to produce Abdullah Brahvi in safe custody on the next date of hearing.

Islamabad, the  
17<sup>th</sup> September, 2009  
Nisar/\*

IN THE SUPREME COURT OF PAKISTAN  
(Original Jurisdiction)

PRESENT:

MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, C.J.  
MR. JUSTICE GHULAM RABBANI  
MR. JUSTICE JAWWAD S. KHAWAJA

H.R.C. NO. 1356-P OF 2009  
(Application by Fatima Bibi)

|                 |  |
|-----------------|--|
| Applicant       | In Person  |
| On Court Notice | Mr. Azam Khattak, Addl. A.G. Balochistan<br>Mr. Inayatullah, DPO Kalat<br>Mr. Shakirullah, SHO Kalat |
| Date of hearing | 27.8.2009  |

ORDER

Learned Additional Advocate General Balochistan has placed on record letter dated August 15, 2009 issued by the National Central Bureau - Pakistan, perusal whereof indicates that Abdullah Brohvi son of Akhter Brahvi involved in FIR No. 35/2008, P.S. City Kalat, has been identified/arrested in Iran and sent to the jail by their judicial authorities in order to be extradited to Pakistan. In reply a letter has already been written which has also been placed on record. He has also filed a report according to which a request has been made to the Iranian Government through F.I.A. for the recovery of abductee child Bibi Maryam from the accused. According to him case may be adjourned for a period of atleast three weeks enabling the authorities to bring back Abdullah Brohvi and for making efforts to recover child Bibi Maryam from his custody.



Copy of this Order be also sent to learned Attorney General for Pakistan who shall also help the concerned quarters for the purpose of achieving the object.

Adjourned to 17<sup>th</sup> September, 2009.

Islamabad  
27<sup>th</sup> August, 2009  
(Zulfiqar)

**IN THE SUPREME COURT OF PAKISTAN**  
**(ORIGINAL JURISDICTION)**

**PRESENT:**

**MR. JUSTICE CH. IJAZ AHMED**

**MR. JUSTICE JAWWAD S. KHAWAJA**

**Human Rights Case No. 1356-P/2009**

*(Application by Bibi Fatima)*

Applicant: : In person

On Court's notice: Sardar M. Latif Khan Khosa,  
Attorney General for Pakistan.  
Mr. Nazir Ahmad Kurd, D.P.O, Qalat

Date of hearing: 12.8.2009

**ORDER**

*As cognizance of this matter has been taken by a Bench consisting of three Judges, therefore, it cannot proceed. Re-list on 27.8.2009.*

Islamabad, the

12-08-2009

*Ejaz Goraya*

**IN THE SUPREME COURT OF PAKISTAN**  
**(ORIGINAL JURISDICTION)**

**PRESENT:**

**MR. JUSTICE CH. IJAZ AHMED**

**MR. JUSTICE JAWWAD S. KHAWAJA**

**Human Rights Case No. 1356-P/2009**

*( Application by Bibi Fatima )*

Applicant: *In person*

On Court's notice: *Sardar M. Latif Khan Khosa, Attorney  
General for Pakistan  
Mr. Azam Khan Khattak, Advocate  
General, Balochistan  
Mr. Nazir Ahmad Kurd, D.P.O. Qalat*

Date of hearing: *11.8.2009*

**ORDER**

*As cognizance in this matter has been taken by a Bench  
consisting of three Hon'ble Judges, therefore, the case is adjourned  
for tomorrow i.e. 12.8.2009*

*Islamabad, the*

*11-08-2009*

*Ejaz Goraya'*

**IN THE SUPREME COURT OF PAKISTAN**  
**(Appellate Jurisdiction)**

**PRESENT:**

**Mr. Justice Iftikhar Muhammad Chaudhry, CJ**

**Mr. Justice Ch. Ijaz Ahmed**

**Mr. Justice Jawwad S. Khawaja**

**Human Rights Case No. 1356-P/2009**

(Application by Bibi Fatima)

**Applicants:** In person

**On Court's notice:** Sardar Muhammad Latif Khan Khosa, Attorney General  
for Pakistan  
Mr. Azam Khan Khattak, Advocate General, Balochistan

**Date of hearing:** 24.7.2009

**ORDER**

The learned Attorney General has not received a copy of the order of this Court dated 23.7.2009. Office is directed to do the needful. When we inquired from the learned Attorney General as to how the daughter of the petitioner is to be brought back from the wrongful custody of her father Abdullah, now in Iran as per the statement of the petitioner, he requested for some time to check up with the authorities concerned to suggest ways and means to do the needful. Adjourned to a date in office after two weeks.

**ISLAMABAD**

**24.7.2009**

Ejaz Goraya

**IN THE SUPREME COURT OF PAKISTAN**  
**(ORIGINAL JURISDICTION)**

**PRESENT:**

**MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, CJ.**  
**MR. JUSTICE CH. IJAZ AHMED**  
**MR. JUSTICE JAWWAD S. KHAWAJA**

**Human Rights Case No.1356-P of 2009**

(Application by Bibi Fatima)

Complainant: In person

On Court Notice: Mr. Muhammad Azam Khattak,  
Addl. A.G.Balochistan  
Mr. Nazir Ahmed Kurd, DPO, Qalat  
Mr. Anayatullah, DSP  
Mr. Shakrullah, SHO

Date of hearing : 23-07-2009

**ORDER**

Learned Additional Advocate General, Balochistan submitted a report, perusal whereof suggests that no remarkable progress has been made in the instant case. We are of the opinion that it is not an ordinary case pertaining to commission of crime within the country, therefore, we would like to issue notice to the Attorney General for Pakistan. Copy of this petition and order-sheet be also sent to him, who shall appear and suggest about the ways and means for the purpose of bringing back Mst. Maryum from Iran, where she has been kept.

Adjourned to 24.7.2009.

Islamabad, the  
23<sup>rd</sup> July, 2009  
Nisar/\*

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.  
Mr. Justice Ch. Ijaz Ahmed  
Mr. Justice Jawwad S. Khawaja

H.R.C. No. 1356-P of 2009  
(Application by Bibi Fatima)

Complainant: In person

On Court's notice: Mr. Muhammad Azam Khattak, Addl. A.G.  
alongwith Nazir Ahmad, D.P.O., Kalat,  
Inayat Ullah, DSP and Shakar Ullah, S.H.O.

Date of hearing: 2.7.2009

ORDER

D.P.O. Kalat has submitted report, perusal whereof indicates that a request has been made for issuance of red notices through Foreign Office for causing arrest of Abdullah Brohvi. However, so far no progress has been shown in this behalf. The D.P.O. further stated that he be given some more time to effect the recovery of complainant's daughter, Bibi Maryam. The request is allowed. Adjourned to 23.7.2009.

Islamabad, the  
2nd July, 2009  
Ejaz Goraya/\*

**IN THE SUPREME COURT OF PAKISTAN**  
**(APPELLATE JURISDICTION)**

**PRESENT:**

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.  
Mr. Justice Ch. Ijaz Ahmed  
Mr. Justice Jawwad S. Khawaja

**Human Rights Case No.1356-P of 2009.**  
(Application by Bibi Fatima)

**In Attendance.**

Complainant: In person.  
On Court notice: Mr. M.Azam Khattak, Addl. A.G. B.  
Mr. Nazir Ahmed Kurd, DPO, Kalat.  
Mr. Barkat Ali, DSP, Kalat.  
Date of hearing: 09.06.2009

**ORDER**

Nazir Ahmed Kurd DPO Kalat has failed to submit progress report of the case perhaps for the reason that after taking over the charge as DPO, he has not supervised the investigation of the case actively. However, he submitted that yesterday he examined Mst. Bibi Fatima complainant and if an opportunity is given, he would make more progress in the case. He also informed that PPO Balochistan has already approached Foreign Office at Islamabad for getting red notices for the arrest of Abdullah former husband of Mst. Bibi Fatima who is presently residing in Afghanistan. Time is allowed to DPO to show active progress in the case before next date of hearing. In our earlier order dated 14.5.2009, we have already ordered to involve Secretary Interior and Secretary Foreign Affairs, Govt. of Pakistan who will be helpful to the police

of Balochistan for the arrest of Abdullah as well as recovery of daughter of complainant. Adjourned to 2<sup>nd</sup> July, 2009.

Islamabad, the  
9<sup>th</sup> June, 2009  
A.Rehman/\*



**IN THE SUPREME COURT OF PAKISTAN**  
**(ORIGINAL JURISDICTION)**

**PRESENT:**

**Mr. Justice Iftikhar Muhammad Chaudhry, CJ.**  
**Mr. Justice Ch. Ijaz Ahmed**  
**Mr. Justice Jawwad S. Khawaja**

**Human Rights Case No.1356-P of 2009**  
**(Application by Bibi Fatima)**

Complainant: In person

On Court Notice: Mr. M. Azam Khattak, Addl. A.G. B  
Mr. Nazir Ahmed Kurd, DPO, Qalat  
Mr. Barkat Ali, DSP, Qalat

Date of hearing: 08.06.2009

**ORDER**

Learned Additional Advocate General, Baluchistan has submitted a report, which is not satisfactory. However, Nazir Ahmed Kurd, DPO, stated that he has come in contact today for the first time with Bibi Fatima. He requests for time to submit progress of the investigation, by submitting a detailed note tomorrow, i.e. 9<sup>th</sup> June, 2009.

Order accordingly, adjourned for tomorrow.

Islamabad, the  
8<sup>th</sup> June, 2009  
Nisar/\*

IN THE SUPREME COURT OF PAKISTAN  
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.  
Mr. Justice Raja Fayyaz Ahmed  
Mr. Justice Ch. Ijaz Ahmed

Human Rights Case No.1356-P of 2009  
(Application by Bibi Fatima)

Attendance:

Complainant: Present in person

Date of hearing: 14.05.2009

ORDER

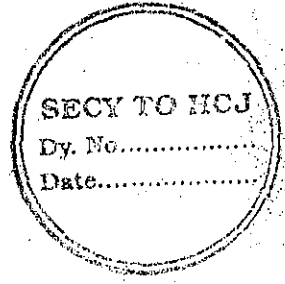
Issue notice to Interior Secretary, Government of Baluchistan with direction to effect recovery of abductee Mst. Mariyam Bibi, aged about 8 years. Secretary Interior, Government of Pakistan, Secretary Foreign Affairs and IGP, Baluchistan are required to provide assistance to Secretary Interior, Baluchistan as according to statement of Mst. Bibi Fatima, her husband Abdullah (Abdul Rehman) alongwith two others had shifted her daughter to Bam, a city of Iran. They are required to complete this exercise on or before 8<sup>th</sup> June, 2009 and submit report on the said date in the Court through Advocate General, Baluchistan, to whom notice may also be issued.

2. Documents so available on record reveal that in respect of forcible removal of her daughter from her custody, so far legal proceedings have not been initiated by the State, therefore, if it is necessary, the concerned Authorities may register a case on her

complaint. Petitioner shall remain available to the Authorities for providing them necessary assistance.

Adjourned to 8<sup>th</sup> June, 2009.

Islamabad, the  
14<sup>th</sup> May, 2009  
Nisar/\*



①

اللہ تعالیٰ سے دعا ہے کہ

5/5

HCJ

معلقہ کیس

جناب وزیراعظم پاکستان سید یوسف رضا گیلانی صاحب، اسلام آباد

مدد چیف جسٹس

6.5.09

عنوان: بازیابی بی بی مریم ذریعہ انٹرنیٹ پول

DHR/DRT

جناب عالی!

گزارش ہے کہ میں مسماۃ بی بی فاطمہ ایک پاکستانی شہری ہوں اور عرصہ 8 سال سے ایکسپورٹ و  
ایمپورٹ کا کاروبار کر رہی تھی۔ گزشتہ ایک سال سے ممبر چیئیر آف کامرس ہوں۔ میری بچی مذکورہ بالا  
13-7-2008 کو کوئٹہ سے قلات جاتے ہوئے ملزمان عبداللہ (عبدالرحمن) عطاء اللہ، مولاداد  
وغیرہ نے زبردستی گن پوائنٹ پر اغواء کر لیا۔ وزیراعظم صاحب نے میری ملاقات کے دوران  
سیکرٹری داخلہ سید کمال شاہ کو بچی کی بازیابی کے لئے اقدامات کرنے کیلئے حکم دیا۔ سیکرٹری داخلہ  
نے IG بلوچستان آصف نواز صاحب کو حکم دیا ساٹھ ایک ماہ تک بلوچستان میں رہی پولیس کی تفتیش  
کے مطابق ملزمان بچی کو لے کر افغانستان یا ایران چلے گئے ہیں ملزمان کے متعلق مزید معلومات IG  
بلوچستان اور DSP کوئٹہ ملک محمد اقبال حکومت کو مفید معلومات فراہم کر سکتے ہیں۔ میری بچی کی  
بازیابی تقریباً 6 ماہ گزرنے کے باوجود نہ ہو سکی ہے۔ جناب سے گزارش ہے کہ انٹرنیٹ پول کے ذریعے  
بی بی مریم کو بازیاب کرایا جائے۔ عین نوازش ہوگی۔

العارضہ

جناب عالی!

میں گزشتہ 16 سال سے پاکستان میں رہنے لگی ہوں

بی بی فاطمہ

چوہڑ ہڑ پال راولپنڈی

03435484847

03035443768

اور پاکستان کی نشستوں میں۔ لیکن سب سے پہلے یہ ہے  
تاجکستان کے رہنے والے ہوں۔ لیکن شوہر سے طلاق کے  
بعد میں دو بار اپنے ملک تاجکستان چلی گئی لیکن وہاں  
اجہی محو علم ہو کر چیف جوڈیسی افسر صاحب مجال سے ملنے  
کو میں ایک سال بعد صرف اپنی ہی وسدیم کی خاطر واپس  
آئی ہوں۔

آپ جناب سے میں درخواست کرتی ہوں کہ میں کو واپس کروا دیا جائے۔ میں سب  
دوں اور بہنوں ہوں۔ صرف آپ ہی انصاف کرتے ہیں

② جو کچھ ہم نفاک ہیں وہ سب درکریں۔ ہمارے پاس کئی رشتے کی لڑکی ہیں  
اور صرف 5 امن کے لیے آئی ہیں۔ جو خدائے باریک بینی سے درکریں ہیں  
ہر پریشان کریں۔

الغرض۔

بی بی فاطمہ  
محمد علی