

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Cr. Bail Application No. 2200 of 2025
(Athar Maqsood and Ahsan Ahmed v. the State)

DATE	ORDER WITH SIGNATURE OF JUDGES
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1. For orders on office objection at Flag A
2. For hearing of bail application

30.06.2026

M/s. Khalid Hussain Shar and Wazeer Hussain Khoso Advocates along with applicant Athar Maqsood and Ahsan Ahmed on bail

Complainant Ghulam Asghar present in person

Mr. Waqar Alam Abbasi, Advocate/Focal Person of Sindh Bar Council

Mr. Qamaruddin Nohri, DPG for the State

ASI Allah Bakhsh Narejo, P.S. Shah Latif Town

ORDER

1. Athar Maqsood and Ahsan Ahmed seek pre-arrest bail in crime number 1238 of 2025 registered under sections 147, 148, 149, 506, 504 and 427 P.P.C. at the Shah Latif Town police station. The complainant is one Ghulam Asghar Shar, who claims to be enrolled as an advocate.

2. The learned counsel, when asked as to why the applicants have not approached the trial court for the grant of pre-arrest bail, replied that they have attempted to do so, but the complainant and his accomplices threaten, intimidate, and manhandle the applicants and do not permit them to reach the court. If true, this is an alarming position that cannot be allowed to continue.

3. It is further alleged that the complainant Ghulam Asghar Shar has caused many FIR's to be lodged against persons. The learned counsel has provided a record of these FIRs for the applicants. A perusal of the list shows that some entries are duplicated; even so, the number of FIR's said to have been registered at his instance remains substantial. It is also alleged that he blackmails people and illegally dispossesses them of their property, and that personnel of

the Malir police station facilitate his activities. These allegations must be investigated to protect the noble profession of advocacy from such conduct. Ghulam Asghar Shar did not deny that he had registered a number of FIR's but could not justify them. It is with great regret that learned counsel has also put on record some photos, circulars, and notifications which do not shed a complimentary light on Ghulam Asghar Shar. It also appears that Shar worked for the Pakistan Rangers at some stage and uses that as leverage in his alleged activities.

4. This is not the first occasion on which a grievance has been brought before this Court regarding the dubious activities of individuals who hold themselves out as advocates but against whom there is evidence of unethical and illegal practices. Such complaints arise most frequently in cases where Section 489-F of the Pakistan Penal Code and the Illegal Dispossession Act, 2005 have been invoked. Complaints have also been received that certain persons claiming to be advocates blackmail people by misusing the blasphemy laws. It is humiliating for the profession of law that a large segment of the public refers to such advocates as the "qabza mafia". Litigants have been beaten on the court premises on the pretext that one of the parties is an advocate, and litigants being forcibly denied legal representation is shameful to say the least. This practice must end if the legal fraternity – and, with it, Pakistan – is to flourish. The District and Sessions Courts of the Province have shown considerable courage in resisting the attacks of such 'advocates'. It is, however, an open secret that whenever a court passes orders to curtail the activities of such black sheep of the legal profession, it is met with frivolous, vexatious, and malicious complaints and references. Similarly, on numerous occasions, the police have been pressured and intimidated by groups of such persons into yielding to unlawful demands to register FIRs or into unlawful attempts to violate the law. For example, it is not uncommon to see cars on the roads with plates affixed over the number plates to hide their registration numbers.

"Lawyers are the operators of the system of justice, which is the foundation of any civilized society. Without them, the structure collapses," said the former US Supreme Court Justice, Justice Sandra Day O'Connor, while Lord Denning famously said that *"An advocate must be fearless in the discharge of his duty, but he must also be perfectly honorable. He must never forget that he is an officer of justice, and that his duty to the Court and to the public is higher than his duty to his client."*

5. The Constitution guarantees equal protection of the law to all citizens, and no person or group is entitled to obstruct the exercise of that right by threats or assaults. Functionaries of the State and of the judiciary have not been, and shall not be, intimidated by such unethical practices. The writ of the State shall extend to each part of the country. Nobody can claim to be above the law, even an advocate. Similarly, it is incumbent on the Bar Associations and Bar Councils to take strict and immediate action against delinquent advocates. The reputation of the noble profession of the law must be protected stringently. An advocate is there to help the oppressed, not to become an oppressor. The Sahih Bukhari cites the Prophet (PBUH) as having said: *"O Messenger of Allah, we understand how to help someone who is being oppressed, but how do we help an oppressor?"* The Prophet (PBUH) replied: *"By stopping him from oppressing others."*

6. In the very exceptional circumstances of the case, I deem it appropriate to request Mr. Zia Lanjar, Home Minister, Government of Sindh, to constitute a Joint Investigation Team ("JIT") to comprehensively investigate the allegations of blackmail and illegal activity leveled against advocates as set out above. Subject to the approval of the Home Minister and the Inspector General of Police, Sindh, and the consent of the officer concerned, it is proposed that DIG Irfan Baloch or DIG Amir Farooqi head the JIT. The JIT shall also include representatives of the Inter-Services Intelligence (ISI), the Intelligence Bureau (IB), and the Pakistan Rangers (Sindh). The District and Sessions Judges of Sindh, the Office of the Prosecutor General Sindh, the Sindh Bar Council, and the Presidents of the

various Bar Associations in Sindh are requested to extend full cooperation to the JIT in this exercise.

7. It is hoped and expected that the JIT will be in a position to submit its report within thirty (30) days from the date of this order. As far as the bail application is concerned, the offenses with which the applicants are charged are all bailable, where bail has to be granted as of right. Reference in this regard may be made to Tariq Bashir and 5 others vs The State (PLD 1995 SC 34). The surety amount will be Rs. 5,000 each and a P.R. Bond. The surety may be deposited to the satisfaction of the Nazir of this court. The remaining surety deposited at the time of interim pre-arrest may be returned to its depositor.

8. Let this case be relisted in the **first week of August 2026**. By this time, it is hoped and expected that the JIT will be in a position to render its report identifying persons involved in unlawful practices under the pretext of being advocates.

9. A copy of this order should be sent to the learned District and Sessions Judges, the Home Minister, Sindh, the Inspector General of Police, Sindh; the Prosecutor General, Sindh and the Sindh Bar Council.

JUDGE