ORDER SHEET
IN THE HIGH COURT OF SINDH, Karachi
Constitutional Petition No. D-4395 of 2026
(Noor Aziz versus Federation of Pakistan & others)

Date	Order with signature of Judge

Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 07.9.2026

Mr. Qadir Hussain Khan advocate for the petitioner alongwith petitioner
Ms. Wajiha Mehdi, Assistant Attorney General
Mr. Abdul Jalil Zubedi, Additional AG
Mr. Jamal Saeed, FIA Immigration, JIAP, Karachi

ORDER

Adnan-ul-Karim Memon, J. Petitioner Noor Aziz has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, with the following prayer: -

> *a) To Direct the responsible respondents for proper and immediate investigation regarding injustices with the petitioner which caused arrest through Interpol in Malaysia for the period of two months and thereafter the petitioner acquitted.*
>
> *b) That concerned authority be apprise for deletion of name of the petitioner from black listing as the petitioner has already been acquitted by UAE authorities whereas his name is already existing in the over stayers and fine of ten thousand dirhams against petitioner be removed from the UAE Immigration system.*

2. The petitioner is asserting that he has been subjected to unlawful harassment, arrests and restrictions in connection with allegations of telecommunications fraud/hacking allegedly originating from the United States. He states that he travelled to Malaysia in 2012 on a valid visa, where he was arrested pursuant to an Interpol request but was subsequently acquitted by the Malaysian Court. He further alleges that, despite his acquittal, the FIA initiated criminal proceedings against him in Pakistan in 2015, in which he remained incarcerated for several years before being acquitted by the learned Additional District & Sessions Judge, Central, Karachi, vide judgment dated 02.08.2021. The petitioner further contends that after his acquittal, when he intended to travel abroad for employment, he was subjected to another raid by Sindh Police on 16.02.2022, during which his wife died. He thereafter lodged FIR No.117/2022 against the concerned police officials, which was subsequently classified as “A”, though the concerned Magistrate had not approved such classification. The petitioner states that he subsequently travelled to the UAE in February 2023, where he was detained by the immigration authorities on the allegation that his name appeared on the Interpol Red Notice. His passport was retained for several months and was ultimately returned to him on 08.08.2023 after he was cleared.

He claims that, despite having obtained employment in the UAE, he was confronted with an overstay demand/fine of approximately AED 10,000 and was consequently unable to continue his employment there and was blacklisted from entering the UAE. The petitioner also challenges the proceedings before the Inquiry Magistrate, Islamabad, pursuant to a warrant issued under Section 75 Cr.P.C. in connection with proceedings under the Extradition Act, 1972. He maintains that he has already faced proceedings relating to the same allegations and has been acquitted, and that no incriminating material has been produced against him despite the passage of many years. He therefore seeks appropriate directions for investigation into the injustices, removal of the adverse entries/blacklisting against him, and deletion of the UAE overstay liability. He lastly prayed to allow this petition.

3. In its report, the FIA submits that, according to the latest report dated 24.08.2026 of the FIA Integrated Border Management System, the petitioner's name is not active in any category of Stop List/Watch List under the national legal framework. However, the FIA states that, according to the report dated 04.09.2026 obtained from NCB-INTERPOL, FIA Headquarters, the petitioner is subject to an INTERPOL Red Notice bearing Control No. A-907/2-2013, which was published by INTERPOL Headquarters, Lyon, France, on 14.02.2013 at the request of INTERPOL Washington in connection with allegations of an international telecommunications fraud scheme. The FIA specifically clarifies that NCB-INTERPOL Pakistan did not request publication of the Red Notice and, therefore, cannot itself seek its cancellation. According to the FIA, the authority to request cancellation lies with the NCB of the country that requested publication, i.e., INTERPOL Washington. The FIA nevertheless points out that the petitioner may avail the remedy provided under Article 30(2) of the Statute of the Commission for the Control of INTERPOL's Files (CCF) by submitting a written request for correction or deletion of the relevant data. Learned AAG prayed for dismissal of this petition.

4. We have heard the petitioner, who appears along with his counsel and learned AAG, and perused the record with their assistance.

5. The controversy, in substance, relates to the continued existence of an INTERPOL Red Notice against the petitioner and the consequential difficulties allegedly faced by him in travelling and obtaining employment abroad.

6. The material placed on record, particularly the report of FIA/NCB-INTERPOL, prima facie shows that the petitioner's name is not presently active in any category of Stop List/Watch List maintained under the national legal framework. Thus, insofar as any restraint or adverse entry within the jurisdiction

of the Pakistani authorities is concerned, no presently operative restriction against the petitioner has been demonstrated before this Court.

7. At the same time, the FIA report confirms that an INTERPOL Red Notice bearing Control No. A-907/2-2013 was published by INTERPOL Headquarters, Lyon, France, on 14.02.2013, at the request of INTERPOL Washington, in relation to allegations of an international telecommunications fraud scheme. Significantly, NCB-INTERPOL Pakistan neither requested publication of the said Red Notice nor possesses authority to unilaterally cancel or withdraw a notice requested by another National Central Bureau. Consequently, a positive direction to the FIA or any Pakistani authority to delete or cancel the said Red Notice would amount to requiring an authority to exercise a jurisdiction which it does not possess; therefore, no such direction could be issued on the subject issue.

8. The constitutional jurisdiction under Article 199 of the Constitution is supervisory and remedial in nature and cannot be exercised for directing a public authority to perform an act which is beyond its lawful competence. However, the Court must also respect the statutory and institutional allocation of functions between Pakistani authorities, INTERPOL and the National Central Bureau of the requesting country. The cancellation or correction of data maintained within the INTERPOL information system, where the data was supplied at the request of a foreign NCB, cannot ordinarily be achieved through a direction issued against NCB-INTERPOL Pakistan under Article 199 of the Constitution subject to all just exceptions as provided under the law.

9. The fact that the petitioner claims to have been arrested in Malaysia and thereafter acquitted, or that he was subsequently acquitted by the learned Additional District & Sessions Judge, Central, Karachi, vide judgment dated 02.08.2021, may constitute material which the petitioner can place before the competent international forum or the requesting authority. However, such acquittals, by themselves, do not confer jurisdiction upon this Court to order deletion of a foreign-requested INTERPOL notice, particularly where the present record does not establish that the notice was generated or maintained by any Pakistani authority in violation of law and Constitution.

10. The distinction between a domestic Stop/Watch List entry and an INTERPOL Red Notice is material. The former may fall within the regulatory and administrative jurisdiction of Pakistani authorities, whereas the latter is an international police-cooperation mechanism maintained through INTERPOL at the request of a National Central Bureau. Since the FIA has categorically reported that the petitioner is not presently on any national Stop/Watch List, the relief

seeking directions to the respondents for deletion of a domestic blacklisting entry does not survive to that extent.

11. As regards the INTERPOL Red Notice, the report specifically identifies the competent source of the request, namely INTERPOL Washington. The petitioner therefore cannot obtain, through the present proceedings, a mandatory direction against NCB-INTERPOL Pakistan for cancellation of an entry which it neither requested nor has the authority to withdraw, which is contrary to the principle that every statutory/public authority must act within the four corners of its lawful jurisdiction.

12. The FIA has, however, fairly pointed out that the petitioner has an available remedy under Article 30(2) of the Statute of the Commission for the Control of INTERPOL's Files (CCF), whereby a person may seek correction or deletion of data concerning him maintained in the INTERPOL information system. The availability of this specialized mechanism is particularly relevant because the grievance raised by the petitioner concerns the accuracy, continued retention and consequences of international police information. The competent specialized forum is therefore better placed to examine the legality, relevance and continued retention of such data in accordance with the applicable INTERPOL rules.

13. Similarly, the petitioner's grievance concerning the alleged UAE blacklist, overstay liability and alleged fine of AED 10,000 pertains to the immigration system and sovereign administrative authorities of the United Arab Emirates. In the absence of any material demonstrating that such entry was created or maintained by a Pakistani authority, this Court cannot issue an enforceable mandamus to a foreign sovereign authority through proceedings under Article 199 of the Constitution subject to all just exceptions as provided under the law. The petitioner is at liberty to approach the competent UAE authority or any other forum available under the law of that jurisdiction for correction, waiver or deletion of such entry/fine.

14. The allegations regarding the petitioner's arrest in Malaysia, the subsequent criminal proceedings in Pakistan, the alleged police raid dated 16.02.2022 and the death of his wife raise matters of a substantially different character. Those allegations concern past events and, insofar as criminal proceedings/FIRs or police conduct are concerned, the petitioner has independent remedies under the ordinary law. A constitutional petition cannot be converted into a roving inquiry into disputed factual allegations, particularly where the relief sought requires investigation, determination of criminal liability or adjudication of matters falling within the jurisdiction of competent criminal/investigative forums.

15. It is also significant that the petitioner seeks a direction for a "proper and immediate investigation" into alleged injustices extending over a considerable period of time. Such a general direction, without identifying a presently enforceable constitutional or statutory obligation which has been breached by a particular respondent, cannot ordinarily be granted under Article 199 of the Constitution. The extraordinary constitutional jurisdiction is intended to remedy an identifiable illegality, jurisdictional defect, violation of fundamental rights or failure of a public authority to perform a legal duty; it is not a substitute for every remedy available under the ordinary law.

16. This Court is nevertheless conscious that the petitioner claims to have suffered serious consequences from the continued existence of the INTERPOL notice despite his asserted acquittals. Nothing contained in this order shall prevent the petitioner from placing the judgments of acquittal and all other relevant material before the CCF/competent INTERPOL forum and the requesting authority, and seeking correction, deletion, review or withdrawal of the relevant data in accordance with the applicable procedure. The respondent authorities shall, within the limits of their lawful jurisdiction, facilitate the petitioner in pursuing such remedy and shall not obstruct him from producing the relevant judicial record before the competent forum subject to all just exceptions as provided under the law.

17. In view of the foregoing, no case has been made out for issuance of the substantive mandatory directions prayed for. The record establishes that the petitioner is not presently shown as an active subject of any national Stop/Watch List, whereas the disputed INTERPOL Red Notice was requested by INTERPOL Washington and is therefore not capable of being cancelled by NCB-INTERPOL Pakistan. The grievance concerning the UAE immigration entry/fine likewise falls outside the territorial and constitutional jurisdiction of this Court.

18. Consequently, the petition is disposed of with the above observations, leaving the petitioner at liberty to avail the remedy available under Article 30(2) of the Statute of the CCF and/or approach the competent authority of the requesting country and the UAE authorities, as the case may be. No direction for cancellation or deletion of the INTERPOL Red Notice or UAE immigration entry can be issued against the respondents in the present constitutional jurisdiction.

JUDGE

JUDGE

Zahid/*