

IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-2599 of 2014

Date	Order with signature of Judge
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Priority.

1. For orders on Misc. No.7561 /2019.
 2. For orders on Misc. No.7562/2019.
 3. For orders on Misc. No.7656/2019.
 4. For hearing of Misc. No.12368/2014.
 5. For hearing of Main Case.
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Present:

Mr. Justice Aqeel Ahmed Abbasi
Mr. Justice Abdul Maalik Gaddi.

15-03-2019

Petitioner through Mr. Mehfooz Yar Khan.
Mr. Mehmood Ahmed, advocate for respondents No.3 to 5.
Mr. Liaquat Ali, advocate for respondent No.6.
Ms. Lubna Pervaiz, DAG.

O R D E R

1. Granted.
2. (Misc. No.7562/19).

Through listed application, petitioner seeks withdrawal of instant petition in view of unconditional apology tendered by the concerned respondents, including Mir Shakil-ur-Rehman, Mir Ibrahim-ur-Rehman and Mst.Shaista Lodhi (Respondents No.4 to 6) respectively, whereas, according to petitioner, purpose of filing instant petition has been served out.

3. (Misc. No.7656/19).

Instant application has been filed on behalf of respondent No.6, Mst. Shaista Lodhi, with a request to accept the unconditional apology tendered by respondents No.4 to 6 through Affidavits.

4 & 5. Learned counsel for the respondents submits that all the concerned respondents No.4 to 6 have realized their mistake and have, therefore, tendered their unconditional apology for having telecasted an objectionable program "Utho Jago Pakistan" on 14.05.2014 on Geo TV Channel, which has caused annoyance and injury to the religious sentiments of large number of its viewers. Per learned counsel, the PEMRA has also taken appropriate legal action against the respondents by imposing fine, and have also

imposed ban on the subject disputed program. Whereas, according to learned counsel, unconditional apology was also telecasted on Geo TV Channel continuously for several dates between 15.05.2014 till 19.05.2014. Learned counsel for respondents submits that since, the act complained was not deliberate or intentional, whereas, all the private respondents have tendered their unconditional apology and have further given an undertaking to be careful in future, therefore, their apology may be accepted and the petition may be disposed of accordingly.

We have heard the learned counsel for the parties, perused the record with their assistance and have also gone through with the Affidavits filed on behalf of the respondents No.4, namely, Mir Shakeel-ur-Rehman and 5, namely, Mir Ibrahim-ur-Rehman, wherein, besides explaining their position, respondents No.4 & 5 have tendered their unconditional apology in terms of paragraph Nos.4 & 5 of their Affidavits, the same are reproduced hereunder for the sake of brevity and record:-

“4. That I and management of the TV Channel deeply regret the broadcast of the program ‘Utho Jago Pakistan’ on 14.05.2014, and conduct of its host Dr. Shaista Lodhi for her unintentional mistake and inadvertent conduct.

5. That I and management of TV Channel offer apology for the broadcast of contents in the said program even today and I am remorseful since it was broadcast on 14.05.2014.

Similar, apology has also been tendered by respondent No.6 i.e. Mst. Shaista Lodhi, through her Affidavit filed along with CMA No.7656/2019.

Keeping in view the sensitivity of the matter, and the unconditional apology tendered by respondents No.4 to 6, while taking a lenient view, we are inclined to accept the un-conditional apology tendered by respondents No.4 to 6, in aforesaid terms, however, with a caution that respondents shall ensure to be careful in future

and shall observe due care and caution, particularly, in matters relating to religious sentiments of all the Muslims and non-muslims as well. It will not be out of place to observe that Electronic Media is major source of providing information and public instructions to largest number of its viewers, and can even build public opinion on various national, political, religious and social issues, for the reason that easy access to public at large has been provided through licenses issued by the Government for operation of Satellite T.V. channels under the PEMRA Ordinance, 2002 and in terms of PEMRA Rules, 2009. Therefore, this free access to public at large casts a great responsibility upon them, not only to abide by the Constitution, law, rules and regulations for the purposes of regulating the Electronic Media, but also to ensure that a certain discipline and restraint is demonstrated which may not only serve the purpose of the Constitution and law, but also be helpful in creating a better civilized society, which is well informed, more educated, tolerant and capable of forming correct opinion on religious, national, political, social or international issues, and to take right decisions in their individual as well as collective lives.

Accordingly, instant petition stands disposed of in the above terms along with listed applications.

Judge

Judge