

IN THE HIGH COURT OF SINDH KARACHI

Crl. Org. Misc. Application No. 01 of 2024

Complainant : Hina Rasheed

Contemnor : Syed Farhat Hussain, advocate through Mr. Haq Nawaz Talpur, advocate along with contemnor

Date of Order : 16.12.2024

ORDER

On 25.09.2023, an unfortunate incident occurred in the court of the learned 14th Family Judge, Karachi Central, in which an advocate, Mr. Syed Farhat Hussain, resorted to behavior unbecoming of an advocate. The learned Judge, deeply upset by the conduct, filed a reference before the Chief Justice of Sindh seeking contempt proceedings against Mr. Hussain. On 11.12.2023, the then Chief Justice ordered the matter be placed before me. On his part, Mr. Hussain filed a complaint against the learned Judge on 27.09.2023, making specific allegations detailed in the complaint.

2. A Show Cause Notice was issued to Mr. Hussain, in reply to which he reiterated the contents of the reply that he had filed on 03.10.2023 (a copy of which is on page 23 of the file).

3. I have heard the learned counsel for the Advocate and the Advocate himself in person.

4. Mr. Talpur, learned counsel for Mr. Hussain, has graciously and categorically admitted that Mr. Hussain made a mistake. He submitted that maintaining the Court's decorum and glory should be the foremost consideration for an advocate while pleading his case. He rendered an unconditional apology on behalf of his client.

5. My colleague, the learned Judge, was justified in being upset and referencing the Chief Justice of Sindh. There is absolutely no doubt about that.

6. The apology and explanation rendered by Mr. Hussain reflect his embarrassment and repentance for his role in what transpired on 25.09.2023. During these proceedings, Mr. Farhat submitted that due to a stressful situation on many levels, he resorted to conduct unbecoming of an advocate. He was apologetic and submitted that he had also apologized to the learned Judge and sought her forgiveness.

7. Mr. Hussain also assured me that he would demonstrate stellar conduct in all courts he appears in and advocate for good behavior in courts amongst the younger members of the legal fraternity.

8. An advocate's unwarranted, unjustified, and contemptuous outburst can never harm the learned Judge's good reputation, dignity, and self-respect. However, I cannot reiterate enough that an advocate has to abide by the canons of etiquette contained in the Legal Practitioners Act.

9. I believe in the sincerity of Mr. Hussain's apology. Mr. Hussain is apologetic and repentant and has assured me that this behavior will not be repeated. The All-Mighty in Surah Baqarah Verse 160 says, "As for those who repent, mend their ways, and let the truth be known, they are the ones to whom I will turn [in forgiveness], for I am the Acceptor of Repentance, Most Merciful." To err is human. To forgive divine.

10. The contempt proceedings are disposed of in the above terms.

JUDGE