

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Omar Sial

Mr. Justice Mohammad Abdur Rahman

CRIMINAL JAIL APPEAL NO. D-11 OF 2023 (HYDERABAD)

Appellant: Anees Ahmed through M/s. Waqar Siyal, Zeeshan and Muhammad Faheem, advocates for the appellant.

Amici: M/s. Mahmood Akhtar Qureshi, Faisal Siddiqui, Ms. Sara Malkani and Maliha Zia, advocates

Complainant: Nisar Ahmed present in person

The State: Mr. Nazar Muhammad Memon, Additional Prosecutor General, Hyderabad

Date of hearing: 18.04.2026

JUDGMENT

Omar Sial, J.: Naila Rind, a final-year student in the Sindhi Department at the University of Sindh, Jamshoro, residing in Room 36, Block-A, UG Hostel, was found hanging in her hostel room on the evening of 1 January 2017.

- Mahajabeen Kathi, a Physiology Department teacher and Warden of Block-B (Undergraduate Hostel), told the police that on 31 December 2016 at around 8:00 pm, Naila had come to her office complaining that she was feeling unwell and had requested permission to leave the hostel with her male cousin to see a doctor. As Naila's request did not comply with the University's hostel safety protocols, Mahajabeen declined it and instead offered to personally accompany Naila in the University ambulance. Naila immediately said she was feeling better, declined Mahajabeen's offer, and returned to her room.
- Following the day, 1 January 2017, after Maghrib prayers, Mahajabeen conducted her routine evening rounds. She noticed the light in Naila's room was on and that the door was locked from the inside. Receiving no response to her knock, she opened the window's glass pane, moved the curtain aside, and saw Naila hanging from the ceiling fan. Shaken by the discovery, she immediately reported the incident to the Hostel Provost, Anila Naz Soomro, before returning to her own room.
- On the evening of 1 January 2017, Naila's family learned through the media that Naila had died and that her body had been discovered by the authorities at the University. On 2 January 2017, at about 1:00 am, following an autopsy at Civil Hospital Hyderabad, the body was handed over to the family for burial.

5. On 6 January 2017, Naila's brother Nisar Ahmed registered FIR No. 4 of 2017. In the FIR, he recorded that Naila was being harassed by a person and, while disclosing the mobile number of the phone from which she was being harassed, contended that he did not know the name of the person in whose name that telephone number was registered and hence indicated that the complaint was being made as against an unknown person. The FIR was registered under sections 315, 316, and 509 PPC, sections 9 and 13 of the PECA Ordinance 2009, and section 7 of the ATA Act, 1997.
6. The family told police that towards the end of December 2016, after completing her final exams, Naila had returned home. They further contended that on 28 December 2016, during a family conversation, she appeared emotionally disturbed. On being queried, she revealed she was being constantly harassed by someone calling from the mobile number 0346-3834156. The family told her to focus on her studies and while promising to handle the matter, noted the number. Later that day, Naila left to visit her cousin Saima in Sukkur before traveling to Sindh University to submit her thesis. The next the family heard was of her death.
7. On 6 January 2017, Anees Ahmed was arrested at 4:00 pm and was accused of killing Naila.
8. Anees pleaded not guilty and claimed to be tried. The prosecution examined the following witnesses:
 - (i) Nisar Ahmed (PW-1) - Naila's brother, who is the complainant.
 - (ii) Noor Ahmed (PW-2) - the Magistrate who in terms of Section 164 CrPC recorded statements of Mahajabeen Kathi, Sohail Ahmed Rind, Nizamuddin Rind, and Khadim Hussain Rind.
 - (iii) Sohail Ahmed Rind (PW-3) - Naila's brother.
 - (iv) Nizamuddin Rind (PW-4) - Naila's father.
 - (v) Mahajabeen Kathi (PW-5) - Warden of Block-B and Physiology teacher.
 - (vi) Dr. Anila Naz (PW-6) - Provost of the girls' hostels.
 - (vii) Dr. Samina Rajput (PW-7) - Medico-legal officer at Liaquat University of Medical and Health Sciences who conducted the post-mortem.
 - (viii) Saima Hussain (PW-8) - Naila's friend who dropped her at the University before the incident.
 - (ix) Khadim Hussain Rind (PW-9) - Naila's uncle.
 - (x) Nusrat Talpur (PW-10) - Naila's colleague at the University.
 - (xi) Aijaz Junejo (PW-11) - a rickshaw driver who claimed Naila had used his services and asked him to procure stones for black magic and "cancer blood."
 - (xii) HC Mohammad Ramzan (PW-12) - the constable who witnessed Anees's arrest on 06.01.2017 and the search of Naila's room on 16.06.2017.
 - (xiii) Shahzad Ali Kazi (PW-13) - the revenue officer who sketched the crime scene.

- (xiv) PC Rustam Ali Hingoro (PW-14) - the constable who accompanied the investigating officer to the University on 01.01.2017 and again on 16.01.2017 when Naila's room was inspected.
- (xv) Sanaullah Dehraj (PW-15) - a Junior Clerk at the Sessions Court, Hyderabad, who produced the Sessions Judge's inquiry report into the incident.
- (xvi) Inspector Tahir Hussain Mughal (PW-16) - the first police responder, who inspected the crime scene on 01.01.2017 and 16.01.2017, arrested Anees, and served as the investigating officer.
9. In his section 342 Cr.P.C. statement, Anees professed innocence. He stated that none of the prosecution witnesses, except the investigating officer, had named him and that the investigating officer had done so out of malafide, on account of a grudge against Anees's father. He further stated that the investigating officer had produced carbon copies of documents.
10. On 30 January 2023, the Anti-Terrorism Court No. 1, Hyderabad, convicted Anees and sentenced him to:
- (i) Life imprisonment for committing an offence under Section 7(a) of the ATA 1997 read with Section 321 PPC, with a fine of Rs. 200,000 or one additional year in prison in default.
 - (ii) Three years' imprisonment for committing offenses under Sections 21(b) and (c) and Section 24(d) of the Prevention of Electronic Crimes Act 2016, with a fine of Rs. 25,000 or six additional months in default.
- Anees has challenged this judgment through the present appeal.
11. We have heard Mr. Waqar Siyal, learned counsel for Anees, and Mr. Nazar Memon, learned Additional Prosecutor General. After repeated notices were issued, the complainant Nisar Ahmed eventually appeared and informed the Court that he did not wish to engage private counsel and would rely on the Additional Prosecutor General to defend the Appeal.
12. An important legal issue arose during these proceedings, discussed in detail below. We deemed it appropriate to seek the assistance of Mr. Mehmood Akhtar Qureshi, Mr. Faisal Siddiqui, Miss Sara Malakani and Ms. Maliha Zia, as amici curiae, who very kindly consented. Their individual arguments are not reproduced for brevity, but are reflected in our observations and findings.

OUR OBSERVATIONS

13. There is no direct evidence in this case. The entire case hinges on the investigating officer's testimony. The family members—Naila's brothers, father, and uncle—testified only that when she visited home before the incident, on evening she appeared worried and mentioned that someone from a specific phone number was bothering her. Not much attention was given to her complaint, even if made, by the family. Saima Hussain similarly testified that Naila received a call on the bus and that she had seen the name "Anu" flash on the screen, and, though she could not see the full number, recalled the last three digits as "156."

We find the account of events of the family members of Naila and of Saima Hussain to be afterthoughts that seem to have been tailored to align with the investigating officer's theory. We base this finding on the fact that from 01.01.2017 to 06.01.2017, none of the family members mentioned Anees's mobile number to the police. The mobile number surfaced only after Anees's arrest, and no explanation for the delay in recording their section 161 CrPC statements was placed on record. Saima's claim is also inherently unnatural: a person glancing at another's phone on a bus is far more likely to catch a saved contact name which flashes prominently on any handset rather than to catch a number. We therefore harbour serious doubt about the authenticity of these accounts insofar as they relate to the phone number. In any event, even if the number were correctly identified, that fact alone would not establish that Anees had "killed" Naila.

14. Although the family initially believed Naila had been murdered, the witness statements and medical reports conclusively establish that it was a case of suicide. The family's shock and disbelief of such an event perhaps made it difficult for them to accept that truth.
15. The most important witness was the investigating officer, Tahir Mughal. He testified that at approximately 6:05 pm on 1 January 2017, he received information that a girl at the University of Sindh had committed suicide. He went to the room and found it locked from the inside. The Police broke the door of the room and lowered Naila's body. Crucially, Tahir testified that a phone was lying on a pillow in the room, and that he had prepared a "scene-of-incident" memo. The next day, 2 January 2017, he returned to Naila's room and secured eight items under a memo. On 6 January 2017, he arrested Anees and claimed to have recovered a phone operating on the number 0346-3834156 from Anees's person. He then wrote to the regulatory agencies to verify who the two SIMs—0346-3834156 (recovered from Anees) and 0334-0030623 (recovered from Naila's room)—had been issued to.
16. Tahir further testified that on 14 January 2017, he received a transcript of messages from both phones, which showed that Anees had contacted Naila several times on the evening of 31 December 2016, asking her to meet him. We have reviewed the call data record—which is not an original record issued by the mobile carrier—and find that the messages were sent within the same time frame as Mahajabeen's account of Naila seeking permission to leave the hostel. The messages ended at 8:00 pm on 31 December 2016, and the record shows Naila made and received calls thereafter.
17. The prosecution's entire case rests on Tahir's theory that because Naila did not come out to meet Anees, Anees sent her private photos and threatened to disseminate them. It is on record that private photos of both Naila and Anees were recovered from Anees's phone following a forensic examination.
18. Naila's call data record shows communication with Dr. Muhammad Anwar Figar Hakro, who was then Dean of Faculty at Sindh University. In his section 161 CrPC statement, Dr. Hakro told the investigator that Naila had complained he would not answer her calls—a complaint she also made to friends. Naila had given Dr. Hakro an envelope requesting him to read it, and had requested permission to visit his residence. This was an unusual relationship between a student and a teacher. Without imputing any

involvement on Hakro's part, the matter warranted further investigation—particularly the contents of the envelope. Tahir acknowledged he had not pursued this.

19. Tahir admitted that the jurisdiction to investigate PECA offences lay with the FIA and not the police. More significantly, he admitted that the FSL report that he had produced at trial bore no signature—neither his, nor that of any forensic expert or any other officer. He further admitted that the report did not identify the sender of the messages, did not link the accused's name to the sent messages, and that the photos show only a naked male face.
20. Tahir also admitted that statements from witnesses—including family members, a rickshaw driver, Naila's friend Saddam, and the warden Mahajabeen—were delayed by five to twenty-eight days.

The Case Against Anees

21. While Anees and Naila shared a personal relationship marked by the typical ups and downs of such relationships, the existence of their private communication alone does not inherently tie him to her tragic decision to commit suicide. Personal communications including, but not limited to, electronic messages showing private interactions between a young couple cannot ipso facto establish legal or moral culpability for her death. In any legal framework, a relationship cannot automatically be equated with guilt; instead, objective evidence must be evaluated to determine if there was any actual instigation or legal wrongdoing, rather than relying on blame or assumptions.
22. The prosecution's case is that Anees blackmailed Naila and which mentally disturbed her causing her to commit suicide. The evidence the police relied upon was:
 - (i) A call data record showing contact between Naila and Anees.
 - (ii) Personal photos recovered from Anees's phone.
 - (iii) WhatsApp messages.
 - (iv) Testimony from Naila's brother, uncle, and father that she had told them a specific number—later linked to Anees—was bothering her.We analyse each in turn.

Call Data Record

23. Naila's phone was said to be lying near her body when police first entered the room on 1 January 2017. It was not seized that day. On 2 January 2017, Naila's room was checked and a recovery memo prepared—the phone does not appear on it. Remarkably, when the room was inspected again on 16 January 2017, the phone was found and seized. Rustam Ali testified that he witnessed this seizure and signed the recovery memo (exhibited as 17-C, page 88 of the paper book). A review of that memo, however, shows the phone is not listed there either.
24. In short, there is no contemporaneous record of when Naila's phone was recovered, when it was sent for forensic analysis, or whose SIM was allegedly in it. The phone appears to have appeared, disappeared and reappeared without explanation.
25. Anees was arrested on 6 January 2017 and an LG brand phone was recovered from him and which has been confirmed in the arrest memo and also by Tahir in his testimony.

On 1 February 2017—nearly a month after the incident—Tahir sent two mobile phones for forensic analysis: a Samsung Galaxy Note 3 and a Rivo Rhythm RX 150. Neither of these are the LG phone that had been recovered from Anees. The prosecution says both the Samsung and Rivo belonged to Naila, which means the private photos were on her phone, and there is nothing to show—other than photos solely of Anees—that Anees had sent them to her.

26. The call data record was produced on a plain sheet of paper, with no company seal, no authorising signature, and no identification of the issuing carrier. The Supreme Court has held in *Khair Mohammad v. The State* (2025 SCMR 1599) that a call data record without authentication from the relevant cellular company—its seal or a letter of authorisation—cannot be relied upon at trial.

WhatsApp Messages

27. The prosecution relies on two sets of WhatsApp messages, both said to be exchanges between Naila and Anees.
28. The first set, which appears to be the genuine exchange, is entirely in Roman Sindhi. It shows Anees waiting outside the University on New Year's Eve, asking Naila to come out—consistent with Mahajabeen Kathi's testimony that Naila had sought permission to leave. There is no message, in this set, that remotely suggests Anees threatened to disseminate any private photos.
29. The second set is in fluent Urdu and takes the form of screenshots, not data recovered from a phone. The sender's profile name is "Cheeta Jano," depicted as a woman. The conversation refers to persons named Zain and Zainab—no connection to Anees or Naila. It is in this set that oblique references appear to someone threatening to disseminate photos. No link between this Urdu exchange and any party in this case was established. We are constrained to observe that documents from an unrelated case appear to have been introduced as evidence here.
30. What we find particularly telling is that several screenshots in the Urdu set show the sender in the act of typing—which is visible only in real time and cannot appear in data retrieved from a phone. No blackmail or dissemination of any private photo by Anees has therefore been established by the prosecution.

Private Photos

31. Forensic data recovery confirms that personal photos were exchanged. Under the law the mere possession of private photos absent of their dissemination or their use for blackmail is not an unlawful act. We invited the prosecution to identify any law that criminalises the possession of such photographs; none was pointed to.

Naila's Complaint to Her Family

32. The family's testimony that Naila was disturbed and had named that a person had been harassing and identifying Anees' mobile number appears to be an afterthought. Between 1 January 2017 and 6 January 2017, none of them mentioned the number to police. Anees's mobile number emerges on record only after his arrest.

Terrorism

33. We are unable to comprehend how the trial court concluded this was a terrorism offence. This Court has consistently held that cases must not be categorised as terrorism arbitrarily. The trial court did not identify which "action" listed in section 6(2) of the ATA applied, nor did it explain how the requisite intent and design to create fear and insecurity in the community was established. Every serious crime causes trauma to those involved; that alone does not make it terrorism.
34. Trial courts are reminded of the Supreme Court's authoritative guidance in **Ghulam Hussain v. The State** (PLD 2020 SC 61):

"For an action or threat of action to be accepted as terrorism within the meanings of section 6 of the Anti-Terrorism Act, 1997, the action must fall in subsection (2) of section 6 of the said Act and the use or threat of such action must be designed to achieve any of the objectives specified in clause (b) of subsection (1) of section 6 of that Act, or the use or threat of such action must be to achieve any of the purposes mentioned in clause (c) of subsection (1) of section 6 of that Act. It is clarified that any action constituting an offence, howsoever grave, shocking, brutal, gruesome or horrifying, does not qualify to be termed as terrorism if it is not committed with the design or purpose specified or mentioned in clauses (b) or (c) of subsection (1) of section 6 of the said Act. It is further clarified that the actions specified in subsection (2) of section 6 of that Act do not qualify to be labeled or characterized as terrorism if such actions are taken in furtherance of personal enmity or private vendetta."

35. Even hypothetically, had blackmail been proved, the obvious intent would have been to coerce the complainant—not to spread fear and insecurity in the community at large. The terrorism threshold was not met.

PECA Offences

36. Parliament did not vest the police with jurisdiction to investigate cyber crime offences—that domain belongs to the FIA. The Prevention of Electronic Crimes Act was enacted on 19 August 2016. At that time, section 29 did not designate an "investigation agency," leaving it to the Federal Government to do so. It appears from the record that Rules made in 2018 formally designated the FIA as the investigating agency—meaning that during the critical investigative period in this case (2016-2018), there may have been some ambiguity. In 2025, this responsibility was transferred to the newly established NCCIA. We do not, however, find it necessary to resolve this question, as we have not held it against the prosecution, and accordingly give no finding on the legal effect of a police investigation into an FIA-scheduled offence.
37. Anees was convicted under sections 21(1)(b) and (c) and 24(d) of the PECA 2016. Section 21 requires proof of intentional public exhibition, display, or transmission of the relevant material. Section 24 requires proof of intent to coerce, intimidate, or harass. No evidence was produced at trial establishing either of these requisite mental elements. No dissemination or public display of any photo was proved—or, for that matter, even alleged—by the prosecution.

Section 321 PPC

38. A recent judgment of the learned 2nd Additional Sessions Judge, Karachi Central in **The State v. Sheeraz Mughal & others** (Sessions Case 1643 of 2020) noted the absence in Pakistan's law of any specific provision to punish a person who creates circumstances that compel another to take their own life:

"The problem that arises is that the Pakistan Penal Code does not appear to address a situation where a person commits suicide being driven to it due to the cruel manner in which that person is treated by another person, though not intending that the recipient commits suicide."

"It is a matter of grave concern that in Pakistan there exists no specific law that renders a person legally responsible for being the cause or reason behind another's suicide."

39. Recognizing the importance of this observation, we sought the assistance of the amici. Mr. Mehmood Akhtar Qureshi was of the view that no PPC provision addresses the situation of one person being driven to suicide by another, and that a provision akin to the Indian Section 306 IPC is required. Ms. Sara Malakani was of the opinion that section 315 PPC could be engaged in such situations, while acknowledging that intent remains essential. Ms. Maliha Zia, in her written note, stressed the PECA laws and was of the view that section 325 P.P.C. may be resorted to in similar situations. Mr. Faisal Siddiqui, who took us through the suicide laws of several jurisdictions, concluded that while greater clarity is needed, section 321 PPC can be brought to bear in such situations. We are deeply grateful to the amici for their illuminating contributions.
40. In India, section 306 of the erstwhile Indian Penal Code—now section 108 of the Bharatiya Nyaya Sanhita—provides that whoever abets the commission of suicide shall be punished with up to ten years' imprisonment and a fine. No equivalent provision exists in the Pakistan Penal Code. This legislative gap allows offenders in such circumstances to evade punishment, complicates investigations, and constrains courts in administering justice.
41. We are of the view that the closest the existing law comes to addressing this situation is section 321 PPC, which requires that the perpetrator commit an "unlawful act." The words "unlawful" and "illegal" are sometimes used interchangeably, but carry a meaningful distinction. "Illegal" refers to what is prohibited by written statute. "Unlawful" is broader—it encompasses anything not authorized or sanctioned by law, including violations of common law, natural law, or principles recognized by the legal system, even absent a specific prohibition. The use of "unlawful" in section 321 PPC accordingly gives the provision a wider reach.
42. A residual difficulty remains: section 321 PPC is confined to death caused by an unlawful act. If it is was confined to an "illegal act", it may not capture every situation—persistent bullying, unmet promises of marriage, or incessant debt demands—where the driving conduct, while morally reprehensible, may not cross the threshold of illegality. Whether diyat is always the appropriate punishment for those who cause another to take their own life is also a question deserving legislative

attention. This would fall within the statutory domain of the Minister of Law, Government of Sindh, to consider whether a provision along the lines of the Indian section 306 IPC would better serve the families of suicide victims in their pursuit of justice. Until Parliament addresses the issue, we clarify that the abetment of suicide—or para-suicide—would fall within the term "unlawful act" in section 321 PPC.

43. As we were finalizing this opinion, the Honorable Federal Shariat Court restored Section 325 PPC, which criminalizes attempts to commit suicide, having been omitted in 2022 by the Criminal Laws (Amendment) Act (Act No. XXXVII of 2022). In its judgment in Shariat Petition No. 03/1 of 2023, delivered on 18.05.2026, the Court held that a blanket repeal of the provision was inappropriate, and identified one of the resulting legal difficulties as follows:

"The decriminalization of 'attempt to commit suicide' has given rise to two kinds of serious legal problems, namely: i. Any abettor i.e. a person who helps anyone in committing suicide cannot be charged of any offence as such because the crime of attempting suicide is decriminalized and Section 325 is omitted from the PPC and once the action of attempting an act is no more a crime, which in this case is attempt to commit suicide, then any action to abet commission of suicide cannot be penalized because to be charged as an abettor of any illegal act, that alleged act itself must exist in the list of crimes under the law."

It is relevant to note that section 325 PPC was in force at the time of the incident in this case.

Secondary Evidence

44. The investigating officer produced photocopies of documents upon which the prosecution relied. Article 72 of the Qanun-e-Shahadat Order, 1984 permits proof of documents by either primary or secondary evidence. Article 75 provides that documents must ordinarily be proved by primary evidence, subject to the exceptions in Article 76. The Order sets out clearly the circumstances in which secondary evidence may be admitted, and the presumptions that may be drawn. Trial courts must give reasons for admitting secondary evidence rather than deferring objections to the judgment and then failing to address them at all—a practice we expressly disapprove.
45. We have not ruled on the admissibility of the secondary evidence produced here because we are satisfied that, even if it were admissible, it was insufficient to establish blackmail, harassment, or threats.

Press Conference

46. It was brought to our attention that the DIG of that time, at a press conference, recklessly and wholly inappropriately stated that this was not a case of suicide but of murder. At that point, not a shred of evidence supported that conclusion—nor has any emerged since. Naila's family deserved honest closure, not the prolonged emotional turmoil that followed. The record suggests that public pressure may have driven the

police to resolve the case hastily and unfairly. The State did not have sufficient evidence to prosecute. It was the Prosecutor General's duty to have ensured a more considered prosecution.

Directions to Trial Courts

47. The following observations are of a general nature and are not specific to this case.

1. Objections raised during evidence should be decided there and then. If brief reflection is required, the objection should be resolved within one day, with the continuation of recording adjourned for that period.
2. Where the prosecution relies on call data records, it should be required to identify the specific entries relied upon and which should be independently exhibited. The practice of producing hundreds of pages of call logs accompanied by a blanket assertion that "the record shows contact" is insufficient. The relevance of each entry to the prosecution case must be judicially reviewed. Trial courts are bound by the Supreme Court's guidance on the admissibility of call data records. If a trial court departs from a settled principle, it must explain why.
3. Judgments must give reasons. A reproduction of the evidence, followed by a general statement that "the above proves the charge," does not suffice. Evidence must be legally analyzed, and specific findings given. Judgments should greatly reduce the reproduction of evidence in extenso. Greater time, thought, and space should be devoted to legal analysis. Critical evidence must be specifically addressed. An appellate court may or may not agree with the trial court's conclusions, but that does not absolve any court—at any level—of its duty to analyze the evidence and express its view on the critical issues. A person's right to life, liberty, and dignity must be rigorously safeguarded at every level of the judicial hierarchy. Strong, cogent reasons must be recorded whenever these rights are curtailed in accordance with the law.
4. Trial courts must give careful attention to sentencing. The Criminal Procedure Code provides ample guidance, and courts are encouraged to revisit its provisions.
5. Trial courts must remain current on the major principles enunciated by the Supreme Court and the High Courts. Any departure from a settled principle must be explained.
6. When "sensitive" photographs are introduced as evidence, the trial court and the High Court must place them in a sealed, non-transparent envelope. The envelope should only be opened on a strict need-to-know basis. The police, equally, must handle such material with strict confidentiality. The dignity of persons is constitutionally inviolable, and the State has criminalized the non-consensual dissemination of personal images. Courts and law enforcement agencies must not themselves violate that principle by carelessly handling such evidence.
7. The judiciary is bound to uphold constitutional supremacy over majoritarian sentiment. Defending constitutional rights—particularly when counter-majoritarian—is a cornerstone of institutional stability. Sacrificing legal consistency for public acclaim constitutes a structural violation of judicial duty.

Judges must decide independently and must give reasons for their decisions, especially where sentences are severe.

Opinion of the Court

48. Observations / Findings Summary:

- (i) An offense under the anti-terrorism law was not proved.
- (ii) No dissemination or public display of photos was proved.
- (iii) Blackmail was not proved.
- (iv) No "unlawful act" on Anees's part was proved.
- (v) The prosecution failed to prove its case beyond reasonable doubt.

Subject to the approval of the Hon'ble Chief Justice, the learned Registrar is requested to send this judgment to the courts conducting criminal trials to facilitate their reference to paragraph 47 above.

Decision

- 49.** The appeal is allowed, and the appellant is acquitted of the charge. He should be released if not required in any other custody case.

Sd/-

OMAR SIAL

JUDGE

06.07.2026

Sd/-

MOHAMMAD ABDUR RAHMAN

JUDGE

06.07.2026