THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Spl. Anti-Terrorism Jail Appeal No.D–**168** of 2018
Confirmation Case (ATA) No.D-**06** of 2018

Before:-
Justice Muhammad Faisal Kamal Alam
Justice Tasneem Sultana

Appellants	:	**i. Khalil Ahmed alias Sikandar alias Aghar Ali son of Ihsanullah Brohi &** **ii. Abdul Rehman alias Ismail alias Baboo son of Muhammad Ali Pindrani Brohi.** Through M/s Abdul Hakeem Brohi, Achar Khan Gabol and Naeemuddin Z. Qasmi, Advocates.
Complainant	:	**Syed Rajib Ali Shah** Through M/s Manzoor Hussain N. Larik, Mazhar Hussain Mangrio, Waqar Ali Phulpoto and Syed Qasim Ali Shah Musavi, Advocates.
Respondent	:	The State, through Mr. Zulfiqar Ali Jatoi, Additional Prosecutor General.
Dates of Hearing(s)	:	**18.08.2026, 20.08.2026, 17.09.2026, 23.09.2026 & 01.10.2026.**
Date of Judgment	:	**30.10.2026**

J U D G M E N T

TASNEEM SULTANA, J:- By this common judgment, we intend to decide the aforementioned Special Anti-Terrorism Jail Appeal and Confirmation Reference No.D-06 of 2018, as required under Section 374, Cr.P.C., transmitted by learned Trial Court, as both arise out of the same FIR and have been heard together.

2. Through the instant Criminal Anti-Terrorism Jail Appeal, Appellants Khalil Ahmed alias Sikandar alias Asghar Ali and Abdul Rehman alias Ismail alias Baboo have assailed the judgment dated 13.12.2018 passed by learned Judge, Anti-Terrorism Court-I, Sukkur, Camp at Central Prison, Sukkur, in Special Case No.65 of 2016, arising out of Crime No.27 of 2013, registered at Police Station Lakhi Ghulam Shah, District Shikarpur, under Sections 302, 324 and 34, PPC, Sections 3/4 of the Explosive Substances Act, 1908, and Sections 6/7 of the Anti-Terrorism Act, 1997, whereby they were convicted and sentenced as under:-

> i. For the offence under Section 7(1)(a) of the Anti-Terrorism Act, 1997 read with Section 302(b), PPC, as Tazir, both the appellants were sentenced to be hanged by their necks till they are dead. They were further directed to pay a fine of Rs.500,000/-each under the Anti-Terrorism Act, 1997, and their properties were ordered to be confiscated to the Government

under Section 7(2) of the Anti-Terrorism Act, 1997. In case of failure to pay the fine, they were ordered to undergo five years' R.I. They were also directed to pay compensation of Rs.500,000/- each under Section 544-A, Cr.P.C. to the legal heirs of each deceased.

ii. For the offence under Section 7(1)(c) of the Anti-Terrorism Act, 1997 read with Section 324, PPC, for attempting to cause murder and causing bodily injuries to 16 injured persons, they were sentenced to undergo ten years' R.I. and to pay a fine of Rs.100,000/- each, and in case of failure to pay the fine, to further undergo one year's S.I.

iii. For the offence under Section 7(1)(d) of the Anti-Terrorism Act, 1997, for causing damage to the shrine of Mast Ghazi Ghulam Shah by means of an explosion, they were sentenced to undergo ten years' R.I. and to pay a fine of Rs.100,000/- each, and in case of failure to pay the fine, to further undergo one year's S.I.

iv. For the offence under Section 7(1)(ff) of the Anti-Terrorism Act, 1997 read with Section 4 of the Explosive Substances Act, 1908, they were sentenced to undergo fourteen years' R.I. and to pay a fine of Rs.100,000/- each, and in case of failure to pay the fine, to further undergo one year's R.I.

All the sentences were ordered to run concurrently and the benefit of Section 382-B, Cr.P.C. was extended to the appellants. Co-accused Zameer alias Abdul Manan was, however, acquitted of the charge by extending him the benefit of doubt.

3. Brief facts of the prosecution case are that on 25.02.2013 at about 7:45 p.m., an explosion occurred inside the main hall of the shrine of Mast Ghazi Ghulam Shah at village Mari, where Syed Hajjan Shah, Gadi Nasheen of the shrine, was present along with a number of followers and visitors. According to the complainant, two persons had arrived on a motorcycle and entered the shrine, one of whom was carrying a black bag which he placed near the western side of the hall. After meeting Syed Hajjan Shah and remaining there for some time, both persons left the shrine. Shortly thereafter, the explosion occurred at the place where the bag had been placed, resulting in the death of Iqbal Ahmed Shaikh at the spot and causing injuries to several persons. Two injured persons, namely, Allah Warayo and Sadoro @ Sardar subsequently succumbed to their injuries, while Syed Hajjan Shah also died during treatment from the injuries sustained in the blast. The complainant thereafter returned to Shikarpur and lodged the FIR on 01.03.2013 against two unknown persons, stating that he had seen them in the light available at the shrine and could identify them if produced before him.

4. During course of investigation, Appellant Khalil Ahmed alias Sikandar alias Asghar Ali, who had been arrested in connection with FIR No.08 of 2015 of Police Station Lakhi Gate, allegedly disclosed during interrogation his involvement in the present occurrence along with an accomplice. Thereafter, the complainant and other witnesses went to the police station, where they identified him while he was confined in the lock-up, and their further statements under Section 161, Cr.P.C. were recorded on 03.03.2015. A Joint Investigation Team was subsequently constituted. Accused Zameer alias Abdul Manan was also arrested and, after completion of the investigation, a report under Section 173, Cr.P.C. was submitted against Appellant Khalil Ahmed and co-accused Zameer alias Abdul Manan, whereas accused Ali Sher was shown as absconding. Proceedings under Sections 87 and 88, Cr.P.C. were thereafter concluded against him and he was declared a proclaimed offender. After the requisite documents were supplied to the accused in terms of Section 265-C, Cr.P.C., charge was framed on 22.09.2015 against Khalil Ahmed (Appellant) and Zameer alias Abdul Manan, to which they pleaded not guilty and claimed trial. Subsequently, Appellant Abdul Rehman alias Ismail alias Baboo, who was then confined in Sadiqabad Prison, was taken into custody and brought to Shikarpur for investigation in the present case. A supplementary report under Section 173, Cr.P.C. was thereafter submitted against him on 28.12.2015 and, after supply of the requisite documents, an amended charge was framed on 16.02.2016 against both Appellants and co-accused Zameer alias Abdul Manan, to which they pleaded not guilty and claimed trial.

5. To prove its case, the prosecution examined 17 witnesses. PW-1 complainant Rajib Ali Shah produced the FIR; PW-2 injured Zulfiqar Ali Memon; PW-3 injured Zafar Solangi; PW-4 Dr. Imtiaz Ali Memon produced the referral letter and provisional medical certificates of the injured persons; PW-5 Tapedar Allah Wadhayo produced the sketch of the place of occurrence; PW-6 SIO/SIP Karim Bux Napar produced the memos relating to the place of occurrence, dead bodies, collection of blood-stained earth, photographs and other relevant documents; PW-7 injured Ali Bahar; PW-8 Inspector/SIO Syed Hajjan Shah produced the arrest memo and roznamcha entries; PW-9 SIP Noor Mohammad produced the roznamcha entry; PW-10 injured Zameer Ahmed; PW-11 injured Mureed Ahmed; PW-12 injured Nawab Ali; PW-13 Dr. Shoukat Ali produced the postmortem reports of deceased Iqbal Ahmed Shaikh and Allah Warayo Shar; PW-14 Mohammad Nawaz; PW-15 Inspector Iqbal Ahmed produced the technical report of BDS Sukkur Zone; PW-16 Inspector Farzand Ali produced the documents relating to the arrest and custody of Appellant Abdul Rehman alias Ismail from Sadiqabad Prison; and PW-17 PC Gulsher Ahmed. Thereafter,

learned APG for the State moved an application under Section 510, Cr.P.C. and produced the report of the Chemical Examiner regarding the blood-stained earth as Ex.36/A, whereafter the prosecution closed its side.

6. The Appellants were thereafter examined under Section 342, Cr.P.C., wherein they denied the allegations levelled against them by the prosecution and claimed innocence. Appellant Khalil Ahmed stated that he was innocent and had been falsely implicated in the case by the police to show their efficiency and that the witnesses had deposed against him at the instance of the police. Neither of the Appellants examined themselves on oath nor led any evidence in defence. After hearing learned counsel for the accused and learned APG for the State, learned Trial Court convicted and sentenced the Appellants vide the impugned judgment.

7. Learned counsel for the Appellants contended that the Appellants are innocent and have been falsely implicated at the instance of the police; that neither of the Appellants was named in the FIR; that no test identification parade was conducted before a Magistrate despite the prosecution case initially relating to two unknown persons; that Appellant Khalil Ahmed was allegedly identified at the police station while confined in the lock-up and such identification could not substitute a proper identification parade; that the complainant had not furnished any sufficient description of the unknown persons in the FIR; that there are material contradictions and discrepancies in the statements of the prosecution witnesses; that Appellant Abdul Rehman alias Ismail was implicated after the alleged disclosure of Appellant Khalil Ahmed and no identification parade of Appellant Abdul Rehman was ever conducted; that the alleged source of light at the shrine was not established; that the subsequent identification of previously unknown persons could not safely be relied upon; and that the alleged disclosures and subsequent proceedings did not independently connect the Appellants with the occurrence. Learned counsel accordingly prayed that the appeal be allowed and the Appellants be acquitted by extending them the benefit of doubt.

8. Conversely, learned Additional Prosecutor General, Sindh, assisted by learned counsel for the complainant, opposed the appeal and contended that the prosecution has proved its case against the Appellants through reliable and confidence-inspiring evidence; that the eyewitnesses were natural witnesses and had no reason to falsely implicate the Appellants; that Appellant Khalil Ahmed was identified by the complainant and other witnesses with the specific role relating to the black bag; that Appellant Abdul Rehman was identified by PW-3 Zafar and PW-12 Nawab Ali as the person accompanying Appellant Khalil

Ahmed at the shrine before the explosion; that non-holding of a test identification parade was not fatal where the evidence regarding identity was otherwise trustworthy; that sufficient light was available at the shrine at the relevant time; that the discrepancies pointed out by learned counsel for the Appellants were minor and did not affect the substance of the prosecution case; and that the ocular account was supported by the medical and other material available on record. They accordingly prayed that the appeal be dismissed and the impugned judgment be maintained.

9. We have heard learned counsel for the Appellants, learned Additional Prosecutor General for the State, assisted by learned counsel for the complainant, and have scanned the material available on record with their assistance.

10. The prosecution case, in substance, is that on 25.02.2013 at about 7:45 p.m., an explosion occurred inside the main hall of the shrine of Mast Ghazi Ghulam Shah at village Mari, where Syed Hajjan Shah, Gadi Nasheen of the shrine, was present along with a number of followers and visitors. Iqbal Ahmed Shaikh died at the spot, while several other persons, including Syed Hajjan Shah, sustained burn and blast injuries. Two injured persons, namely, Allah Warayo and Sadoro @ Sardar subsequently succumbed to their injuries, while Syed Hajjan Shah also died during treatment. According to the prosecution, before explosion occurred, two persons arrived at the shrine on a motorcycle and entered the hall. One of them was carrying a black bag which he placed towards the western side of the hall.

11. Upon reappraisal of the ocular account, we find that the prosecution case against Appellant Khalil Ahmed principally rests upon the testimony of complainant Rajib Ali Shah, PW Zulfiqar Ali, PW Ali Bahar, PW Zafar and PW Nawab Ali. The complainant deposed that while he, his father Syed Hajjan Shah and other followers were present inside the shrine, two persons arrived on a motorcycle and entered the hall. One of them was carrying a black bag, which he placed towards the western side of the hall. Both persons thereafter met Syed Hajjan Shah and left the hall while talking on a mobile phone. Soon thereafter, the explosion occurred. While deposing before learned Trial Court, the complainant identified Appellant Khalil Ahmed as the person who had carried and placed the black bag. PW Zulfiqar Ali substantially supported the complainant and likewise identified Appellant Khalil Ahmed as the person who had brought the bag and placed it inside the hall. PW Ali Bahar also identified Appellant Khalil Ahmed and attributed to him the same role, whereas PW Zafar and PW Nawab Ali identified him before learned Trial Court as one of the two

persons who had come to the shrine before the explosion. Their presence at the place of occurrence is natural and, in the case of the injured witnesses, also finds support from the medical evidence.

12. The principal objection raised on behalf of the Appellants relates to the non-holding of a test identification parade before Judicial Magistrate. The record reflects that the Appellants were not named in the FIR and that, after the arrest of Appellant Khalil Ahmed in another case, complainant Rajib Ali Shah, PW Zulfiqar Ali and PW Ali Bahar saw him at the police station while he was confined in the lock-up. PW Noor Muhammad also admitted in cross-examination that the complainant had not furnished the description of accused while lodging the FIR. These circumstances require the identification evidence to be examined with due caution; however, they do not, by themselves, justify discarding such evidence.

13. In *Muhammad Akram Rahi and others v. The State and others* (**2011 SCMR 877**), the Honourable Supreme Court, while examining the evidentiary value of identification proceedings, reiterated that identification in a test identification parade is not substantive evidence and is essentially corroborative in nature. While referring to *Muhammad Afzal v. The State* (**1982 SCMR 129**), it was observed that:

> **"If, however, the identity of the accused is proved by other convincing evidence direct or circumstantial, the absence of identification test proceedings will be immaterial."**

It was further observed that whether an identification parade is required depends upon the facts of each case and that no principle of universal application can be laid down in that regard. The Court also noticed that an identification parade assumes particular importance where a witness had only a momentary glimpse of the accused and thereafter claims that he would be able to identify him.

14. In *Rafaqat Ali and others v. The State* (**2016 SCMR 1766**), two injured witnesses, who could not participate in the identification parade as they were under medical treatment, subsequently identified the accused before the Trial Court and assigned them specific roles. The Honourable Supreme Court observed that:

> **"Holding of identification parade is not mandatory. If testing of a witness qua identity of accused even in Court inspire confidence and the witness is consistent on all material particulars and there is nothing in evidence to suggest that he is deposing falsely, in such circumstances, absence of**

> **witnesses during identification parade would not be fatal to prosecution case."**

The Court also noticed that the witnesses had not merely identified the accused before the Trial Court but had implicated them with specific roles and that their ocular account was supported by the medical and forensic evidence.

15. In *Ghazanfar Ali alias Pappu and another v. The State* (**2012 SCMR 215**), the Honourable Supreme Court observed that the object of an identification parade is to ascertain the involvement of an accused in a crime and that such proceedings are corroborative in nature. It was further observed that ultimately the testimony of the eyewitness has to be scrutinized by the Court and, where the witness had no previous enmity with the accused, his presence at the place of occurrence was otherwise established and his testimony inspired confidence, the evidence regarding identity could be acted upon.

16. In *Subha Sadiq v. The State* (**2025 SCMR 50**), the Honourable Supreme Court reiterated that a test identification parade is corroborative in nature and its non-holding is not necessarily fatal where the testimony concerning identity is otherwise reliable and confidence-inspiring. It was observed as under:

> **"The identification parade is one of the methods of proof contemplated under section 22 of the Qanun-e-Shahadat Order, 1984. It must be carefully conducted in order to achieve its main object i.e. to enable a witness to properly identify a person involved in a crime and to exclude the possibility of a witness simply confirming a faint recollection and impression. The process has to be carried out having regard to the exigencies of each case in a manner that is fair and does not indicate any collusiveness. It is merely a corroborative piece of evidence and holding of test identification parade is not mandatory. If the testimony of the witness qua the identity of the accused inspires confidence and the witnesses are consistent in all material particulars and there is nothing in the evidence to suggest that the latter had deposed falsely then in such an eventuality not conducting a test identification parade is not fatal to the prosecution's case."**

17. At the same time, we are mindful of the caution expressed in *Muhammad Asghar alias Nannah and another v. The State* (**2010 SCMR 1706**), *Muhammad Afzal alias Abdullah and others v. The State* (**2009 SCMR 436**), *Mursal Kazmi alias Qamar Shah and another v. The State* (**2009 SCMR 1410**) and *Ibrahim and others v. The State* (**2009 SCMR 407**), that where an accused is a stranger to the witnesses, is neither named nor sufficiently described at the earliest stage and no test identification parade is held, subsequent identification before the

Court requires careful scrutiny, particularly where there has been an opportunity of prior exposure. The evidentiary value of such identification, therefore, has to be assessed in the light of the facts and circumstances of each case.

18. Applying the above principles, the evidence against Appellant Khalil Ahmed cannot be treated as a case of bare dock identification. Complainant Rajib Ali Shah identified him as the person who was holding the black bag and placed it inside the hall; PW Zulfiqar Ali likewise identified him as the accused who had brought the bag and placed it towards the western side of the hall; and PW Ali Bahar also identified him as the person having the black bag. PW Zafar and PW Nawab Ali additionally identified Appellant Khalil Ahmed as one of the two persons who had come to the shrine before the explosion. In cross-examination, the complainant acknowledged that no identification parade had been held and that he had subsequently seen Appellant Khalil Ahmed in the police lock-up after about two years of the occurrence. PW Zulfiqar Ali similarly admitted that Appellant Khalil Ahmed was previously unknown to him and that he had seen him while confined in the lock-up. These aspects have been kept in view while assessing the evidentiary value of their identification. However, the evidence against Appellant Khalil Ahmed is not confined merely to his subsequent identification; rather, the complainant, PW Zulfiqar Ali and PW Ali Bahar consistently assigned to him the specific role relating to the black bag before the explosion.

19. The defence has also questioned the source of light available at the shrine at the relevant time. The complainant stated that he had seen the two persons in the light of electric bulbs and search light. PW Karim Bux, who inspected the place of occurrence after the explosion, also stated that the electric bulbs and fittings inside the hall had been damaged, while the bulbs outside were still shining. Thus, although the exact position of each source of light has not been described in detail, the record reflects that the electric light was available at and around the shrine at the relevant time. The ocular account also receives support from the material collected from the place of incident. PW Karim Bux prepared the memo of inspection at Ex.18/A and found a cavity and damage towards the western side of the hall. The site sketch prepared during investigation also shows the relevant portions of the shrine and the place of blast in relation to the main hall. From the spot, pieces of iron, fuse/circuit material, cells, ball-bearings, nails and other remnants of the explosive device were secured. PW Mohammad Nawaz, mashir of the inspection proceedings, supported the recovery of such articles from the place of incident and identified his signatures on the memo and sealed parcels. The Bomb Disposal Squad, through its technical report at Ex.34/A, examined the recovered material and

concluded that the device was a locally handmade time bomb. The photographs produced during trial also show the damage caused inside the hall. This material does not by itself establish the identity of the offender but supports the prosecution account regarding the place and nature of the explosion.

20. The medical evidence is also consistent with the prosecution account. PW-Dr. Shoukat Ali conducted postmortem examinations of deceased Iqbal Ahmed Shaikh and Allah Warayo and opined that their deaths resulted from shock and hemorrhage caused by injuries sustained through explosive material. PW-Dr. Imtiaz Ali examined injured persons, namely, Syed Hajjan Shah, Nawab, Zameer Ahmed, Hamal Faqir, Deedar Hussain, Ali Bahar, Zafar Ali and Mohammad Ayoob and found burn, lacerated and other injuries attributable to the blast. The medical evidence thus supports the prosecution version regarding the nature and consequences of the explosion and also corroborates the presence of the injured witnesses at the place of occurrence.

21. The plea of false implication has also been examined. Appellant Khalil Ahmed stated in his statement under Section 342, Cr.P.C. that he had been involved by the police to show efficiency, whereas Appellant Abdul Rehman also denied the prosecution case and alleged that false evidence had been produced against him. No previous enmity, ill-will or other motive has, however, been established against the complainant or the injured witnesses which could reasonably explain why they would falsely implicate the Appellants in an occurrence of this nature. Absence of enmity is not, by itself, proof of guilt; nevertheless, where the ocular account is otherwise found natural, consistent on material particulars and confidence-inspiring, the absence of any demonstrated motive for false implication assumes relevance while testing the defence plea.

22. The prosecution evidence must also be appreciated with reference to the individual role attributed to each accused. In *Ijaz Ahmad v. The State* (**2009 SCMR 99**), the Honourable Supreme Court declined to extend the acquittal of certain co-accused to the convicted accused merely on the ground that the witnesses were common, noticing that the eyewitnesses had specifically attributed an overt act to the convicted accused whereas no such role had been assigned to the acquitted co-accused. The case of each accused, therefore, has to be examined in the light of the role attributed to him and the evidence available against him. So far as Appellant Khalil Ahmed is concerned, the ocular account, when read with the material secured from the place of occurrence, the medical evidence and the technical report of the Bomb Disposal Squad inspires confidence. We, therefore, find that the prosecution has established beyond

reasonable doubt his identity and participation in the occurrence and his conviction calls for no interference.

23. The case of Appellant Abdul Rehman @ Ismail @ Baboo, however, requires separate consideration. The complainant Rajib Ali Shah did not identify him, nor did PWs Zulfiqar Ali and Ali Bahar. His identity principally rests upon the testimony of PWs Zafar and Nawab Ali, who identified him along with Appellant Khalil Ahmed as one of the two persons who had come to the shrine before the explosion. We are mindful that Appellant Abdul Rehman was not previously known to these witnesses and that no test identification parade was held after his arrest. PW Zafar also admitted in cross-examination that he had appeared in Court on previous dates and had seen the accused there. These circumstances have been kept in view while assessing the evidentiary value of their identification. Nevertheless, upon an overall assessment of their testimony and the surrounding evidence, we are not persuaded that their evidence regarding Appellant Abdul Rehman is liable to be discarded altogether. Their testimony is sufficient to establish that he accompanied Appellant Khalil Ahmed to the shrine and participated in the occurrence. His liability does not rest upon mere presence; rather, his concerted conduct with Appellant Khalil Ahmed, viewed in the context of the occurrence and the sequence in which the explosive device was brought, placed and thereafter detonated, is sufficient to infer that his presence was not accidental or innocent. However, when the question of sentence is considered, his case does not stand on the same footing as that of Appellant Khalil Ahmed. The specific act relating to the black bag was attributed to Appellant Khalil Ahmed by complainant Rajib Ali Shah, PW Zulfiqar Ali and PW Ali Bahar, whereas no such specific overt act was attributed to Appellant Abdul Rehman. The prosecution evidence itself, therefore, draws a clear distinction between the respective roles of the two Appellants. This distinction, though insufficient to disturb the finding of guilt against Appellant Abdul Rehman, is a relevant mitigating circumstance while determining the quantum of sentence to be awarded to him.

24. It is also settled that under Section 302(b), PPC, the Court has the discretion, having regard to the facts and circumstances of the case, to award either death or imprisonment for life. In *Muhammad Sharif v. The State* (**PLD 2009 Supreme Court 709**), the Honourable Supreme Court observed as under:

> **"It has been seen and observed from the perusal of the various proceeding in relation to section 302 PPC in particular its clause (b), that there is a choice and discretion with the Court to inflict punishment with death or imprisonment for life as tazir having regard to the facts and circumstances of the case".**

25. In *Muhammad Akram Rahi and others v. The State and others* (**2011 SCMR 877**), the Honourable Supreme Court also considered the distinction in the role of co-accused while examining the question of sentence. The death sentence of Qari Muhammad Ayyaz had been converted by the High Court into imprisonment for life. The Supreme Court noticed that the fatal injury had not been attributed to him and that his role was distinguishable from that of the principal accused and, therefore, declined to interfere with the lesser sentence awarded by the High Court.

26. Likewise, in *Fiaz alias Mansha v. The State* (**2026 SCMR 413**), the Honourable Supreme Court noticed that the death sentences of the co-convicts had already been commuted to imprisonment for life by the High Court on the ground that no role of firing had been attributed to them, whereas the principal accused had been assigned the effective fire shot. The distinction in the individual roles of the accused was thus treated as relevant while considering the question of sentence. Conversely, in *Muhammad Hayat and another v. The State* (**2021 SCMR 92**), the Honourable Supreme Court declined commutation where the collective conduct of the assailants did not permit any meaningful distinction in their respective roles. Applying these principles to the present case, we are persuaded that while the conviction of Appellant Abdul Rehman calls for no interference, the extreme penalty of death need not be maintained in his case.

27. In view of the above facts and circumstances, the conviction and sentences awarded to Appellant Khalil Ahmed @ Sikandar @ Asghar Ali are maintained. The conviction of Appellant Abdul Rehman @ Ismail @ Baboo is also maintained; however, his sentence of death is altered to imprisonment for life, while the remaining sentences awarded to him by the learned Trial Court are maintained and shall run concurrently. Benefit of Section 382-B, Cr.P.C. shall remain available to him in accordance with law. Consequently, the Criminal Anti-Terrorism Jail Appeal is dismissed to the extent of Appellant Khalil Ahmed @ Sikandar @ Asghar Ali and partly allowed to the extent of Appellant Abdul Rehman @ Ismail @ Baboo. Confirmation Reference No.D-06 of 2018 is answered in the affirmative in respect of Appellant Khalil Ahmed @ Sikandar @ Asghar Ali and in the negative in respect of Appellant Abdul Rehman @ Ismail @ Baboo.

Office to place signed copy of this order in the connected captioned matter.

Judge

Judge