

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

MR. JUSTICE TASSADUQ HUSSAIN JILLANI, HCJ
MR. JUSTICE KHILJI ARIF HUSSAIN
MR. JUSTICE SH. AZMAT SAEED

S.M.C. NO. 06 OF 2014

(Suo moto action on a news report regarding a rape victim sets herself ablaze in Muzaffargarh after accused freed on bail)

In Attendance: Mr. Mudasir Khalid Abbasi, AAG Punjab

Date of Hearing: 14.03.2014

ORDER

This morning we had taken suo moto notice on a media report that a young girl Amna was raped in the area of Police Station Mir Hazar, Muzaffargarh; that although a criminal case was registered but the same was cancelled despite the statement of the victim and other evidence available on record; that the said girl, her mother and other relatives protested in front of the Police Station where the said girl burnt herself within the view of the policemen. She was admitted to hospital yesterday.

2. We had called learned Advocate General Punjab who is stated to be in Lahore, instead Mr. Muddasir Khalid Abbasi, Assistant Advocate General has appeared but by this time we have received another news through office note that the victim has succumbed to the injuries and died in the hospital.

3. The news is not a flattering commentary on the justice system and in particular the working of police. The incident is not only violative of Articles 9 but also Articles 4, 25(3) & 37(d) of the Constitution. The incident is also reflects violation of the mandatory provisions of law, Police Rules and a judgment of this

Court reported at Salman Akram Raja vs. Government of Punjab through Chief Secretary (2013 SCMR 203).

4. In the afore-referred circumstances, we are persuaded to issue notice to Inspector General of Police and District Police Officer, Muzaffargarh to personally appear on 17.3.2014. The I.G. Punjab shall file a report in writing about the allegations leveled by the victim, the evidence recorded by the Investigating Officer, the findings of the medico lego report / DNA report, if any, and why the Investigating Officer declared the accused innocent. The report shall also apprise this Court as to whether the finding of the Investigating Officer was verified by the higher police officer i.e. SDPO or DPO or not? The Advocate General Punjab shall also appear on the next date. To come up on 17.3.2014.

CHIEF JUSTICE

JUDGE

JUDGE

Islamabad, the
14th of March, 2014
Not Approved For Reporting
Khurram