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IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, C.J.
MR. JUSTICE ABDUL HAMEED DOGAR
MR. JUSTICE MUHAMMAD NAWAZ ABBASI

HUMAN RIGHTS CASE NO. 2087 OF 2006

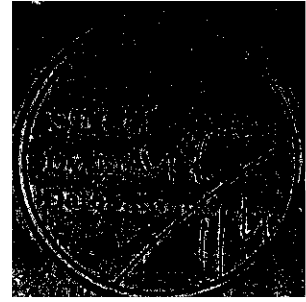
(Complaint by Rukhshanda Shoib)

Complainant: In person
On Court call: Mr. Khadim Hussain Qaiser, Addl. A.G
Mr. Ihsan Sadiq, Ex.S.P
Date of Hearing: 5.10.2006

ORDER

IFTIKHAR MUHAMMAD CHAUDHRY, C.J. After hearing the petitioner in person and learned Additional Advocate General, Punjab, it transpired that interim challan has been submitted against five accused already under arrest and remaining accused have been declared innocent. The complainant having alleged that there is overwhelming evidence against all the accused but some of them have been let free by the Investigating Officer for the reason best known to him. We direct Inspector General of police to appoint an independent and honest officer to make a thorough probe into the matter and if he succeeds in collecting any incriminating evidence against the culprits, the same shall be produced in the Court concerned and in the light thereof the case shall be disposed of strictly in accordance with law. Disposed of.

Islamabad
5.10.2006
Iftikhar
27/10/06 16/x



Mr. Iftikhar Muhammad Chaudhry, Esqr,
Chief Justice,
Supreme Court of Pakistan
Islamabad.

APPLICATION FOR IMMEDIATE ORDERS (SUE- MOTO)
AND ADMONISH FOR ILLEGAL / UNLAWFUL DELAY
FOR ARREST OF REMAINING TWO ACCUSED/CULPRIT
LADIES IN CASE FIR 94/99 U/S 324, 109, 506/34 - PPC,
POLICE STATION KOHSAR, ISLAMABAD DATED 1.5.1999
AFTER THE ORDERS OF INSPECTOR GENERAL OF
POLICE ISLAMABAD DATED 3.7.2004 BY MR. EHSAN
SADIQ SP, INVESTIGATION WING ISLAMABAD DUE TO
HIS GROSS CORRUPTIONS.

APPLICANT

(RUKHSHANDA SHOIAB
ALONGWITH HER MINORS)
(1) MUSTAFA, SON
(2) DANISH, DAUGHTER.

THROUGH COUNSEL:



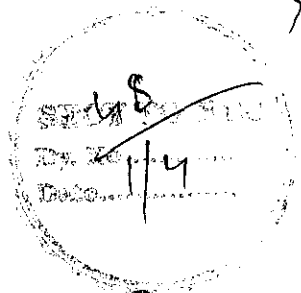
ZARREEN KANWAL
ADVOCATE HIGH COURT
ISLAMABAD **ZARREEN KANWAL**
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Driver.

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(PRIVATE/EXTREME PERSONAL)



To;

Mr. Iftikhar Muhammad Chaudhry, Esqr,
Chief Justice,
Supreme Court of Pakistan.
Islamabad.

**APPLICATION FOR IMMEDIATE ORDERS AND
ADMONISH FOR ILLEGAL / UNLAWFUL DELAY FOR
ARREST OF REMAINING TWO ACCUSED/CULPRIT
LADIES IN CASE FIR 94/99 U/S 324, 109,506/34 - PPC,
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SADIO SP, INVESTIGATION WING ISLAMABAD DUE TO
HIS GROSS CORRUPTIONS.**

Honourable His Highness,

1. **That the applicant** would like to bring the notice to your benign honour, that applicant is British National and Resident of 13- Belmont Park, Layton, London, E-10, United Kingdom, vide British Passport No. 701925543. On arrival in Pakistan the applicant was residing alongwith applicants No.2 & 3 (namely Mustafa and daughter Sahiban) in rented house H.32, St.38, Sector F-6/1 Islamabad (Pakistan), wherein the attempt to murder of applicants took place. At present the applicant alongwith her minor children(Mustafa, Son & Danish, Daughter) is residing at H.No.35, St.37, F-7/1, Islamabad, and is still residing there.
2. **That after having** become shelterless for 12 years the applicant filed a suit for maintenance which was decreed in favour of the applicant and her minors amounting to Rs.40,000/- (Rupees forty thousand only)per month for the last 12 years w.e.f. 1998, from the Family Court of Islamabad and applicant got decree for attachment of properties situated at Rawalpindi (U.B. Plaza, Darya Abad, Malik Market Gwalmandi), Oil Mill established at Gujar Khan and properties situated in Ward No.4 Gujar Khan, of Judgment Debtor(Malik Tariq Masood, accused/culprit). (**Copy of decree and attached properties is at Annexure-"A"**)
3. **That attached** properties were the joint properties of accused/culprits (Judgment Debtor), Malik Tariq Masood and his four sisters namely (1) Mst. Zakia alias Jugnoo (2) Mst. Robina alias Rubi (3) Bushra alias Daizy (4) Sarfraz alias Nimmy alongwith their real Maternal uncle, Malik Mushtaq Hussain and Malik Tariq Javed (Muhammad Tariq) husband of Robina alias Rubi. Then the culprits /accused prepared a conspiracy collaborately for attempt to murder to the applicant and her minors on 1.5.1999 through their personal servants (1) Waris Shah, (2) Nazma alias Asma (3) Shafiq Driver.

(Contd...P/2)

This heinous offence committed by the accused/culprits in connivance with each other and the FIR NO.94/99 U/S 324/109,506,34 PPC was registered with PS Kohsar, Islamabad. The applicant after her heavy and painful hectic/hard struggle got her case as "**Proved to be Correct**" through thorough investigations by the then DSP CIA, Deputy Attorney, Islamabad, SP and SSP Islamabad (**Copies of FIR and relevant Reports are as per Annexure-"B"**).

4. **That the case FIR 94/99** is pending and lingering on for the last 8 years. Because the accused /culprits are very much **influential and notorious alcohol mongers of Badhana, Gujar Khan, Rawalpindi, who are paying monthly Bhatta to the concerned Police Station (Kohsar, Islamabad) on the 1st of every month and still continues.** It is pertinent to mention here that in the case FIR 94/99 of applicant after the order dated 17.5.2004, for the arrest of remaining two accused ladies in case FIR 94/99 SP, Ehsan Sadiq, and I.O. Tahir Iqbal, and Concerned Police further mishandled the case knowingly, intentionally/deliberately for their **vested interests i.e. heavy amount of bribe received from the declared accused/ culprits.** After Proved to be Correct.
5. **That in the case FIR 94/99, SP Ehsan Sadiq (Investigation Wing)** informed the applicant that **he has received three approaches**, out of which one is from Mian Muhammad Soomro, Chairman Senate in case FIR 94/99 **and having no approach from the applicant**, besides this Tahir Iqbal, Investigation Officer of the above mentioned FIR 94/99, who is the junior officer of Ehsan Sadiq, SP Investigation Wing, Islamabad. The said officer also informed the applicant that **PA (Iftikhar) of Mian Muhammad Soomro** contacted him on phone and directed that the statements of ladies criminal/culprits namely , Robina alis Rubi & Sarfraz alias Nimmy from the house of Mr. Mian Muhammad Soomro, Chairman Senate, Islamabad. Whereas the case of FIR 94/99 has been **proved to be correct.**
6. **That this crystal clear** illegal /unlawful delay reveals that Mr. Ehsan Sadiq, SP, Investigation Wing is solely involved in the case FIR 94/99, that is why, that he has taken a heavy bribe from culprits/accused/criminals and conspirators in lieu of this he provided illegal protection to the declared ladies accused/ culprits/conspirators namely (1) Mst. Zakia alias Jugnoo (2) Mst. Robina alias Rubi (3) Bushra alias Daizy (4) Sarfraz alias Nimmy, (5) Mst. Farrah Masood wife of Judgement Debtor, whereas the declared male accused/culprits are also openly/freely wandering, besides this the allegations are also **Proved to be Correct.**

It is worth mentioning here that the above mentioned accused /culprit ladies are also professional door to door alcohol mongers and habitual shop lifters. Recently they were **captured in theft at Chen One Multi National Departmental Store, Jinnah Supper** at the spot and later on released after payment of Rs.50,000/- as bribe to the concerned Police Station, Kohsar.

7. **That after the order** , dated 17.5.2004th for arrest of remaining two criminals ladies by The Honourable High Court, Mr. Ehsan Sadiq, SP Investigation Wing, while preparation ladies challan put them in column No.2 U/S 324, 109 PPC and for this very purpose SP, Ehsan Sadiq also received amounting to Rs.850,000/- just to protect the ladies criminals/accused/culprits/conspirators, thereafter illegal & unlawful protection and receiving of heavy bribe by the said Officer **(SP Ehsan Sadiq)is still continues)** knowing the fact that the instant case is **Proved to be Correct.**

It is pertinent to mention here that SP Ehsan Sadiq was ordered by the IGP/SSP Islamabad that remaining two accused/culprits ladies be arrested and nominate the corrupt Police Officials in the case FIR 94/99 but instead of justice with his uniform being an Officer in SP Rank mishandled and proved himself as an illiterate/greedy person belonging to Dhungi Dakva, Tehsil Gujar Khan, District Rawalpindi and he (SP Ehsan Sadiq) produced 4 fake,false and fraudulent evidence/false testimonies from Bhadana (Namely (1) Zar s/o Hassan (2) Shafiq s/o Karam Ellahi (3) Billa s/o Malik Akram (4) Waheed s/o Siddique with the collaboration/connivance of Bashir Noon, Inspector, Nisar, Constable and Tahir Iqbal, Sub-Inspector in Case FIR 94/99 after the lapse of 7 years, whereas the case has been declared as **Proved to be correct since 1-5-1999.**

In the above serious circumstances/conditions it is humbly prayed to your benign Honour that the applicant and her minor children may please be provided immediate relief/remedy in the interest of justice and serious legal action may kindly be taken against Mr. Ehsan Sadiq, SP Investigation Wing Islamabad and his other corrupt coordinator (already mentioned in the application) for receiving heavy bribe and production of false, fake and fraudulent evidence/ false testimonies in the case FIR 94/99 Under Section 324/109/506/34, PPC, which is registered in Police Station Kohsar, Islamabad , and for delay for the arrest of remaining accused ladies despite the order of IGP Islamabad dated 3.7.2004. This illegal act on the part of Mr. Ehsan Sadiq, SP Investigation Wing, Islamabad is absolutely illegal and untolarable/unbearable in the eyes of law.Because the case has been Proved to be Correct,

**Proved to be Correct,
Proved to be Correct,
Proved to be Correct,**

It is further requested that if your Worthy Honour will not take immediate action in this heinous act on the part of Mr. Ehsan Sadiq, SP,I.W., Islamabad and his coordinators/contemnors then the murder of applicant and her minors is confirmed.

APPLICANT

Rukhshanda Shoab

(RUKHSHANDA SHOAB
ALONGWITH HER MINORS)

(1) MUSTAFA, SON
(2) DANISH, DAUGHTER.

Mustafa
Danish

2650687

THROUGH COUNSEL:

Z. Kanwal

ZARREEN KANWAL
ADVOCATE HIGH COURT
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Legal Advisor Habib Bank
National Bank, ~~Islamabad~~
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VERIFICATION:

Verified on oath/Solemnly affirm that the contents of the captioned application are true and correct, through the documentary proofs(Reports) of High Ups of the Police Department to the best of my knowledge and believe, as per information received from the applicant, and nothing has been concealed therefrom.

Z. Kanwal

ADVOCATE

ZARREEN KANWAL
Advocate High Court
Islamabad