

4

U

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ
Mr. Justice Muhammad Nawaz Abbasi
Mr. Justice Saiyed Saeed Ashhad

Human Right Case No. 5443 of 2006
(Complaint by Zafar Khan)

Complainant: In person

On Court Notice: Mr. Anwar Mansoor Khan, A.G. Sindh
Mr. Nizamdin SIP

Balsh Khan, Sher Jan, Ahad Gul, Gul
Muhammad, Sher Khan, Khudee, Rahim, Ayub,
Muhammad Khan, Qutab Khan

Date of hearing: 10.11.2006

ORDER

Mr. Anwar Mansoor Khan, A.G. Sindh stated that police has already registered the case. Accused persons have been released on bail by ~~the~~ Additional District Judge, Shadad Pur. In the application allegation of releasing them on bail on acceptance of bribe has also been attributed. In view of such matter the Chief Justice of Sindh High Court Karachi may look into the matter, conduct inquiry if possible ^{and} conclude it as early as possible, and send copy of the same to the Registrar of this Court for perusal in Chambers. Mr. Zafar Khan stated that he is apprehending that justice will not be done to him in the matter. He may move High Court for transfer of the case from the Court of Additional District Judge Shadad Pur to any other Court in district Sangarh for further proceedings.

If the petitioner has grievance about the investigation of the case he may adopt the course of law available to him.

Disposed of with the above observations.

Islamabad, the
10th November, 2006.

Nisar/*

22/11/06

5443

①

To,



His Excellency Chief Justice,
Supreme Court of Pakistan,
Islamabad.

56
12/10

Zafar Khan S/o Haji Umar Khan, by caste
Pathan, R/o Village Umar Khan Pathan,
Taluka & District Mirpurkhas Sindh
Versus

... Applicant

- 1 Ali Khan S/o Adam Khan
- 2 Karim Khan S/o Adam Khan
- 3 Adam Khan S/o Rozi Khan,
- 4 Sardar Baloch Khan S/o Akbar Khan
- 5 Sardar Qutab Khan S/o Wazir Khan,
- 6 Sardar Eid Gul Khan
- 7 Khuwazik Khan Pathan
- 8 Sardar Muhammad Khan
- 9 Sardar Gul Muhammad
- 10 Sardar Khuda-e-Ram Pathan
- 11 Sardar Ayoub Khan Pathan
- 12 Sardar Sher Jan alias Sher Khan
Pathan

All R/o Khuda-e-Ram Bricks, Near
Village Rajo Bughio, Near Chowdagi
Stop, Taluka Shahdad Pur, District
Sanghar

... Accused

Subject: MURDER OF MY INNOCENT SISTER THROUGH
JIRGA, BAIL GRANTED TO ACCUSED PERSONS,
THREATS- PRAY FOR SUO MOTO ACTION &
JUSTICE.

His Excellency sir,

I have the honour to submit that I am residing at the mentioned address along with other family members. My sister Mst. Badri was married with Ali Khan S/o Adam Khan who was complaining about maltreatment, threats of murder and baseless allegations for which we have requested accused Ali Khan, his brother Karim Khan and their father Adam Khan but they asked that they will do which they feel better.

That on 15-07-2006 I was available in my house when informed that my sister is killed by accused No. 1 to 3 for which I have lodged FIR No. 26/2006 U/s 302, 201, 34 PPC against the

Cont. on p-02

accused Ali Khan, Karim Khan and Adam Khan at PS Shahpur Chakar, District Sanghar. I was personally enquired into the matter and I came to know that a JIRGA was called by the above SARDARS (Fuedal Lords) and in the Jirga accused Sardar Baloch Khan Pathan, Sardar Qutab Khan Pathan, Sardar Eid Gul Khan, Khuwazik Khan Pathan, Sardar Muhammad Khan, Sardar Gul Muhammad, Sardar Khuda-e-Ram Pathan, Sardar Ayoub Khan Pathan, Sardar Sher Jan alias Sher Khan Pathan & other Pathans were declared my sister Badri as KARI and it was ordered by Sardars/ Jirga that my sister Badri may be killed/ murder and may be burried with out any funeral prayers. The accused Ali Khan, Karim Khan and Adam Khan were killed my sister under the directions of above Sardars/ Jirga. Under directions of Jirga/ Sardars no funeral prayers were offered and my sister was not buried as per injunctions of Islam and she was buried in small KHADA, such facts was confirmed in Medical Board report, the accused were pleased and in Jirga a goat killed and eaten by Jirga Peoples.

That I made applications to higher authorities, local administration and police upon which open and secret and open enquiry was conducted by Police in which it was cleared that same Jirga was held and my sister is killed under the directions of above Jirga and accused were also challaned in the court, therefore the accused were issuing threats, forcing me to withdraw from case or else they will kill me.

That accused Adam Khan was moved an application for Pre-Arrest bail and Additional District & Sessions Judge Shahdadpur Mr. Ibrar Ahmed Memon granted him pre-arrest bail in which accused was submitted a bogus Medical Certificate that he is seriously ill which was found bogus as per letter of Medical Superintendent TH Shahdadpur therefore accused Adam Khan withdrawn from his application for pre-arrest bail and stated that his life is in danger and his bail application was cancelled.

Sir, the above Sardars are highly influential persons, main accused Sardar Baloch Khan has been granted pre-arrest bail by learned Additional District & Sessions Judge Shahdadpur. Recently accused Sardars Eid Gul, Muhammad Khan, Khuwazik Khan, Gul Muhammad have been granted bail after arrest by the learned Additional District & Sessions Judge Shahdadpur whereas accused Adam Khan, Karim Khan and Ali Khan are arrested whereas remaining are still not arrested.

Sir, my sister was religious woman and she was offering prayers for 5 times daily and she was HAFIZA OF QURAN but accused have killed/ murdered by leveling false allegations. Sir, when ever I am going to attend court, accused persons and their relatives are issuing threats that if I will not withdraw from the case or compromise with accused party, they will not spare me and my other family members, therefore I feel my life under danger and I will not get justice under pressure of accused persons.

Sir, the accused party is openly saying that they have paid Rs. 450,000/- to the Additional District & Sessions Judge Shahdadpur Mr. Ibrar Ahmed, DDA Abdul Qadir Soomro and complainant party will not be get justice and they will also kill us and we apprehend so.

Sir, Honourable Courts have imposed ban over JIRGAS but my innocent sister is killed under the directions of Jirga, lives of myself and my other family members are under continuous danger at the hands of accused party, their relatives, men etc as they are influential and criminals.

It is therefore, requested that kindly Suo Moto action may be taken in the matter, bail of accused persons may be cancelled, rest accused may be arrested, above case may be transferred to any other honest Judge of any Judicial District or Anti-Terrorism Court of Sindh, our lives may be saved, justice be done with me so that no person can think to take law into their hands and can not kill innocent woman.

Sir, I will wait for justice and hope that justice will be done with me before my death.

ظفر خان

Your obediently,

Dated: 09-10-2006.

ZAFAR KHAN S/O HAJI UMAR
KHAN, PATHAN, R/O VILLAGE
UMAR KHAN PATHAN, TALUKA &
DISTRICT MIRPURKHAS SINDH

POSTAL ADDRESS:

C/o Haji Rahim Khan Pathan,
Shop No.5, Nisar Cloth Market,
Mirpurkhas City, District Mirpurkhas
Sindh Pakistan.
Cell No. 0300-3312192

Copy to -

Honourable Chief Justice
Supreme Court Bench Karachi.

Honourable Chief Justice
High Court Karachi -

Honourable Chief Justice
High Court Bench Hyderabad -

Honourable Session Judge Distric
Sanghar -

Court of Civil Judge and Magistrate P.W. 4

ایندانی اطلاع لاء درج کردہ غلطیوں کی تصحیح کے لئے...

Table with columns for 'Date and Time', 'Particulars', and 'Remarks'. Contains handwritten entries in Urdu regarding land transactions and legal proceedings.

Handwritten notes and signatures in Urdu, including a signature 'S.Ho. P. S. Chakral' and a date '19.7.06'.

Chand ...



Handwritten text at the top of the page, including the number 6 in a circle.

Handwritten text in the second section, starting with 'در این روز...'.

Handwritten text in the third section, starting with 'در این روز...'.

Handwritten text in the fourth section, starting with 'در این روز...'.

Handwritten text in the fifth section, starting with 'در این روز...'.

7

Handwritten text in Persian script, likely a historical document or manuscript. The text is dense and covers most of the page.

تاریخ دولت ایران
1730 - 7-06
3-06 - 8-06
15-7-06

تاریخ دولت ایران
8-06 - 7-06
15-7-06

تاریخ دولت ایران
15-7-06

تاریخ دولت ایران
15-7-06

S.C.No. 128/2006

Handwritten Urdu text at the top of the page, including names and details related to the case.

Section 75-76

Revised J. Cr. 28 (E)
Old J. Cr. 5 (E)

N. B. WARRANT OF ARREST

WHEREAS

stands, charged with the offence

of *Ali Khan* ...

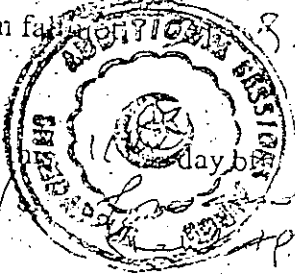
You are hereby directed to arrest the said *Arrested*

12-10-2006

and to produce him before me.

Herein fall *8* 2006 at *8:00* A.M.

Dated *12* day of *Sept.* 2006
Saving cell



Handwritten signature and date *11/9/06*
Additional *Sargodha* J. Cr. 28 (E)
Magistrate.