

IN THE SUPREME COURT OF PAKISTAN (Original Jurisdiction)

RESENT

Ar. Justine If Exhar Muhammad Chaudhry, HOL.

Ar. Justice Mian Shakirullah Jan

14r. Justice Saiyed Saeed Ashhad

Human Rights Cas: No.5522 of 2006

(Complaint of Mst. Hassan Jan (widow)

Complainant

In person.

On Court Notice

Sardar Shaukat Hayat Khan, Addl. A.G.NWFP

Mr. Khadim Hussain Qaisar, Addl. A.G Punjab.

Mr. Bashah Gul Qazir, Secy. Home, NWFP

Mr. Shakil Qadir DCO Mansehra

Mr. Ishfaq Ahmad Khan, SP Inves. Ibd.

Mr. Khalid Rashid DSP, Ibd.

Mr. Munir Ahmad Inspector/SHO

Mst. Zahida Minhas Abductee.

Date of hearing

15.12.2006

ORDER

In pursuance of order dated.24.11.2006 Gul Badshah Wazir, Home Secretary, NWFP, Shakil Qadir DCO Mansehra co-operated with the Islamabad Police and their good offices with tribes man of the area prevailed upon and handed over the custody of abductee Zahida Minhat. Differts made by both the officers are highly appreciable. This is not only first time, even previously as well Gul Badshah Wazir Home Secretary had been co-operating with the Court in implementing the order of this Court, particularly in those cases which were at that time very difficult to achieve the object. Therefore, we want to place our appreciation on record for him specially.

2. Since abductee has been recovered. Ashfaq Ahmad S.P Investigation is present and stated that he will record the statement of abductee and thereafter she will be handed over to her mother. According to him on completion of investigation accuse i person involved in the case will be challaned accordingly. The trial Court to whom challan will be submitted, shall proceed with the case

sindependently without being influenced in any manuar from the present proceedings.

Disposed of. 3.

Islamabad the

15th December 2006.

Nisar/Arif.

IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

PRESENT:

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

HUMAN RIGHTS CASE NO.5522 OF 2006

Complaint of Mst. Hassan Jan (widow)

Complain 4

Not present.

On Court 1stice:

Mr. Khadim Hussain Qaisar, Addl. A.G. Punjab. Mr. Shahid Nadeem Baloch, Acting I.G. Islamabad.

Mr. Khalid Rashi, SDPO

Mr. Mawaz Hiram DSO (Legal) Mr. Rukhsan Mehdi, SHO.

Date of hearing:

14.11.2006

ORDER

It is informed that abductee Mst. Zahida Mehnaz is presently available in Kala Dhaka near Darband Tehsil Ugi District Mansehra. Additional Inspector General of Police, Islamabad informed that it is difficult for Islamabad Police to reach the lady as the area where she is presently kept falls within the tribal territory. He further stated that on the intervention of the Tehsildar and Levies force, contact has been established and a team of Islamabad Police is already present in the area, therefore, it is hoped that the lady shall be brought to Islamabad shortly. He further stated that Abdul Malik, the person who has allegedly abducted Mst. Zahida Mehnaz is presently posted 80 miles away from Quetta in Frontier Corps and efforts are being made to procure his attendance through concerned authorities. At the request of Additional Inspector General o Police case is adjourned to 15.11.2006. Police authorities are also directed to produce complainant Mst. Hassan Jan in the Court tomorrow.

Islamabad, the 14th November, 2006 Saleem/*

IN THE SUPREME COURT OF PAKISTAN (C. JGINAL JURISDICTION)

PRESENT.

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Mr. Justice Saiyed Saced Ashhad

Human K cht Case No.5522 07 2000 Complaint of Mst. Hasan Jan widow

Complainant:

In person.

On Court Notice:

Mr. Khadim Hussain Qaiser, Addl. A.G.

Mr. Shahid Nadeem Baloch, Acting I.G. Islamabad

Mr. Ishfaq Ahmad, SP Investigation

Mr. Khalid Rashid, SDPO Mr. Nawaz Johra, DSP Legal Mr. Rukhsar Mehdi, SHO

Date of hearing:

15.11.2006

<u>ORDER</u>

It is informed by learned Additional Advocate General that Mst. Zahida Minhas is lot willing to attend the Court and she has sent a written statement to this effect through Islamabad Police. It seems that the police directly cannot approach her as the arch where presently she is kept, followithin the Tobal Area of Kala Dhaka, therefore, it such view of the matter Secretary FATA, NWFP and DCO Mansehra are entrusted the task to affect her recovery and produce her in Court safely on the next date of helding.

Adjourned to 24th November, 2006.

Islamabad, the 15th November, 2006 Nisar/*

IN THE SUPREME COURT OF PAKISTAN (OF IGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Mr. Justice Muhammad Nawaz Abbasi.

Mr. Justice Saiyed Saced Ashhad

Human Right Case No.5522 of 2006

(Complaint by Mst. Hasan Jan)

Complainant:

In person

On Court Notice:

Sardar Shaukat Hayat Khan, Addl. A.G. NWFP Mr. Khadim Hussain Qaiser, Addl. A.G. Pb. Mr. Bashah Gul Wazir, Secy Home, NWFP

Mr. Arbab Arif, Secy, FATA

Mr. Mr. Shakeel Qadir, DCO Manshehra Mr. Ishfaq Ahmad Khan, SP Inves. Ibd.

Mr. Khalid Rashid, DSP, Ibd Mr. Rukhsar Mehdi, SHO Mr. Salemm Khan, Tehsildar

Date of hearing:

24.11.2006

ORDER

It is requested by Badshah Gul Wazir, Home Secretary, NWFP who is present in Court in another case that hearing may be postponed enabling him to negotiate with the tribe Mada Khel of Kala Dhaka because without establishing interaction it is not possible for the police to produce Mst. Zahida Minhas before the Court. Request is allowed.

It may be noted that police has arrested Abdul Malik, one of the accused. The trial court is directed to proceed with case independently without being influenced in any manner, according to law.

Adjourned to 15th December, 2006.

Islamabad he
24th November, 2006
Nisar/*

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جناب جیف جسٹس سپریم کورٹ آف باکستان مساة حسن جان بیوه اورنگزیب ساکن حال مسلم کالونی بری امام تھانہ سیکرٹریٹ بخشیسل وضلع اسلام آب د ۔ بیسسسینام

عبدالما لك ولدا هبارخان ساكن گاؤل چيمكا ، در بند حال ملازم پلانون نمبر 289 ، فرنثير كاستېلى DOFC باژ دسو بەسرەپ

درخواست برائے جا کیدگی ایف آئی آربرخلاف مسئول علیہ

:ئابىلال

سائلہ حسب ذیل عرض رسان ہے۔

- 1 سیکه میں ایک بیوه عورت جول اور بری امام میں ربائش پذیر جوں۔
- 2۔ یہ کہا تنو ہر 2004 رات کے بین ہے عبدالما لگ نے ہمارادروازہ کھٹکایا کہ بین آپکار شنے دارہوں اورؤیوٹی ہے آیا ہوں۔ اور آبھی دیر بعد بنایا کہتم ہیو وعورت :و

 میں تمہارے بینے محدریاض ولدادر نکز یہ اور آپکی بیٹی زاہد و منہاس جواس وفت آٹھار و مبال کی بیٹی ان دونوں کو اسلامی مدرے بنی دبائل رؤی تا کہ یہ بھی سکھ جو سکھ جانے ۔ ہمارااور کوئی سہارانویس ہے اس لیے ہیں اُس کے لا کی میں آگر اپنی جیٹے مبناز اور ریاض کو اُس کے حوالے کیا اور میں نے بھی موب کے اُس اُسادی آٹھیا۔ حاصل کرے تو میرے کے بھی فائد و ہے اور ساتھ میر بھی کہا کہا گر آئن کو مدرے میں داخلہ نہ ملائنو شام کو وائیں کے آؤنگا۔ اس میں نے کہ فی ون انتظار کیا مگر جھے اسے بچوں کی کوئی خبر نہ ہوئی۔

لبذا جناب سے اسندعا ہے کہ میری درخواست پر ہمدار شافور فر ما کرمیری مصوم بھی کواُن ظالموں کے جنگل سے آزاد کرے میری بنّی کووا بن یا جائے اور منعلقہ ملز مان کے خلاف کار دائی مئل میں لاکر مجھے انصاف فراہم کیا جائے میں روز تیا مت جناب سے اس بارے میں پوین گوی اللہ کے رہ نئے کرؤ تی ۔

