

(27)

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Human Rights Case No.3695 of 2007

(Complaint of Zafar A Khan)

Attendace:

Mr. Allah Jurio Khokhar, DSP Moro
Mst. Shahid abductee
Brother of Shabbir

Date of hearing: 1.10.2007

ORDER

Mr. Allah Jurio Khokhar, DSP Moro produced Mst. Shahida and stated that she had a matrimonial dispute with her husband and presently she was living in the house of her parents from where she has been produced. She stated that now matter is pending in the Family Court and next date of hearing is 5th October, 2007.

In view of the facts that she had not been abducted and matter is pending before the Civil Court, therefore, no further action is called for. Disposed of.

Islamabad, the
1st October, 2007.
Nisar/*

3695/07

Reminders Fax
Dated 07/8/07

URGENT FAX

1. The Honourable Chief Justice, Supreme Court of Pakistan, Islamabad,
2. The Honourable Chief Justice, High Court of Sindh, Karachi,
3. The Honourable Senior Judge, High Court of Sindh, Bench at Sukkur.
4. The Director, Human Rights Commission, Karachi.
5. The Honourable District & Sessions Judge, Naushahro Feroze.

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20/8
Karachi Registry

6. *The Honourable Senior Judge Supreme Court*
It is submitted that I am respectable person, law-abiding citizen of Islamic Republic of Pakistan and am a professional advocate.

It is submitted that I was engaged as a counsel on behalf of plaintiff in a family matter vide Family Suit NO.08 of 2007, titled, Re-"Mst. Shahidav/s....Ali Akber", which is pending adjudication before the court of learned 2nd Civil & Family Judge, Moro, in which date of hearing is fixed on 11-08-2007. It is further submitted on 03-08-2007, the plaintiff came alone in order to attend the family court in above family suit and she brought Holy Quran along-with herself and gave its name to me for her legal assistance and protection.

It is submitted that the defendant in the above family suit namely Ali Akber son of Hashim Machhi and his accomplices had issued me threats to withdraw from my Vakalatnama/power in the said family suit so also to the plaintiff, thereafter, plaintiff filed such petition before the learned Justice of Peace, Naushahro Feroze, against Ali Akber, Hashim and Ghulam Shabbir, in which only accused Ghulam Shabbir appeared and undertook not to harass the plaintiff.

It is further submitted that in spite of the undertaking, the accused Hashim, Ali akber, Ghulam Shabbir issued threats of murderous assault and asked me to withdraw from the power/Vakalatnama, on my refusal, at the night time the accused Ali Akber, Hashim, Ghulam Shabbir, Gullab, Naveed, all by caste Machhi, assaulted in my office and committed robbery and such FIR was registered by me against the said culprits bearing crime NO.192/2007 at P.S. Moro.

It is further submitted that today i.e. 07-08-2007 at 8:00 a.m. accused Ali Akber son of Hashim Machhi, Hashim son of Soomar Machhi, Ghulam Shabbir s/o Gullab Machhi and Mst. Naseeban Machhi, forcibly and on the gun point kidnapped away to the plaintiff Mst. Shahida and she is badly tortured at the hands of above opponents. After kidnap of the plaintiff at the hands of above named opponents, she made call to the undersigned from a mobile phone bearing No.0307-3429133 at 10:00 a.m. in which she was weeping and disclosed that she is being mercilessly tortured and made naked by the above named opponents in collusion with some influential persons of the locality and such Jirga was held at Old Jatoi Town, Taluka Moro, District Naushahro Feroze, in which she was made naked and it was decided in the Jirga by the above named opponents that the plaintiff is KARI and she will be murdered within 2/3 days in the name of honour. She further disclosed that she is under wrongful confinement of the above named opponents on the gun point and she may kindly be called in Honourable High Court and after recording her statement she may kindly be given protection to her life through sending her to Daar-ul-Amaan.

It is further submitted that I myself am apprehending danger to my life as such threats of murder had been issued after Jirga, therefore, I am facing difficulties in continuing my professional work.

I, therefore, very respectfully pray that my instant application/fax may kindly be converted into constitutional petition on suo moto power and the responsible quarters be directed to conduct raid on the houses of above named opponents in order to get the plaintiff released from their illegal confinement, after her recovery it may be ordered that she may be brought before the Honourable High Court of Sindh and after recording her statement she may either be set at liberty or sent to Daar-ul-Amaan for her protection on the humanitarian grounds and further I may also be given legal protection.

This urgent Fax may kindly be treated as most urgent one.

[Signature]
Lafar A. Khan Dahri,
Advocate Moro,
Chamber at Bandhi Road Moro,

Dali 09/8/07