

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Human Right Case No.4789 of 2006

(Complaint by Tasneem Malik)

Attendance:

Ch. Muhammad Hussain, Addl. A.G. (Pb.)

Mr. Shafique Zafar, TPO, Multan

Date of hearing: 11.10.2006.

ORDER

TPO, Multan is present and states that efforts are being made to recover the abductee. As the accused persons have shifted to Sui, Dera Bhugti where presently abnormal situation of law & order is prevailing, therefore, some more time is required to do the needful.

Adjourned to 19th October, 2006.

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IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Human Right Case No.4789 of 2006

(Complaint by Complaint by Mst. Tasneem Malik)

Attendance:

Ch. Muhammad Hussain, Addl. A.G. Punjab
Mr. Munir Ahmad Chishti, DPO Multan
Mr. Sharif Zafar, TPO Multan

Date of hearing: 19.10.2006

ORDER

Learned Additional Advocate General stated that DPO is making efforts to recover the abductee from Dera Bughti but on account of the abnormal situation prevailing over there he is facing some problems, therefore, he needs some time.

Adjourned to a date after one month.


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IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

Present

Mr. Justice Ifikhar Muhammad Chaudhry CJ

HUMAN RIGHT CASE NO.4789 OF 2006

(Complaint by Mst. Tasneem)

Attendance:

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

Mr. Munir Ahmad Chishti, DPO Multan.

Date of hearing: 4.12.2006.

ORDER

It is stated by the DPO Multan that efforts are being made by him to effect recovery of the abductee therefore he prayed that sufficient time be given to him to do the needful. Adjourned to a date in office after six weeks.

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

HUMAN RIGHT CASE NO. 4789 of 2007

(Complaint by Mst. Tasneem)

Attendance:

Mr. Khadim Hussain Qaisar Addl. A.G.

Mr. Munir Chishti DPO.

Date of hearing: 18.1.2007

ORDER

Mr. Munir Ahmad Chishti DPO appeared alongwith learned Addl. Advocate General and stated that father of Mushtaq and Shoukat namely Khan Muhammad has been arrested recently in Quetta in a criminal case. One of the accused i.e Shoukat was also accompanying him at that time but he succeeded in making his escape good. However, a team was sent there for interaction with Khan Muhammad to get whereabouts of Raja Mohazzam and so for team has not returned from there. As such case may be adjourned for another date enabling the police to make further progress.

Request is allowed. Adjourned to 23.2.2007.

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Human Rights Case No.4789 of 2006

(Complaint of Mst. Tasneem)

Attendance:

Mr. Khadim Hussain Qaiser, Addl.AG (Pb)

Mr. Munir Chishti, DPO Multan

Mr. Saddat, SHO.

Date of hearing : 23-02-2007

ORDER

DPO Multan appeared alongwith learned Additional Advocate General and submitted a report and explained efforts being made for recovery of Raja Muazzam. He, however, stated that case may be adjourned for a period of one month enabling the police to do the needful.

Adjourned to 2nd April 2007.

Islamabad, the

23.2.2007

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In the Supreme Court of Paksitan
(Original Jurisdiction)

Human Rights Case No.4789 of 2007

On Court notice: Chaudhry Muhammad Hussain,
Additional Advocate General, Punjab
✓ Mr. Muhammad Aslam, Superintendent of Police/
Town Police Officer, Mumtazabad, Multan
Mr. Niaz Ahmad, S.I./Investigating Officer

Date of hearing: 2.4.2007

Police Officer is in attendance. He has produced detailed progress report, purportedly sent by Mr. Munir Ahmad Chishti, District Police Officer, Multan highlighting efforts made for arrest of the absconding co-accused involved in the act of kidnapping followed by murder of Raja Muazzam son of complainant Mst. Tasneem Malik. Hectic efforts be made for apprehension of the remaining absconding accused and producing them before the Court of law. Let needful be done within one month from today without fail. District Police Officer Multan as well as Deputy Inspector General of Police Multan shall monitor the investigation and ensure the compliance of the orders. To come up on 2.5.2007.

In the Supreme Court of Paksitan
(Original Jurisdiction)

Human Rights Case No.4789 of 2007

On Court notice: Chaudhry Muhammad Hussain,
Additional Advocate General, Punjab
Mr. Muhammad Aslam, Superintendent of Police/
Town Police Officer, Mumtazabad, Multan
Mr. Nisar Ahmad, S.I./Investigating Officer

Date of hearing: 11.5.2007

Order

Mr. Muhammad Aslam, Superintendent of Police/ Town Police Officer, Mumtazabad, Multan expresses his helplessness in arresting notorious proclaimed offenders and assigns reasons, which are off the record. I am not at all satisfied with the explanation, as no serious efforts and strategic measures appear to have been adopted for effecting arrest of the hardened and notorious criminals. It is not sufficient to allow any criminal scot-free and merely to declare him as proclaimed offender and leave it to the Court to proceed in his absence. It is primary duty of the Investigating Agency to apprehend the persons prosecuted before the Court to produce them without any lapse. Regional Police Officer, Multan as well as Provincial Police Officer, Punjab are required to look into the matter and ensure arrest of the proclaimed offenders, without any delay of time by taking corrective and remedial measures. To come up on 11.6.2007.

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Rana Bhagwandas, HACJ (In Chamber)

Human Rights Case No.4789 Of 2007

(Complaint Mst. Tasnim Malik)

Attendance:

Ch. Muhammad Hussain, Additional Advocate General, Punjab
Mr. Muhammad Aslam S.P (Investigation) Mumtaz Abad, Multan.
Mr. Niaz Ahmad I.O Police Station Dehli Gate, Multan.

Date of hearing: 11.7.2007

ORDER

Mr. Muhammad Aslam Superintendent of Police (Investigation) Mumtaz Abad, Multan has submitted report reflecting the efforts made for arrest of the proclaimed offenders in the Province of Balochistan as well as Rahim Yar Khan but without any success. He requests for some more time to streamline the efforts and adopt strict measures for arrest of the two proclaimed offenders. Let needful be done within four week's time and compliance report to come up on 8.8.2007.

Islamabad, the
11.7.2007.

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Human Rights Case No.4789 of 2006

(Complaint of Mst. Tasneem Malik)

Attendance:

Raja Muhammad Saeed Akram AAG
Mr. Muhammad Aslam, SP Mumtaz Abad, Multan
Mr. Niaz Ahmad, SI

Date of hearing: 8.8.2007

ORDER

Mr. Muhammad Aslam, SP appeared and stated that out of six accused, four persons namely Kamal, Rohail, Anwar and Mst. Mumtaz Bibi have been arrested and efforts are being made to cause the arrest of remaining two accused namely Shaukat and Mushtaq, sons of Khan Muhammad Kalpar Bugti.

According to him, mother of the accused persons, Mst. Mumtaz Bibi was also arrested but she been released on bail. According to him, reportedly, the abdcutee Mohazam Ali, son of the complainant has been murdered by the culprits but so far police has not succeeded in recovering dead body. Therefore, police is directed to take steps for affecting recovery of his dead body and do the needful without fail before the next date of hearing.

Adjourned to 22nd August, 2007.

Islamabad, the

8.8.2007

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IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Human Rights Case No.4789 of 2006

(Complaint of Mst. Tasneem Malik)

Attendance:

Mr. Khadim Hussain Qaiser, Addl. A.G. Pb.
Mr. Muhammad Aslam, SP Mumtazabad, Multan
Mr. Niaz Ahmad, SI

Date of hearing: 22.8.2007.

ORDER

Mr. Muhammad Aslam, SP appeared and stated that some more time is required to effect recovery of abductee because that some credible information has been passed on to him by Anjam Abdullah, brother of Raja Mohazam, abductee. But abductee cannot be recovered without causing arrest of Shaukat Bugti and Mushtaq Bugti (Culpers) as they are under protection of Army, therefore he is facing some problems. SP stated that if need be, he will request to this Court for issuing appropriate directions to the concerned Authority for doing the needful.

Be that as it may, SP is directed to continue investigation of the case and take all necessary steps for his recovery and arrest of remaining accused.

Adjourned to 24th September, 2007.

Islamabad, the
22nd August, 2007
Nisar/*

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Human Rights Case No.4789 of 2006

(Complaint of Tasneem Malik)

Attendance:

Mr. Muhammad Aslam, SP Mumtaz Abad, Multan
Niaz Ahmad, SI, PS Dehli Gate, Multan

Date of hearing: 24.9.2007

ORDER

Mr. Muhammad Aslam, SP submitted report and stated that contact established with the military agencies for tracing the accused has not been proved fruitful so far, therefore, sometime is required to do the needful.

Adjourned to 24th October, 2007.

Islamabad, the

24th September, 2007

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IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Human Rights Case No.4789 of 2006

(Complaint of Tasleem Malik)

Attendance:

Raja Saeed Akram, A.A.G. Pb.

Date of hearing: 24.10.2007

ORDER

Learned Assistant Advocate General, Punjab submitted report, a perusal whereof indicates that so far abductee has not been recovered. However, efforts are being made to do the needful.

In view of the fact that despite of police' efforts no progress has been made, therefore instead of keeping the petition pending, I direct to PPO Punjab for submitting fortnightly report about progress of the case to the Registrar for my perusal in Chambers and passing appropriate order, if need be, at subsequent stage.

Disposed of.

Islamabad, the
24th October, 2007
Nisar/*

محترم جناب چیف جسٹس آف پاکستان

4789

السلام علیکم!

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محترم صاحب میں یہ خط آپکو انسانیت کے ناطے لکھ رہی ہوں۔ امید ہے آپ میری پوری مدد کریں گے۔ انشاء اللہ اللہ تعالیٰ آپ کو اجر کریم سے نوازے گا۔ میں تنیم ملک ملتان کی رہائشی ہوں۔ آج سے ایک سال پہلے 13 جون 2005ء کو کلپر بگٹی جو ملتان میں گورنمنٹ کی پناہ میں تھے۔ میرے 23 سال کے جوان بیٹے کو اغوا کر کے لے گئے ہیں۔ میں نے دہلی گیٹ تھانے میں FIR بھی درج کروائی ہوئی ہے۔ FIR نمبر 93/2005 ہے۔ اس میں ملزم شوکت بگٹی / مشتاق بگٹی / انوار بگٹی ولد خان محمد بگٹی (کلپر) کمال حیدر ولد منتظر مہدی (ایڈووکیٹ) نامزد ہیں۔ ابھی تک پولیس کسی کو بھی گرفتار نہیں کروا سکی اور نہ ہی میرے بیٹے معظم علی کو بازیاب کروا سکی ہے۔ میں 6 مہینے تھانوں کے چکر لگاتی رہی ہوں۔ DIG ملتان DPO ملتان کو پیش کی۔ پھر میں نے I.G پنجاب کو درخواست دی پھر بھی کچھ نہیں ہوا۔ میں نے پھر ایوان صدر میں درخواست دی اس کا بھی کوئی نتیجہ نہ نکلا۔ آج پورا ایک سال ہو گیا ہے۔ میں ایک ماں ہوں روز جیتی ہوں روز مرتی ہوں۔ آپ کو اپنی ماں کا واسطہ اور اپنے بیٹوں کا صدقہ میری مدد کریں۔ میرا جوان بیٹا بگٹیوں کے قبضے میں ہے۔ آئے دن وہ لوگ مجھے فون پر دھمکیاں دیتے ہیں کہ اگر تم نے کارروائی کی تو ہم تمہارے بیٹے کو مار دیں گے۔ مجھے بھی جان سے مارنے کی دھمکیاں دیتے ہیں۔ اس وقت ملزمان بمعہ اپنے خاندان کو سٹہ میں رہائش پذیر ہیں۔ اور گورنمنٹ اور آرمی کی پناہ میں ہیں۔ ملزمان کا باپ خان محمد بگٹی اپنے قبیلے کا سردار ہے اور اس کا پوتا جلال و دین بگٹی کلپر ڈیرہ بگٹی میں سردار ہے۔ وہ لوگ بڑے اثر و رسوخ والے ہیں۔

ایک ماں آپ کو فریاد کرتی ہے۔ آپ میری مدد کریں۔ میرے بیٹے کو ان لوگوں سے بازیاب کریں۔ میں ساری زندگی آپ اور آپکے بچوں کو دعائیں دوں گی۔ آپ انسانیت کے ناطے ہی میری مدد کریں۔ میں ایک مظلوم ماں ہوں۔ جب تک زندہ رہوں گی آپ کے لیے اور آپ کے بچوں کو دعائیں دوں گی۔ اگر آپ لوگ چاہیں تو یہ مسئلہ 2 دن میں حل ہو سکتا ہے۔ میں ایک شریف خاندان کی باپردہ خاتون ہوں۔ DPO ملتان مجھے بلا کر 4 گھنٹے کھڑا کرتا ہے اور پھر کہتا ہے کل آنا۔ میں سارا سارا دن دفتر کے باہر

کھڑے ہو کر روتی ہوں۔ اللہ تعالیٰ نے آپ کو عزت اور مقام دیا ہے۔ آپ کو اس کا واسطہ۔ اللہ تعالیٰ آپ کو اور بھی عزت نوازے گا۔ آپ اللہ کی رضا کی خاطر ایک ماں کی فریاد پر مدد کریں۔ آپ کو اپنے بچوں کا صدقہ ہے۔ اس خط کو آپ ٹوکری میں مت ڈالیں۔ ایسے سمجھیں اللہ نے یہ کام آپ سے کروانا ہے۔ آپ ایک ماں کی خاطر بہت کچھ کر سکتے ہیں۔ ایک ماں آپ کو ساری عمر دعائیں دے گی اور اللہ تعالیٰ بھی آپ کو اجر عظیم عطا کرے گا۔ آپ اس وقت حکومت میں ہیں حکومت سے ایک ماں التجاہ اور فریاد کرتی ہے ورنہ قیامت کے دن ایک ماں آپ سے انصاف مانگے گی۔

میں نے DPO ملتان کو کتنی بار جا کر کہا ہے کہ آپ کو سنہ پولیس کی ٹیم بھیجیں جو ملزمان کو گرفتار کرے لیکن وہ کوئی کارروائی نہیں کرتے۔ شاید وہ بھی بگٹیوں سے ڈرتے ہیں۔

آج ایک سال دو مہینے ہو گئے ہیں اگر آپ کی اولاد ہے تو آپ کو میرے غم اور دکھ کا اندازہ ہوگا۔ آپ کو اپنی اولاد کا صدقہ اور قسم ہے آپ میری مدد کریں۔ مجھے آپ کے جواب کا انتظار رہے گا۔ آپ کو اپنی ماں کا واسطہ ہے۔ اپنی اولاد کا صدقہ۔

ایک غمزدہ ماں

تسنیم ملک

ہاؤس نمبر 905 حافظ جمال روڈ

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