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**IN THE SUPREME COURT OF PAKISTAN**  
(ORIGINAL JURISDICTION)

**PRESENT:**

**MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, CJ**  
**MR. JUSTICE FAQIR MUHAMMAD KHOKHAR**  
**MR. JUSTICE KARAMAT NAZIR BHANDARI**

**HUMAN RIGHTS CASE NO. 66-L/2006.**

Complaint by Mst. Shamma Wd/o Shiv Ram

On Court's Notice: Dr. Danishwar Malik, DAC,  
Mr. Khadim Hussain Qaisar,  
Addl. A.G.

Date of hearing : 31.7.2006

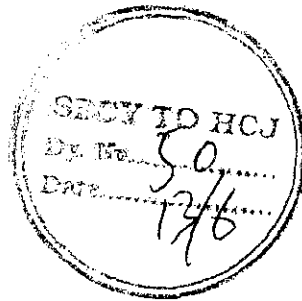
**ORDER**

**IFTIKHAR MUHAMMAD CHAUDHRY, CJ:-** The learned Additional Advocate General informs that Swaran Lal Khandotra son of Shivram Khandotra has been repatriated to India via Waga Border on 30.06.2006. In view of the statement of the learned Law Officer, no further action is called for. Petition stands disposed of.

Lahore, the  
31<sup>st</sup> July, 2006  
Adnan:

*afz*  
02/8/06

H.R.C-66-4/06



note to AG, DAG.  
Public & Lahore  
31-7-2006  
in Court.  
They sent process  
details to this case  
of Subul as to why he  
is not being released  
to Court.

IN THE SUPREME COURT OF PAKISTAN

CRIMINAL WRIT JURISDICTION

WRIT PETITION(CRL)NO. \_\_\_\_\_ OF 2006

(Habeas Corpus Petition)

In the matter of:

Mst. Shamma  
Wd/o Shiv Ram  
R/o Nazwalwala, Jammu (Tawai),  
P.O. - Fruit Mandi, J & K. India.

... Petitioner

Vs.

1. Union of Pakistan  
through Secretary,  
Ministry of Home,  
Islamabad. Pakistan.
2. Through Senior Officer,  
Sialkot, Pakistan

... Respondents

Habeas Corpus Writ Petition against the  
violation of the fundamental rights  
guaranteed under the constitution.

To

The Hon'ble Chief Justice of Pakistan  
Islamabad/Lahore Pakistan.

The humble petition of the  
petitioner abovenamed.

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MOST RESPECTFULLY SHOWETH:

1. That the petitioner is a resident of India. She is the mother of Swarn Lal Khadotra S/o Shiv Ram R/o Kunjwani, Jammu (Tawi) India.
2. That Swarnlal was convicted by the Lieutenant Colonel Commanding Officer (Muhammad Shakeel Khalid) vide order dated 25th day of Feb. 1993 sentenced Civilian Swarnlal S/o Shiv Ram to suffer Rigorous Imprisonment for ten years. but he has not been released so far without assigning any reason. The photo copy of the order dated 25.2.1993 is annexed herewith and is marked as Annexure-P1.
3. That on the representations to representations of the petitioner, the Govt. of India vide letter dated October 1, 2005 has also taken interest for the same.
4. That Sri Brig Rao Abid Hamid (Retd) of Human Rights Commission of Pakistan vide order dated March 2, 2006, has also asked to send some documents and details which the petitioner have sent. The photo copy of the

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letter dated 2.3.2006 is annexed herewith and is marked as ANNEXURE-P2.

5. That Madam Asma Jahangir, Advocate Supreme Court of Pakistan, has also been pleased to take interest in the matter. The letter dated 12.5.2006 is annexed here with and is marked as ANNEXURE-P3.

6. That the accused Swarnlal has already suffered the period in the jail as he has sentenced to suffer a period of 10 years.

7. That the fundamental rights of Swarn Lal are being violated because he has illegally been imprisoned in the Jail after the period of sentence is over.

PRAYER

In view of the above facts and grounds it is therefore most respect fully prayed that this Hon'ble Court may be pleased to:

- (i) direct the Jail authority of Lahore to release Swarn Lal S/o Shiv Ram R/o Kunjwani Jammu (Tawi) Jammu & Kashmir, India, who has illegally been detained in the Lahore Jail.

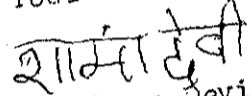
.../-

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(ii) direct the Govt. of Pakistan to send Swarn Lal  
S/o Shiv Ram to India.

(iii) pass such other and further order/orders as  
this Hon'ble Court may deem fit and proper  
in the circumstances of this case.

Your faithfully,

  
Smt. Shama Devi  
W/o Swarn Lal and  
Widow of Shiv Ram.  
R/o Nagwal, P.O. Fruit Mandi,  
Jammu (Tawi)  
Jammu & Kashmir  
India.

New Delhi  
Dt: 6.6.2006