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IN THE LAHORE HIGH COURT, LAHORE.

Before **SYED MUHAMMAD KAZIM RAZA SHAMSI, J**

Crl. Misc. No.107726-B/17

MST. SALMA TANVEER Petitioner

Versus

THE STATE Respondent

POLICE STATION : Nishter Colony, District Lahore.
FIR No.861/2013 Dated 02.9.2013

OFFENCE : Under Section 295-C of PPC

PETITION : Under Section 497 Cr.P.C. for grant of bail
after arrest.

DECISION : Bail petition was dismissed on 05.12.2017

5.12.2013 Mian Muhammad Ramzan, Advocate for the petitioner.
Mr. Muhammad Ishaq, DPG with M. Siddique SI.
Mr. M. Aamir Latif, Advocate for the complainant.

Mst. Salma Tanveer, petitioner seeks post arrest bail
in case FIR No.861

Form No:HCJD/C-121
ORDER SHEET

**IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT**

Crl.Misc.No.107726-B/17

Case No:

Mst. Salma Tanveer

Versus

The State

S.No. of order/
Proceeding

Date of order/
Proceeding

Order with signature of Judge, and that of
parties of counsel, where necessary.

5.12.2017 Mian Muhammad Ramzan, Advocate for the petitioner.
Mr. Muhammad Ishaq, DPG with M. Siddique SI.
Mr. M. Aamir Latif, Advocate for the complainant.

Mst. Salma Tanveer, petitioner seeks post arrest bail
in case FIR No.861 dated 2.9.2013, registered at police
station Nishter Colony, Lahore under section 295-C PPC.

2. As per charge contained in the crime report, the
petitioner is an accused of blasphemy and in this connection,
she had prepared a manuscript and distributed the same in
the mohallah. It was further alleged that the petitioner is
principal of Umer School System who had committed the
alleged crime.

3. Parties heard. Record perused.

4. The petitioner has moved the instant 4th petition on
the ground of delay in the conclusion of trial and on merits as
well. So far as the ground agitated by the petitioner in
respect of delay in the conclusion of trial, it is found that as
per report of Medical Board of Punjab Institute of Mental
Health, Lahore, the petitioner is unfit to face trial at
present. Due to this reason, as the petitioner is not able to
face the trial before the court, the case stands adjourned.

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High Court, Lahore
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sine die till the time the petitioner gains her mental health again so in this backdrop, the ground of delay in the conclusion of trial is not available to the petitioner. Since the petitioner is a person of unsound mind and is having ill health, therefore, her release from the jail on bail, in view of her precarious mental condition would not be, particularly in the interest of her family and generally the public at large as she may take some steps which may over shadow the life and property of the inmates of the house or the public.

5. As far as the question of treatment of the petitioner in the jail is concerned, the Superintendent, Central Jail, Lahore is directed to provide the treatment of the petitioner and in case he has to hospitalize the petitioner, he shall take all the necessary steps for her admission in the hospital and return to the jail after treatment.

6. On merits of the case, learned counsel for the petitioner is not having much to say about the charges claimed against the petitioner. Mere fact that some over writing has occurred in the manuscript allegedly prepared by the petitioner does not bring the case of the petitioner within the ambit of section 497(2) Cr.P.C. thus, the petitioner on this account, failed to make out any case for the grant of post arrest bail.

7. In view of above, the petition in hand having no merits is dismissed. However, copy of this order be sent to the Superintendent, Central Jail, Lahore, for compliance and .

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submission of the report to this court through Deputy Registrar (Judicial).

(Syed Muhammad Kazim Raza Shamsi)
Judge

Sajid

TRUE COPY
In Case No.

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Copy Branch,
Lahore High Court, Lahore

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Authorized Under Article 141 of
Constitution of Pakistan Order 142

Petition No.....
Case No.....
Date of Presentation of Application.....
Copy Fee.....
Urgent Fee.....
Registration and Doc Fee.....
Court Fee in Application.....
Total.....
Name of Copiest.....
Date of Receipt of File.....
Date of Completion of Copy.....
Date of Delivery of Copy.....

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IN THE LAHORE HIGH COURT, LAHORE

CrI. Misc. ----- 107726 ----- B/2017

Mst, Salma Tanveer w/o Tanveer Ahmad , resident of Umar School System
Bhadarabbad, Nishter Colony , Lahore.

(Presently confined in Central Jail Lahore)

Through

Mohsin Tanveer son of Tanveer Ahmad, resident of chngi Aamar Sidu, Lahore

(Son of Petitioner)

PETITIONER

VERSUS

1. The State.
2. Iftikhar Ahmad Raza s/o Qazi M. Sadiq, Imam Masjid, Masjid Anwar E
Madina , Bhadarabbad, Nishter Colony , Lahore.

RESPONDENTS

Case FIR No:

861/13 DATED: 2. 9.13

Offence U/S:

295-C, PPC

Police Station:

Nishter Colony, Lahore

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16/11

**PETITION UNDER SECTION 497 CR.P.C .C FOR THE GRANT OF
POST ARREST BAIL.**

Respectfully Sheweth:

1. That the petitioner has been arrested in the above titled case and
presently confined in judicial lock-up which has been registered against
the accused by the complainant .The Copy of the FIR is attached
herewith as "Annexure A."