

IN THE LAHORE HIGH COURT, LAHORE.

Before **CH. MUSHTAQ AHMAD, J**

Crl. Misc. No.6171-B of 2021

QAMAR AKASH Petitioner

Versus

THE STATE AND ANOTHER Respondents

POLICE STATION : F.I.A. Cyber Crime Circle, Lahore.
FIR No.54 Dated 19.3.2018

OFFENCE : Under Section 295-C and 298-A of PPC
read with sections 11 and 24 of Prevention
of Electronic Crimes Act, 2016.

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

DECISION : Petition dismissed on 18.02.2021

18.02.2021 Mr. Irfan Javed, Advocate for the petitioner.
 Mr. Nisar Ahmad Virk, Deputy Prosecutor General.

Qamar Akash petitioner has prayed for post arrest in
case

Form No. HCJD/C-121

ORDER SHEET

IN THE LAHORE HIGH COURT, LAHORE.
JUDICIAL DEPARTMENTFor Supreme Court Use
Signature
C. J. Iqbal
Lahore High Court, LahoreCase No. Crl. Misc. No. 6171-B of 2021

Qamar Akash

VS

The State and another

S.No. of order/ Proceeding	Date of order/ Proceeding	Order with signature of Judge, and that of parties or counsel, where necessary.
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18.02.2021 Mr. Irfan Javed, Advocate for petitioner.
Mr. Nisar Ahmad Virk, Deputy Prosecutor
General.

Qamar Akash petitioner has prayed for post arrest bail in case FIR No.54 dated 19.03.2018 registered at Police Station NR3A Cyber Crime Circle, Lahore, for the offences under Sections 2016 PECA of 11, 24 R/W 295-C, 298-A PPC.

2. FIR was registered on complaint made by Usman Ghani with the allegation that he is running a Madrassa/religious school. He informed the police that the present petitioner uploaded derogatory post against the Holly Prophet (PBUM) on the social media. It is further alleged that he has also uploaded similar post against symbol of Quranic Verses. Eventually, he was arrested by local police and subsequently, after addition of offence 11/24 of PECA-2016, the case was transferred to the FIA.

3. This is fourth bail petition on the subject.

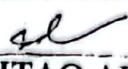
4. Main contention of learned counsel for the petitioner is that none of the bail petitions has been disposed of on merits. Now he has also prayed for

Amir

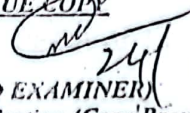
11
disposal of bail petition on merits as well as on statutory ground.

5. As for as merits is concerned, serious allegations have been leveled against the petitioner. Offence falls within the prohibitory clause of Section 497 Cr.P.C. As per report submitted by learned trial court, three PWs have been recorded and still remaining ten PWs are to be recorded and apparently, delay in the trial has been occasioned due to non-appearance of defence counsel.

6. In the above backdrop, petitioner has no case on merits as well as statutory delay. Resultantly, petition is dismissed.


(CH. MUSHTAQ AHMAD)
JUDGE

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Case No. 18-2-21
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IN THE LAHORE HIGH COURT, LAHORE

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CrI. Misc. No. 6171/B/2021

Qamar Akash son of Iftikhar Ahmad, caste Arain, resident of Inayat Elahi Colony, Tehsil and Distt Sahiwal (presently confined at Camp Jail, Lahore.)

PETITIONER

VERSUS

- 1- The State
- 2- Usman Ghani son of Muhammad Ramzan resident of Street No.2, Aziz Abad Colony, post office Chak No. 90/9-L, Tehsil and Distt. Sahiwal. (complainant)

RESPONDENTS

Case FIR No. 54/18 dated 19.03.2018
Offence Under Sections: 2016 PECA of 11, 24 R/W 295-C, 298-A PPC
Police Station: NR3A Cyber Crime Circle, Lahore.

PETITION

UNDER SECTION 497 Cr.P.C FOR GRANT OF POST ARREST BAIL OF THE PETITIONER.

Respectfully Submitted:-

- 1- That the above said case has been registered against the present innocent petitioner alleging therein that on the complaint of Usman Ghani son of Muhammad Ramzan with the allegation that he is running a Madrasa religious school. He informed the police that present accused/ innocent petitioner up loaded derogatory posts against the Holy Prophet (PBUH) on the social media. It is further alleged that he has also uploaded similar post against symbol of Quranic verses eventually he was arrested by local police and subsequently after addition of offence 11/24 of PECA Act 2016, the case was transferred to the FIA, in which the