

25 7

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Crl. Misc. No.1113-B-2023

Khurram Saleem

Vs.

The State & Another

S. No. of order/proceedings	Date of order/Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
-----------------------------	---------------------------	---

05.09.2023

Makhdoom M. Niaz Inqlabi, Advocate for petitioner.

Rao Abdur Raheem, Advocate for complainant.

Mr. Ahsan Raza Kazmi, Deputy Attorney General with Mudassar Shah, Deputy Director/IO, FIA.

The petitioner, Khurram Saleem s/o Muhammad Saleem, seeks bail after arrest in case FIR No.48 dated 22.02.2023 under section 11 of Prevention of Electronic Crimes Act, 2016 read with section 295-A, B & C, 298-A and 109 PPC registered with P.S. FIA Cyber Crime Circle, Rawalpindi.

2. The case of the prosecution, against the petitioner, is that aforementioned case was registered against the petitioner, wherein it has been alleged that he has committed blasphemy.

3. The petitioner applied for bail after arrest, which was dismissed by the Judge, Prevention of Electronic Crimes Court, Islamabad vide order dated 06.06.2023, hence the petition.

4. Learned counsel for the petitioner *inter alia* contended that there is no incriminating material against the petitioner; that the facebook account does not belong to petitioner; that even mobile phone recovered from the petitioner does not contain any blasphemous content.

Certified to be True Copy

116 SEP 2023

Copy Sent to
Q. No. 1113-B-2023
Islamabad High Court

5. Learned Deputy Attorney General along with learned counsel for the complainant *inter alia* contended that mobile phone recovered from the petitioner contains blasphemous content which had been received and passed on by the petitioner. It was contended that forensic report confirms the said position.

6. Submissions made by learned counsel for the parties have been heard and the documents, placed on record, examined with their able assistance.

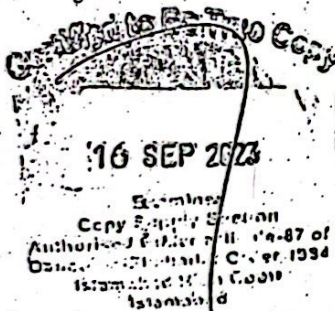
7. The petitioner is implicated in the afore-noted case.

8. The allegation against the petitioner is of serious nature. The mobile phone recovered from the petitioner contains material which is blasphemous in nature as is borne out from the forensic report dated 04.09.2023. As per the report, mobile phone was recovered from the petitioner and the facebook account belongs to him. The referred facts *prima facie* connects the petitioner with the commission of offence.

9. There is nothing on record, which makes the case, against the petitioner, one of further inquiry and the offences leveled fall within prohibitory clause of section 497 Cr.P.C.

10. For the above reasons, instant bail application is without merit and is accordingly dismissed.

(CHIEF JUSTICE)



Application No. 24741
 Date of Presentation of Application 16/9/23
 Date of Disposal 16/9/23
 No. of Pages 3
 No. of Exhibits 40
 No. of Witnesses 16/9/23
 No. of Counsel 16/9/23
 Date of Disposal 16/9/23