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

Crl. Misc. No.251-B/2023

Zeeshan Ahmed

Versus

The State and another.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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13.03.2023

Syed Najaf ul Hussain Shah, Advocate for the petitioner.
Mr. M. Usman Ghumman, A.A.G.
Mr. Mudassar Shah, Deputy Director, CCRC, Islamabad.

MOHSIN AKHTAR KAYANI, J.- Through the instant petition, the petitioner namely, Zeeshan Ahmed has applied for post arrest bail in case FIR No.188/2022, dated 30.11.2022, under Section 11 of Prevention of Electronic Crimes, Act 2016 read with Section 295-A, 295-B, 295-C, 298-A & 109 PPC, P.S Cybercrime Reporting Centre, FIA, Islamabad.

2. Brief facts referred in the instant FIR are that an inquiry was initiated on the complaint of Hafiz Liaquat Manzoor Comboa, by the FIA whereby accused Usman Bashir user of whatsapp account No. +923239197814 and

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Qanun-e-Shahadat Order 1984
Islamabad High Court
Islamabad

Facebook Profile having URL:
www.facebook.com/profile.php?id=100084001904266,

with criminal intention and ulterior motives illegally and unauthorizedly, created/developed and further uploaded/transmitted/disseminated as well as publicly projected/displayed Holy and Sacred name of, The Almighty Allah, The Holy Quran Majeed and Ahl e Bait. R.A on private parts of the human naked body alongwith

sacrilegious, loathsome narration/speech, using Whatsapp No.+023239197814 and Facebook profile having URL www.facebook.com/profile.php?id=100084001904266 by participating within different Facebook profiles and whatsapp account/groups and willfully defiled and outraged religious feelings; belief as well as spirit of Islam. During the investigation, the alleged Facebook Account alongwith the electronic devices were recovered from the accused person Zeeshan Ahmed being used in the commission of above referred offences. Hence this FIR.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has falsely been implicated in this case, even legal requirement for registration of FIR has not been adhered to by the Investigation Agency. Even the investigation has been completed and he is no more required for further investigation; that no incriminating material has been recovered from the petitioner to connect him with hideous crime; that keeping the petitioner behind the bars would not serve any useful purpose; therefore, he is entitled for concession of post-arrest bail.

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4. Conversely, learned A.A.G has opposed the instant bail application on the ground that the petitioner has directly been linked with the hideous offence and it entails capital punishment, therefore, he is not entitled for the concession of bail.

5. Arguments heard, record perused.

6. Perusal of the record reveals that the petitioner who has been charged with the allegation of maliciously insulting the religion as well as religious belief of Muslims defiling and insulting the Holy Quran, used derogatory remarks in respect of Holy Quran as well as in respect of Holy personages, which entails capital sentence. The petitioner is, prima facie, well connected with this hideous crime with his Facebook I.D as determined during the course of investigation by the FIA Forensic Analysis Report, which confirms his mobile phone and Facebook which were used by him in order to disseminate the nude contents while using the names of Almighty Allah, Holy Prophet (PBUH) and other Ahl-e-Bait as well as Ummahat ul Momineen. All these acts, prima facie, fall within blasphemous contents. The offences with which the petitioner has been charged falls within the prohibitory clause of Section 497 Cr.P.C. Sufficient material is available on record which connects the petitioner with this hideous crime, which creates an unrest among the religious feelings for Muslims in Pakistan. The alleged act of the petitioner amounts to creating restlessness among the Muslims as well as in whole of the country which may give rise to some serious incident of violence in the society, as such, the alleged act of the petitioner is a crime against whole society which cannot be taken in lighter tone. Granting bail to the petitioner at this stage would amount to trivializing and playing down the gravity of a heinous offence allegedly committed by him. The investigation has been completed, therefore, the petitioner is

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not entitled for any concession of bail and the same is hereby
dismissed.

(MOHSIN AKHTAR KAYANI)
JUDGE

Atif Akhtar

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Exhibit
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Application No. 11808
Date of Presentation of Application 31.3.23
Date of Deposit of Fee _____
No of Words _____
Copying Fee _____
Urgent Fee _____
Registration & Postage Fee _____
Agency Fee _____
Court Fee of Application _____
Total _____
Name of Copyist _____
Date of Receipt of Copy _____
Date of Completion of Copy 3.4.23
Date of Delivery of Copy 14/04/23