

THE HIGH COURT OF SINDH, KARACHI

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No. GAZ/Circulation of Judgment/SHC

Dated: 03-10-2025

All
communications
should be
addressed to
the Registrar
High Court of
Sindh Karachi
and not to any
official by name.

From:

**Registrar,
High Court of Sindh,
Karachi.**

To,

All the learned District & Sessions Judges of Province of Sindh

**SUBJECT: Order dated 24-09-2025 passed by this Court in
Criminal Misc Appln. NO. 841 of 2025**

I am directed to enclose herewith a copy of Order dated 24-09-2025 passed by this Court in Cr. Misc Appln. No. 841 of 2025, with the request to circulate the same to all Magistrates/Courts of your respective district, for information and compliance.



(ABDUL ASIF)

I/c Deputy Registrar (Gazette)
For REGISTRAR

Encl: As above

Copy forwarded for kind information to:

The I/c Assistant Registrar, Criminal Branch of this Court

IN THE HIGH COURT OF SINDH AT KARACHI

CR. MISC APPLN No. 841 of 2025

Mst. Rabia.....Applicant

VERSUS

The State & Others Respondents

ORDER

24.09.2025

Mr. Muhammad Jibran Nasir Advocate for the Applicant

Syed Bashir Hussain Shah, Assistant Attorney General

Mr. Amir Nawaz, Director South NCCI along with Mr.
Arsalan, Deputy Director and Ms. Sania, Enquiry Officer

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This case pertains to the illegal dissemination of personal photos and videos of the applicant, allegedly by her former husband. The NCCI has been slow in responding to the sensitivity of the issue. Be that as it may, Director (South) and Deputy Director (South), along with the investigation officer of the case, are present and have assured the Court that immediate action will be taken to block and pull offline the illegal content which the alleged offender has disseminated. The NCCI shall leave no stone unturned in its quest to bring the perpetrators to justice.

During the hearing, the Director (South) submitted that one hurdle the law-enforcement agency faces in similar cases is the reluctance of Magistrates to issue search warrants without the victim/complainant being present. The unwillingness of the Magistrate, coupled with the victim's reluctance to appear before a Magistrate, inevitably leads to



delays and substantially increases the loss of valuable digital/electronic evidence.

The concern raised by the NCCI is of utmost importance. Apart from the fact that valuable data/equipment may be lost due to delayed searches, it is also not appropriate to put a victim through the additional hassle and humiliation of appearing before a Magistrate to record their statement when the issue at hand is the dissemination of personal photos and videos. A victim must not be exposed to such humiliation. The NCCI is the premium law enforcement agency against cybercrime and should have sufficient internal controls in place to prevent any of its officers from unnecessarily seeking search warrants.

If NCCI requests the issuance of a search warrant in cases related to the dissemination of personal photos and videos, learned Magistrates shall not insist on NCCI producing the victim before him/her. Whether or not a search warrant is issued shall be based, in these case, on the information and data provided to the Magistrate by the concerned NCCI officer. The preservation of the dignity and self-respect of the victim shall at all times be strictly observed. The NCCI and the Magistrate shall ensure that any sensitive material that comes into their possession during investigations or court hearings remains sealed and is made known to authorized persons on a strict need-to-know basis. The necessity for such directions arises as it has been witnessed that personal photos/videos/web links are often attached as annexures to



court filings. It must be ensured by NCCI and the courts (including the High Court) that the files of such cases are not made available to unauthorized persons.

NCCI shall file its report by or before the next day of hearing. Repeat notices to the respondents.

The learned Registrar is directed to send a copy of this order to the learned Magistrates/Courts seized of such matters.

Relist on 29.09.2025. This matter be treated as part heard. Office to comply the directions issued vide order dated 22.09.2025 regarding maintaining this file and its annexures/documents.

Sd/-Omar Sial
Judge

Certified to be true copy

Assistant Registrar, I/C Criminal Br
CR/MISC/APPLN/NO/841/2025



Dated: 25-09-2025

Copy forwarded to the learned Registrar of this Hon'ble Court for information & compliance.

Assistant Registrar
Incharge Criminal Branch