

**THE HIGH COURT OF SINDH AT KARACHI**

No.: 1428/MIT-II/CrI. Misc. Appln No. 284/2018

Dated: 31-08-2023

**MOST URGENT**

To,

The learned District and Sessions Judges in all districts of Sindh.

**SUBJECT: CRL. MISC. APPLICATION NO. 284/2018**

I am sending copy of order dated 15-08-2023 passed by this Hon'ble Court in the subject case for information and necessary compliance. For sake of convenience relevant paragraph is reproduced as under:-

“It appears that directions contained in Nasrullah Vs. The SHO reported in PLD 2016 Sindh 238 are not being complied with in some of the judicial Districts. Therefore, it is directed to all the District Judges to ensure that the dormant cases are updated on CFMS as well as the same are fixed on quarterly basis in pursuance with the directions contained in the above referred case. Further cases of “Jirgas” and “Karo Kari” pending or kept on dormant file shall also be flashed on CFMS-DC System as directed earlier. Compliance of the directions contained in the case of Nasrullah (supra) shall be made in letter and spirit. Comprehensive Report to this effect shall be submitted to this Court through MIT of this Court before next date of hearing. To come up on 25<sup>th</sup> September, 2023.”

You are therefore, requested to submit details on the following two (2) separate proformas to this office within a week through email on MS Excel format as well as hardcopy:-

1) Details of Pending and Dormant cases of “**JIRGA and KARO KARI**”:-

Name of Court	Case No.	FIR and under Section	Name of accused persons	Stage of case (if pending)	Dormant (Yes/No)

2) Details of cases in which compliance as per directions contained in **NASRULLAH CASE** has been made:-

Name of Court	Case No.	FIR and under Section	Name of accused persons	Under what circumstances the case attracts that directions issued in Nasrullah Case be followed	What action taken in accordance with the directions of Nasrullah Case

  
(Suhail Muhammad Laghari)  
Member Inspection Team-II

Enclosed as above.

**IN THE HIGH COURT OF SINDH AT, KARACHI**

**CR. MISC. APPLN No. 284 of 2018**

Murtaza Ali S/o Abdul Ghafoor.....Applicant

**VERSUS**

Hon'ble D.J.East Karachi & Others.....Respondents

FIR No. 264/2018

P.S. Ferozabad, Karachi

4652  
30.8.23

**To,**

1. **The all District Judges Sindh through learned Registrar of this Court.**
2. **The learned MIT-II of this Court.**
3. **The Prosecutor General Sindh, Karachi,**
4. **The Deputy Attorney General for Pakistan, Karachi.**
5. **The Inspector General of Police, Sindh at Karachi.**
6. **The Home Secretary Govt. of Sindh at Karachi.**
7. **The Chief Engineer, Planning and Development Hyderabad.**
8. **The Superintendent Engineer, Education, Works & Literacy Department, Hyderabad.**
9. **The Executive Engineer, Education & Works Department, Umerkot.**
10. **The Secretary Colleges, Sindh at Karachi.**

I am directed to forward herewith certify copy of Order dated:- 15.08.2023, (in 3 pages), passed by this Court in the above matter, for information and compliance.

Receipt of this letter along with its enclosure may kindly be acknowledged.

Now the above matter is fixed in Court on **25.09.2023** at **08:15 a.m.**

**I.C. ASSISTANT REGISTRAR, CRIMINAL BR.**



Karachi  
Dated:- 29.08.2023

*[Handwritten signature]*  
20/8/23

Received *[Handwritten signature]*  
30.8.2023

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Crl. Misc. Application No. 284 of 2018

Date	Order with signature of the Judge
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15<sup>th</sup> August 2023

M/s Muhammad Hanif Samma and Abbad-ul-Hasnain, advocates / Amicus Curiae  
M/s Ameeruddin and Ms. Adeela Ansari advocate for respondent No.10  
Mr. Darqa Saeed, Incharge Legal STEVTA and Mr. Rajesh Kumar, advocate for STEVTA a/w Ms. Zarqa Saeed, Incharge Legal STEVTA.  
Mr. Faqeer Muhammad Lakho, Addl. Secretary, Government of Sindh  
Expert Syed Adnan Hyder Kazmi, Digital Lab, Forensic Division.  
Mr. Mushtaque Ahmed Abbasi AIG Legal-I, CPO on behalf of IGP Sindh  
Mr. Ihsanullah Laghari, Focal Person College Education Department, in Crl. Appln. No. 284 of 2010  
Prof. Dr. Qamar-ul-Arfin, Education Department,  
M/s Muhammad Saleem Buririo, Addl. PG, Pervaiz Ahmed Mastoi, AAG and Mr. Shafique Ahmed, AAG alongwith Inspector/SHO Badal Qazi PS Mirwah Khairpur, SIP/I.O Ashique Dasti, PS Mirwah Khairpur, SIP M. Alam Solangi, District Naushahro Feroze, ASI Riyaz Hussain District Naushahro Feroze, SIP Barkat Ali Wagan District Jacobabad, DSP Legal Raza Mian, CPO on behalf of IGP Sindh, SIP Hamad Ali District Sanghar, ASI Mohammad Ismail Gopang District Sanghar, SIP Sanjar Khan Jamali District SRA,, Tarique Hussain Mari District SRA, Inspector Naveed Ahmed District Korangi (Investigation)(iii), SP (Admin) Munir Ahmed, Reader Ranger Officer, Hyderabad, Inspector Saeed Ahmed Reader Ranger Officer, Hyderabad, DSP Muhammad Faheem Khan DSP (Admin) Training Office, CPO, DSP M. Muqem DSP Investigation, Nazimabad, Inspector Mir Muhammad DIG Office Mirpurkhas, SIP Muhammad Akram Abbassi, Sukkur District, SIP Munir Hussain Investigation, Malir and M. Aslam Bhatti, SSP Investigation, East-I, East Zone Karachi.

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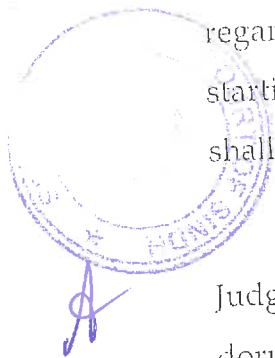
Pursuant to the order dated 17<sup>th</sup> May 2020, various compliance reports have been submitted, which are taken on record. Learned counsel for the Karachi University seeks time for appearance of the Chairman, Forensic Lab; the same is granted.

2. It has come on record that in Sindh there is no forensic lab to examine the authenticity of any video recording. It is strange that in this digital era, we are lacking this basic facility to determine the outcome of heinous cases. Accordingly, Home Secretary Government of Sindh and Inspector General of Police (I.G.P. Sindh) shall ensure a separate digital forensic lab with all necessary facilities. At this juncture, Addl. P.G. Sindh contends that such project is already underway. Accordingly, Home Secretary, Government of Sindh shall submit a report with regard to present status of that project.

3. Additional Secretary Colleges present and submits Notification dated 11<sup>th</sup> August 2023 with regard to the implementation of the recommendations in the Durrani Committee's Report pertaining to Education on college side, which is taken on record. Accordingly, the convener of that committee shall ensure compliance with the Durrani Committee's recommendations in letter and spirit and submit interim monthly reports before this Court. Furthermore, Additional Secretary contends that with regard to the 04 years programs in colleges, they have launched such programs in different degree colleges and emphasized that all funds have been released and the Girls Degree College in Pithoro is said to be completed within October 2023. Accordingly, Chief Engineer, Planning and Development Department, the Superintendent Engineer, Education, Works & Literacy Department at Hyderabad and the Executive Engineer, Education & Works Department, Umarkot shall be in attendance on the next date and submit a report with regard to completion of the Pithoro Girls Degree College. Besides, Secretary Colleges shall provide all requisite facilities to the Girls Degree Colleges, Sindhri, Khipro and Pithoro as well as Boys Degree College in Pithoro with regard to their affiliation with Sindh University for the four-year program starting in the upcoming academic year 2024-25. Such categorical statement shall be filed on the next date.

In compliance of order dated 17.05.2023 learned District & Sessions Judges has submitted details with regard to the murder cases kept on dormant file as earlier reported by them which reads as under:-

*[Handwritten signature]*



Name of Court	S.No.	Case No.	FIR, Police Stations	Name and age of Deceased persons	Total Number of Accused	Number of Absconding Accused	Total Number of Witnesses	Number of Witnesses not appearing before Court
1	2	3	4	5	6	7	8	9

S.No.	District	Total No. of Murder cases on Dormant	Total Number of Deceased persons	Total Number of Accused	Number of Absconding Accused	Total Number of Witnesses	Number of Witnesses not appearing before Court	Flag
1.	Sukkur	67	68	548	361	566	263	D
2.	Khalrpur	36	41	171	112	269	47	E
3.	Ghotki	58	63	432	249	548	168	F
4.	Larkana	164	181	924	612	1565	906	G
5.	Kambar Shahdadkot	63	67	259	198	558	317	H
6.	Shikarpur	52	61	305	290	576	163	I
7.	Jacobabad	64	67	362	179	710	206	J
8.	Kashmore @ Kandhkot	53	55	230	218	447	144	K
	Total	557	603	3231	2219	5238	2214	

It appears that directions contained in *Nasrullah Vs. The SHO* reported in *PLD 2016 Sindh 238* are not being complied with in some of the judicial Districts. Therefore, it is directed to all the District Judges to ensure that the dormant cases are updated on CFMS as well as the same are fixed on quarterly basis in pursuance with the directions contained in the above referred case. Further cases of "Jirgas" and "Karo Kari" pending or kept on dormant file shall also be flashed on CFMS-DC System as directed earlier. Compliance of the directions contained in the case of *Nasrullah (supra)* shall be made in letter and spirit. Comprehensive Report to this effect shall be submitted to this Court through MIT of this Court before next date of hearing.

To come up on 25<sup>th</sup> September 2023.

**Sd/-Salahuddin Panhwar**  
Judge

Certified to be true copy

**I.C Assistant Registrar Crl. Branch**  
CR/MISC/APPLN/NO/284/2023

29.08.2023