

- The Nation -

SUNDAY, OCTOBER 20, 1996

LHC moved against arrests

A human rights organisation, Hakim Fazal Ahmad Trust, has moved the Lahore High Court against arrest of the citizens under sections 55 and 109 CrPC and Motor Vehicles Act 1959.

Two separately filed petitions by President of the body, Fayyaz Mansoor, on various legal and constitutional authorities question the existence of the said laws, contending they provided for undue rights to the police department to cause harassment to the innocent citizens. He prays for declaring invalid the said laws for being against the fundamental rights. de-rogatory etc.

بے چاروں کے چارہ گر

امت علی و مدت خلا جایو چیز ولد رضان سچ، انور ولد علم دین، رترابیان ولد مجھ شفیع فیاض شا ولد فخر شا، اجمل ولد ایاس اور فرفول دنداں نامہ کو صورت جمل سے رہائی مٹی چاہے بلکہ قصور کے لئے خیریہ ایمانی حقوق کی بے حرمتی کا تقدیر، نہنا چاہئے کہ بارہ ندی کے باجوہ انسوں سے ان بے گناہ چاندروں کی رویائی کے کچھ کچھ نہیں لیا۔

یہیں فضل احمدی بلطفہ نہر کی طرف سے فیاض مصروف کی ایک در خواست، نامہ را پاکیوٹ کے ذریعہ حکومت پنجاب پذیرا یہ رعنی حکمت اور اکپرچر جنگ پاک پنجاب سے حادوث اور کھاندہن وہیں رہیں تو غنی ہو جائے والے لوگوں کو قتلیں اور دادرا فراہم کرنے کے لئے پل پس کی جاზت حاصل کرنے کی پانیدنی کے خلاف ہے کہ یہ پانیدنی کو چھ سے ہر روز سمت سی پیٹھی انسانی زندگیں ختم کر جائیں چیز ہو جو کہ آئیں کی دل نوادر چودہ کی صریح خلاف ورزی اس سلطنتیں درخواست میں دو دردناک اور افات بھی شوابد طور پر چیز کو گھنے ہے۔ ایک اتفاق ہوا۔ شہزادہ احمد

دشت صفات میں اپنا آنکار سفر کیجئے یا مبارک لوگوں کے جلو
میں ہو اکہ ہوں زر اور طبل بجہ دونوں سے بے نیاز ہو گے۔ مجھے
قلقی نام دیتے وانے بلکہ بیان سال پلے اخبار میں سبزی بکلی تحریر
پر سیراصل نام کاٹ کر پا ہاتھ سے منوچھی کلکھتے والے جناب
امحمد تم قاکی ہیں چاچوں اس نام کے ساتھ پچھلی تحریر و قت نام
دیتے والے کی عزت اور حرمت کا خیال رہتا ہے۔ باقاعدہ صفات
میں میرے پلے تقریباً پر گھنی احمد تم قاکی صاحب کے وحشنا
بیں اور دیے یا سیرے اور لیک کا ایسا جیچ کے کہ جسں دیجے سے ضرور
سے زیادہ حفاظ رہتا ہے۔ غافل سفر کے ساتھیں میں ہم خیال
لوگوں اور لیک چیزیں نظریات رکھنے والوں کے علاوہ کچھ اچھے ای لوگ
بھیں جن کے جن سے ظراہی ہم بھی نہیں تھیں مگر ان کے جس
غافلیں اور رتوئے کی گردید ہاں لیا تھا۔ ان میں سے لیک اے بی عظیم
تھے جنہوں نے نظریاتی اختلافات کے باوجود میرے ساتھی بھاش
بڑے بھائیوں جیسا سلوک کیا۔ چند روزوں پہلے ان کی بیٹی طلاقت عظیم
اور دادا موافق مصادر میری ملگی سے گرفتہ و قت سبزے نام کی جسی
دکھ کر اندر آگئے اور اے بی عظیم سے اپارٹمنٹ پر تکمیلی
کی انتہی خیالوں باروں کو اعمال کی۔

گریبان

سلام اس کی بے چارگی پر
جو بے چاروں کا چارہ گرتا
فیض منصور نے بھی جو کام اپنے ذمہ لے رکھا ہے، وہ بے
چاروں کی چارہ گری ہے۔ زیادی تکمیل تو میں نے اپنی اپنے
والدین اور برادروں کے مش کی چاروں رخچے پر شناس کی مگر نہیں
خانہ دل سے بے چاروں کی چارہ گری کرنے والوں کی بے چارگی پر
سلام بھی بھیجا کر تو زندگی کی پری کیا جا سکتا ہے۔
فیض منصور نے بے چاروں کی چارہ گری کا مرتبہ اختصار کر
رکھا ہے کہ وہ لوگ جن کے باقی اضاف کے دروازوں تک خیں
تیجی سکھتے ان کے لئے عالیوں کے دروازے کھٹکھٹا جائیں۔
اس سلسلے میں امور نے مختلف عالیوں میں وادر کی مخفیت
درخاستیں اس اندیز یاقوت کے ساتھ داخل کر رکھی ہیں کہ اپنی
انساف میں جائے گا۔ اب درخاست تحریکات اپنے ایسا کی دفعہ
151 کے تحت اوارہ گردی کے ایام (۵۵-۱۰۹) کی زمین
آئے والے غیر، سے کس اور بھروسوں کے طویل عرصہ تک

یک بد نیست کاہے ہو ضل شیخ پورہ میں ایک حادثے میں شد
و خی بوجو گئے۔ سول ہفتاں شیخ پورہ پولیس کی اجازت کے
 بغیر اس کو طنی امداد دینے سے انکار کر دیا۔ خی بجزل ہفتاں
کاہور لے جانے کو ملک۔ خدھر خی کو ایسوس فونک کرنے سے بھی
نکار کیا اور جب اسے عام کاری میں تقریباً گھنٹوں کے بعد جزلا
ہفتاں لارہن۔ تک لایا گیا تو وہ فوافت پا چکے تھے۔ دوسرا اقدام پا
کے سکونتی آئیں ملک عبد الرزاق کاہے جس پر کسی نے کوئی چالا
سے خی زی ہفتاں لے جایا گیا کافر انوں نے پالیں رہیں
درج ہوتے سے پہلی لامار دینے سے انکار کر دیا۔ اپنی
ہفتاں لے جایا گیا میں بھی صحابیت اپنی مجددی طاریہ کر
پہلی پولیس، پورٹ درج کرنی گئے۔ صح سات بیجے زی ہوتے
اپلے ملک راز کا پیش رہیں رہیں رہیں رہیں رہیں رہیں رہیں رہیں
پہلے بچک آپریٹر کیا کیا۔ پہل رازیک اپنی خوش قصی کر کوہ
کوکے اور اواب ریانہ زر و زنی گزارہ سے میں مرقاونے سے اپنی طرف
سے بھری کو ششی کی کوہ فوافت پا جائیں۔

دریچ خواست اور اد ری د دعہ نو تحریرات پاستان سے خارج کرنے کی استدعا میں رکھتی ہے کہ جس کے تحت کسی بھی کے سب اور بے خیزیان اور بے چارے لو اپنی آزادی اور اپنی مرخی سے محروم کیا جاسکتا ہے۔

قانون کی یہ دفعہ ہمارے غیر ملکی حکمرانوں نے اس ملک کے غربت لوگوں کو دعیل و خوار کرنے کے لئے بنا لئی تھی۔ اگر ہمارے ملکی حکمرانوں نے اپنے غربت لوگوں کو دعیل و خوار کرتے ہوئے رہتا ہے تو اس دفعہ کی قانون میں موجود کا حکماز ہو سکتا ہے لیکن انسانیت کے بھی بچھے تھا میں ہوتے ہیں اور قانون انسانوں کے لئے ہی ہوتا ہے۔ اگر غربیں پرانا انتہ کا قانون لگوں گی میں ہوتا تو اس داد بے رحمی حیوانات کے قانون کے تحت بھی عبیدا تمہید و در رحمت علی۔

The powers of police arresting the roamers is challenged in the high court

The power of police; arresting under section of roaming is challenged in the high court. Regarding this matter Mr. Fayyaz Mansoor; president of Hakim Fazal Ahmad Welfare trust filed a petition.

روزنامہ نوائے وقت لاہور (5) اکتوبر 1996ء

نوائے گردی پر حراست میں لینے کے پولیس

اہلیات کو ہائیکورٹ میں ملچھ کر دیا گیا

لاہور (نامہ) نوائے گردی کے امام کے خاتم شریف کو
حراست میں لینے کے بارے میں پولیس اہلیات کو ہائیکورٹ
میں ملچھ کر دیا گیا ہے اس لئے میں سمجھ دھرم و ملک و حراست
کے صدر فاضل صدور نے وہ درخواست دائری جس کی تائید
تھی جسکی۔



موئز جریش ایکٹ اور ضابطہ قوہداری کی وفا

55 اور 109 اکٹ پاکیستان میں ملچھ کر دیا گیا

لاہور (خبر ناہر اخسمی) موئز جریش ایکٹ اور ضابطہ
قوہداری کی وفات 55 اور 109 اکٹ پاکیستان میں ملچھ کر دیا گیا
ہے اس سالہ میں پاکیستان حکومت کے ہر سو نئی مصروف
کے اکٹ میں درخواست دائری ہے جس میں کہا گیا کہ ہر
درخواست ایکٹ اور ضابطہ قوہداری کی وفات 55 اور 109 اکٹ
میں درجے کے مبنی حقیقے متفق ہیں۔ پولیس اور حکومت
ان قوانین کا علاوہ احتساب کرنا چاہیے۔

Daily Jang

20th October 1996

Motor registration act and section 55 & 109 of Criminal procedural code challenged in the High Court

Motor registration act and section 55 & 109 of Criminal procedural code is challenged in the Lahore high Court. Mr. Fayyaz Mansoor, president of Hakim Fazal Ahmad Welfare Trust has filed a writ petition in this regard. The writ stated that Motor registration act and Section 55 & 109 of Criminal Procedural code violate the article of constitution which provides the fundamental rights. Police and Excise department is misusing the said law.

THE NEWS

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Saturday, December 4, 1989

More prisoners released

ON the explicit directive of Punjab Governor Lt.Gen (rtd) Muhammad Saeed, 5391 under-trial prisoners involved in petty offences have so far been released on bail from different 29 jails across the province. Inspector General Prisons Ziaul Hassan told APP Friday. —APP

IN THE LAHORE HIGH COURT LAHORE.

W.P.No. 2188 — /98.

Insaf Society (Registered) through Mr. Fayyaz Mansoor
its President Fatima House Basement 12-Fane Road, Lahore.

... Petitioner.

Versus.

1. Government of Pakistan through Ministry of Law,
Parliamentary Affairs and Justice, Islamabad.
2. Government of the Punjab through Secretary Home
Department, Civil Secretariat, Lahore.
3. Inspector General of Police, Punjab, Lahore.

.. Respondents.

PETITION UNDER ARTICLE 199 OF THE CONSTITUTION
OF ISLAMIC REPUBLIC OF PAKISTAN.

Respectfully sheweth:

1. That the petitioner Society is created for charitable and other welfare purposes and is registered with Govt. of Punjab and Mr. Fayyaz Mansoor is its President who is competent to file the present petition on behalf of the Society. Copy of Registration is Annexure-A.
2. That at the very outset, it is submitted that the present petition is in the shape of a pro bono publico as well as on the basis of rights of the petitioner as a Society registered and existing under the laws of Islamic Republic of Pakistan as well as rights of its members including Mr. Fayyaz Mansoor through whom the present

petition is being filed.

3. That according to Article 9 of the Constitution of Islamic Republic of Pakistan no person is to be deprived of life or liberty save in accordance with law. According to Article 10, no person can be detained as a measure of preventive detention unless he is acting in a manner prejudicial to the integrity, security or defence of Pakistan or any part thereof or external affairs of Pakistan or public order or the maintenance of supplies or services and that no law providing for preventive detention shall authorise the detention of a person for a period of exceeding 3 months. Article 14 provides that the dignity of man shall be inviolable.

4. That according to provisions of Sections 55 and 109 of Criminal Procedure Code 1898 any person can be arrested if he is found taking precautions to conceal his presence under circumstances which afford a police officer reasons to believe that he is taking such precautions with a view to committing a cognizable offence or if he is a person who has no ostensible means of subsistence or who can not give a satisfactory account of himself or if he is a person who by repute is habitual robber, house breaker or habitual receiver of stolen property knowing it to be stolen or who by repute habitually commits or in order to commit extortion puts persons in fear of injury.

5. That both the provisions of Sections 55 and 109 Cr.P.C. are inconsistent with and in derogation of fundamental rights guaranteed by the Constitution of Islamic Republic of Pakistan as well as are against the teaching and injunction of Islam on the following amongst other

G R O U N D S

- a) That in fact provisions of Section 55 and 109 Cr.P.C. are against the dignity of human beings as from the tenor of the provisions, it is clear that only those persons who have no ostensible means of subsistence (i.e. are poor persons) can be arrested by the Police. After their arrest, and production before the concerned Magistrate, it is not clear as to under what provisions of law they can be further detained or released.
- b) That Sections 55 gives unlimited powers to Police Officers to make a guess whether a person is going to commit an offence and or if by intention or otherwise according to his thoughts, the Police Officer comes to a divine conclusion that the person is going to commit an offence, he will have authority to detain the person and after lapse of 24 hours to produce him before the Magistrate.
- c) That the Jails are full of people who were arrested under the provisions of Section 55 Cr.P.C. and as there was no one to come after them and to spend money at appropriate places to procure their release, they can only pray to Almighty for their ~~release~~ release. The crime of having no such relation or ready money, results in indefinite detention of such a poor soul at the mercy of the District Magistrate or Sub-Divisional Magistrate who may during his rare visit of the Jail, think fit to release, such citizen of Pakistan after his detention for months together. The law does not provide the circumstances in which such person can be released except that unfettered powers have been given to the Police and the Administration to keep or release such persons according to their whims.
- d) That during a visit of District Jail, Gujrat by President

of the petitioner Trust, the said President came across a child who was arrested by the Police and was in Jail for months. The said President, made a written request to the Deputy Commissioner Gujrat for release of the child on 21.5.96. The Deputy Commissioner required the Magistrate of the area to take necessary action however, the said Magistrate refused to release the said child who belonged to another District. Copy of the letter and that of order thereon is annexed as Annexure-B.

- e) That from the very language used in the impugned sections, it is clear that commission of offence is not necessary for putting the provisions of the impugned Sections in motion and it is just the sweet will of the officials concerned whether to allow any person to remain outside the Jail or to confine him away from the hustle and bustle of outside world.
- f) That this law also does not distinguish between a person of sound mind, a person of unsound mind or even a person of sound mind but by habit who is absent minded.
- g) That as is clear from the wording of the Section it is not at all necessary for the police to trouble to investigate the matter. They have been allowed just to stop a person and if he does not give answers to the liking of the Police Officer, he has the authority to put him behind bars.
- h) That the President of the Trust who is also a non-official visitor of jail appointed by Govt. of the Punjab, as such visited different Jails and found that in every Jail there were 5 to 12 persons who were arrested for months together usually young ones under the provisions of Section 55 and 109 Cr.P.C.

i) That although it is clear that these provisions were incorporated in Criminal Procedure Code by colonial Masters to keep the subjects on the right track yet the democratic Constitution of Pakistan has been disregarded by the successive Governments in allowing provisions of Sections 55 and 109 Cr.P.C. to remain on the statute book as a legacy of our colonial and to some spiritual masters.

j) That the fact that these provisions are meant only for the poor sections of the public is also evident when one sees that no well to do person has ever been arrested under the said provisions and it is always the poor people of Pakistan who were made victims of these provisions of law.

This fact also makes the provisions discriminatory and against the mandate of article 25 of the Constitution of Islamic Republic of Pakistan.

k) That the petitioner has no other adequate remedy available to it except to invoke the constitutional jurisdiction of this Hon'able Court.

It is therefore, respectfully prayed that an order may kindly be made declaring that the provisions of Sections 55 and 109 Cr.P.C. are inconsistent with and in derogation of the fundamental rights conferred by Chapter-I of the Constitution of Islamic Republic of Pakistan as well as the basic principles of Islam. The said provisions may kindly be ordered to be removed from the statute book.

Any other relief to which the petitioner is found entitled may also be granted.


Petitioner.

Through:

(Farooq Amjad Meer)
Advocate,
1-Farid Kot Road, Lahore.

Dated: _____

HAKIMA FAZAL AHMAD WELFARE TRUST

81-05-93

Dated: _____

Ref: [View](#) [Edit](#) [Delete](#)

Ref: *Leucosticte Arctoa* (Linné) *Leucosticte Arctoa* (Linné) *Leucosticte Arctoa* (Linné)

گر اسی کے میں بھی ایک جو 1965-66ء کے ایک ایسا
بھی جوکہ آوازیں کوئی نہیں ہیں مگر جس عرصہ درجہ سے ہے تو اسی سے
فکر بڑھ جائے گا۔ 55/109 میں دوسرے گھر کے
ناموں میں

جامعة الشهيد داود

لهم لا تدعنَا ميتين كمَا كنَا - ملائكة ملائكة

Chitwan 107 B.

مُهَاجِرٌ (مُهَاجِرٌ)

1947/1948

Office of the - Express Distric
Gujrat.

It is reported that under Trial Power
Abul Ghafur & Co. Nanded Islam was
admitted in the Jail on 7.4.96 up
Station PS B-Dt. Gujrat. He is Jarvis and
has with other case against him the
admission in Jail in only ONE case.

✓ M. S. P.
21/5/96
A.

ORDER SHEET

LAHORE HIGH COURT, LAHORE

WP 21938-98

APPEAL/REVISION No. 19

Imran Society (Reg)
versus

APPELLANT
PETITIONER

RESPONDENT

Govt of Pakistan

Appeal/Revision against the decree or order (as the case may be) of _____

Serial No. of order of proceeding	Date of order of proceeding	Order with signature of Judge, and that of parties or counsel, where necessary
1	2	3
1.	22.10.1998	<p>Mr. Farooq Amjad Mir Advocate. Mr. Fouzi Zafar AAG.</p> <p>Learned counsel through this constitutional petition has argued that section 55 Cr.P.C and Section 109 Cr.P.C cannot go hand in hand as both of them are violative of the Constitutional provisions.</p> <p>A copy of this constitutional petition has been handed over to Mr. Fouzi Zafar learned AAG who shall get report from respondents and case be listed after three weeks.</p> <p><i>Dr. V. S.</i></p> <p><i>[Signature]</i> (TANVIR AHMAD KHAN) JUDGE</p>

IN THE LAHORE HIGH COURT LAHORE

W.P. NO. 18933 /95

Hakim Fazal Ahmad Welfare Trust through Mr. Fayyaz Mansoor its President, 916-C
Canal Housing Society Niaz Baig Thokar, Lahore

Petitioner

VS

1. Government of Pakistan through Ministry of Law, Parliamentary Affairs and Justice, Islamabad.
2. Government of the Punjab through Secretary Home Department, Civil Secretariat, Lahore.
3. Inspector General of Police, Punjab, Lahore.

Respondents

PETITION. Under Article 199 of the Constitution of Islamic Republic of Pakistan.

Respectfully Sheweth:

1. That the petitioner Trust is a Trust created for charitable and other welfare purposes and Mr. Fayyaz Mansoor is its President who is competent to file the present petition on behalf of the Trust. The Trust is duly registered with Government of Punjab.
2. That at the vary outset, it is submitted that the present petition is in the shape of a pro bono publico as well as on the basis of rights of the petitioner as a Society registered and existing under the laws of Islamic Republic of Pakistan as well as rights of its members including Mr. Fayyaz Mansoor through whom the present petition is being filed.
3. That according to Article 9 of the Constitution of Islamic Republic of Pakistan no person is to be deprived of life or liberty save in accordance with law. According to Article 10, no person can be detained as a measure of preventive detention unless he is

acting in a manner prejudicial to the integrity, security or defence of Pakistan or any part thereof or external affairs of Pakistan or public order or the maintenance of supplies or services and that no law providing for preventive detention shall authorise the detention of a person for a period of exceeding 3 months. Article 14 provides that the dignity of man shall be inviolable.

4. That according to provisions of Sections 55 and 109 of Criminal Procedure Code 1898 any person can be arrested if he is found taking precautions to conceal his presence under circumstances which afford reasons to believe that he is taking such precautions with a view to committing a cognizable offence or if he is a person who has no ostensible means of subsistence or who can not give a satisfactory account of himself or if he is a person who by repute is habitual robber, house breaker or habitual receiver of stolen property knowing it to be stolen or who by repute habitually commits or in order to commit extortion puts persons in fear of injury.

5. That both the provisions of Sections 55 and 109 Cr.P.C. are inconsistent with and in derogation of fundamental rights guaranteed by the Constitution of Islamic Republic of Pakistan on the following amongst other ground:

GROUND S:

a. That in fact provisions of sections 55 and 109 Cr. P.C. are against the dignity of human beings as from the tenor of the provisions, it is clear that only those persons who have no ostensible means of subsistence (i.e are poor persons) can be arrested by the Police. After their arrest, and production before the concerned Magistrate, it is not clear as to under what provisions of law they can be further detained or released.

b. That sections 55 gives unlimited powers to Police Officers to make a guess whether a person is going to commit an offence or and if by intuition or otherwise according to his thoughts, the Police Officer comes to a divine conclusion that the person

is going to commit an offence, he will have authority to detain the person and after lapse of 24 hours to produce him before the Magistrate.

c. That the Jails are full of people who were arrested under the provisions of Section 55 Cr. PC and as there was no one to come after them and to spend money at appropriate places to procure their release, they can only pray to Almighty for their release. The crime of having no such relation, results in indefinite detention of such a poor soul at the mercy of the District Magistrate or Sub-Divisional Magistrate who may during his rare visit of the Jail, so thinks fit may release, such citizen of Pakistan after his detention for months together. The law does not provide the circumstances in which such person can be released except that unfettered powers have been given to the Police and the Administration to keep or release such persons according to their whims.

d. That during a visit of District Jail, Gujrat by President of the petitioner Trust, the said President came across a child who was arrested by the Police and was in Jail for months. The said President, made a written request to the Deputy Commissioner Gujrat for release of the child on 21.05.1996. The Deputy Commissioner required the Magistrate of the area to take necessary action however, the said Magistrate refused to release the said child who belonged to another District. Copy of the letter and that of order thereon is annexed as Annexure-A.

e. That from the very language used in the impugned sections, it is clear that commission of offence is not necessary for putting the provisions of the impugned sections in motion and it is just the sweet will all the officials concerned whether to allow any person to remain outside the Jail or to confine him away from the hustle and bustle of outside world.

f. That this law also does not distinguish between a person of sound mind, a person of unsound mind or even a person of sound mind but by habit who is absent minded.

g. That as is clear from the wording of the section it is not at all necessary for the Police to trouble to investigate the matter. They have been allowed just to stop a person and if he does not give answers to the liking of the Police Officer, he has the authority to put him behind bars.

h. That the President of the Trust who is also a non-official visitor of Jail appointed by Government of the Punjab, as such visited different Jails and found that in every Jail there were 5 to 12 persons who were arrested for months together under the provisions of sections 55 and 109 Cr. P.C.

i. That although it is clear that these provisions were incorporated in Criminal Procedure Code by colonial Masters to keep the subjects on the right track yet the democratic Constitution of Pakistan has been disregarded by the successive Governments in allowing provisions of sections 55 and 109 Cr. P.C. to remain on the statute book as a legacy of our colonial and to some extent spiritual masters.

j. That the fact that these provisions are meant only for the poor sections of the public is also evident when one sees that no well to do person has ever been arrested under the said provisions and it is always the poor people of Pakistan who were made victims of these provisions of law.

This fact also makes the provisions discriminatory and against the mandate of article 25 of the Constitution of Islamic Republic of Pakistan.

k. That the petitioner has no other adequate remedy available to it except to invoke the constitutional jurisdiction of this Honourable Court.

It is therefore, respectfully prayed that an order may kindly be made declaring that the provisions of sections 55 and 109 Cr. P.C. are in consistent with and in derogation of the fundamental rights conferred by Chapter-I of the Constitution of Islamic Republic of Pakistan. The said provisions may kindly be ordered to be removed from the statute book.

Any other relief to which the petitioner is found entitled may also be granted.

Through

Petitioner

(MR. FAYYAZ MANSOOR)

Its President,

in person,

CERTIFICATE: This is first petition on the subject in this Honourable Court.

94331 25832
A.C. G. 524573
D.C. G. 524578



HAKIM FAZAL AHMAD
WELFARE TRUST

Dr. 05-96

Dated: _____

Ref: _____

مکانیکی ترکیب دیکٹیویٹ پر
Area 109 مکانیکی ترکیب
AC 15071

180 روپیہ

کاریشہ 8 مارچ 1996ء کی تاریخ
بچہ عدک آمادہ گردہ (لہجہ) میں بھی میں عرصہ دو ہو سکتی ہیں۔
فیکٹری میں 55/109 مکانیکی ترکیب
کے لیے مکانیکی ترکیب میں

لیڈ ایکٹریویٹ دیکٹیویٹ

نام کو دیکھو، جسکے مکانیکی ترکیب میں
مکانیکی ترکیب میں مکانیکی ترکیب میں

کے لیے دیکھو۔ 109

بچہ عدک آمادہ گردہ (لہجہ) میں بھی مکانیکی ترکیب میں
مکانیکی ترکیب میں مکانیکی ترکیب میں

مکانیکی ترکیب

مکانیکی ترکیب

IN THE LAHORE HIGH COURT LAHORE.

C.M.NO. 3568 /96 in W.P.NO.18933/96

In re:Hakeem Fazal Ahmad Welfare Trust Through Fayyaz Mansoor

VS
Government of the Punjab

D.No. 38448
24-11-96

Petition under Section 151 C.P.C for Release of Eight Prisoners
detained under Section 55/109 in District Jail,Kasur.

Respectfully Sheweth:

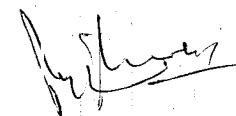
1. That the president of the petitioner Trust visited the District Jail,Kasur on 21.11.1996 on a routine visit for the purpose of the welfare and betterment of the jail and prisoners. He noticed that eight persons have been detained in the jail under Section 55/109 since a long time. The Deputy Commissioner, Kasur has been informed by the jail authorities twice about the release of those prisoners. The list of the prisoners was also sent to him vide letter No.4840 dated 8.10.1996 and also a letter to Deputy Superintendent Police,H.Q.,Kasur vide letter No.5318 dated 3.11.1996. None of them bothered to visit the jail for the release of these poor persons who are detained under no offence. The list of the prisoners with complete particulars is annexed as annexure A.
2. That at the very out set, it is submitted that it is the violation of the human rights and against the dignity of the human beings and in derogation of fundamental rights gauranteed by the Constitution of Islamic Republic of Pakistan under Article No.14 which provides that the dignity of man shall be invioable.
3. That the jail reforms and conditions cannot be improved unless such a people detained under no offence ~~nowxRixxage~~ be stopped from sending to the jails so that overcrowding can be decreased.
4. That all eight of the prisoners belong to poor families and there is no one to come after them and spend money at Kasur to procure their release.
5. That most of them are arrested by the Railway Police at Railway Stations. It seems that they might be travelling in

in search of the jobs.

6. That the Writ petition No.18933/96 is already in hearing before his Lordship Mr.Justice Khan Riaz ud din Khan for the the removal of Sections 55 and 109 of Cr.P.C. from the statute book..

7. That the Deputy Commissioner,Kasur is not performing his duties in safeguarding the fundamental rights of the citizens and is failed to provide the justice to the deserving people.

It is therefore respectfully prayed that an order may kindly be made to release the prisoners named in Annexure A from District jail,Kasur and Deputy Commissioner ,Kasur may kindly be warned to take care of fundamental rights of the citizens in future and to pay a regular visit to the jail to provide the justice as it the most important part of his duties.



APPLICANT.

Through

(Mr.Fayyaz Mansoor)

It's President

Hakeem Farooq Amjad Meer *versus* *Govt of Pakistan*

APPELLANT
PETITIONER

RESPONDENT

Revision against the decree or order (as the case may be) of _____

of g	Date of order of proceeding	Order with signature of Judge, and that of parties or counsel, where necessary
	2	3
	28.11.1996	<p>Mr. Farooq Amjad Meer, Advocate.</p> <p>Learned counsel seeks a short adjournment to prepare the brief further.</p> <p>2. Relist during week commencing 15th of December 1996.</p>
		<p><u>C.M. No. 568/96</u></p> <p>A copy of the petition be sent to District Magistrate Kaser who shall look into the matter and take necessary steps for release of persons mentioned in annexure-A to the petition.</p> <p>2. C.M. disposed of.</p>

JUDGE