اِعْدِلُوهُوَا اَقْرَبُ لِلتّقْوٰی

IN THE COURT OF MUHAMMAD AFZAL MAJOKA,
ADDITIONAL SESSIONS JUDGE, ISLAMABAD-WEST

Sessions Case No.134631,
Sessions Trial No. _____

The State

Versus

Umar Hayat son of Amjad Javed, resident of Street No.4 Mohallah Amin Park, Jhumra Road Jaranwala, District Faisalabad.

Case F.I.R No.	370
Dated	02.06.2025
Offence under Section	302/392/411/449 PPC
Police Station	Sumbal
Date of Decision	19.05.2026

Present:- Umar Hayat accused in police custody from Central Jail, Rawalpindi.
Chaudhary Rizwan Ellahi, Advocate learned counsel for accused.
Complainant along with her learned counsel Sardar Muhammad Qadeer Hussain, Advocate.
Raja Naveed Hussain, learned DDP for State.
Mr. Mazhar Bashir Khan, learned SPP for State.

J U D G M E N T

Farzana Yousaf complainant [PW.18] resident of House No.33 Street No.81 Sector G-13/1, Islamabad along with her daughter Sana Yousaf aged seventeen years a media influencer, Latifa Shah [PW.19] was present in her house whereas her son Syed Yawar Yousaf Shah aged fifteen years went to Chitral to his ancestral village and her husband Yousaf Hassan [PW.23] went outside the house for a piece of work on 02.06.2025 when at about 05:00 p.m., the accused armed with pistol committed trespass into her house and fired straight shots from his pistol at Sana Yousaf with intention to kill which hit chest of Sana Yousaf who was injured. The accused fled away from the spot. On

commotion of the complainant party, Mohallahdars gathered there. The complainant took her daughter to KRL Hospital in vehicle of neighbor who succumbed to the injuries. The occurrence was witnessed by Mst. Farzana Yousaf PW-18 and Latifa Shah PW-19. Sana Yousaf was shifted to PIMS Hospital.

2. Muhammad Riasat, ASI [PW.7] on 02.06.2025 on receipt of information of the occurrence along with Jaffar Anjum LHC [PW.6] and Saba Amanat lady constable [PW.11] reached PIMS Hospital, Islamabad in emergency ward. Mst. Farzana Yousaf [PW.18] presented written application Ex.PQ to him. PW-7 through Saba Amanat lady constable inspected the dead body of deceased, drafted application for postmortem Ex.PE, application for keeping the dead body in mortuary Ex.PF, inquest report Ex.PG and got it received to CMO. He drafted his proceedings Ex.PH on the back of application and converted it into complaint under section 302 PPC and sent the same to Police Station through Jaffar Anjum LHC [PW.6] for formal registration of case on the basis of formal FIR Ex.PD was got drafted by Mansab Dar, SI [PW.5].

3. Fakhar Abbas, Inspector (PW.27) on 02.06.2025 on receipt of the information of the occurrence along with Qaisar Mahmood HC (PW.22) and Qaisar Abbas HC (not examined) reached PIMS Hospital where dead body of Sana Yousaf deceased was lying. Muhammad Riasat, ASI, (PW.07) Saba Amanat Lady constable (PW.11) and legal heirs of the deceased namely Farzana Yousaf mother (PW.18), Yousaf Hassan father (PW.23) and other relatives were present in the hospital. FIR was produced before Fakhar Abbas, Inspector (PW.27) by Jaffar Anjum C (PW.06). Fakhar Abbas, Inspector (PW.27) started the investigation. Muhammad Riasat, ASI handed over to him application for postmortem, inquest report, application for keeping the dead body in the mortuary, initial slip of deceased, death certificate which he took

into possession through memo Ex.PJ attested by Riasat, ASI (PW.07) and Saba LC (PW.11). After postmortem examination the doctor handed over to him last worn clothes of the deceased i.e. blood stained T-shirt P11, trouser P12, shalwarcha blood stained P13, breezier blood stained P14 which he took them into possession vide memo Ex.PBB attested by Yousaf Hassan (PW.23) and Syed Mustansar Hussain Shah (not examined). Dead body of the deceased was identified by Yousaf Hassan (PW.23) vide identification memo Ex.PCC attested by above said witnesses. After postmortem Fakhar Abbas, Inspector (PW.27) handed over dead body to Yousaf Hassan vide receipt Ex.PDD attested by the above said witnesses.

4. Thereafter Fakhar Abbas, Inspector (PW.27) went to place of occurrence. He collected blood through cotton from the spot, converted the same into sealed parcel and took it into possession through memo Ex.PEE attested by the above said witnesses. He collected two empty cartridges of 30 bore pistol from the spot, converted the same into sealed parcel and took them into possession through memo Ex.PGG attested by the same set of witnesses. From residential room of the deceased he took into possession android mobile P16 of the deceased vide memo Ex.PHH attested by the same set of witnesses. He took piece of carpet P15 after cutting the same from the carpet into possession vide memo Ex.PFF attested by the above said witnesses. Forensic expert took finger prints from mirror on a card and handed over the card to him which he took into possession through memo Ex.PL attested by Muhammad Irshad, ASI and Qaisar Abbas HC. Fakhar Abbas, Inspector (PW.27) took into possession mirror vide memo Ex.PM attested by the above said witnesses. He prepared rough site plan Ex.PMM. On the same day, Yousaf Hassan father of the deceased produced receipt of missing mobile of the deceased along with box which he took into possession vide memo Ex.PJJ attested by Yousaf

Hassan and Syed Mustansar Hussain Shah. Fakhar Abbas, Inspector (PW.27) came back to P.S. and handed over the case property to the moharrar. Fakhar Abbas, Inspector (PW.27) started examining mobile phone of the deceased but in the meantime it was 12 midnight he closed the case diary. On 03.06.2025 a number 0309-9115252 was saved in the name of "Kaka" in mobile phone of the deceased. From chat Fakhar Abbas, Inspector (PW.27) came to know that the holder of above said phone number had come to Islamabad and was trying to meet the deceased but the deceased was not responding. Fakhar Abbas, Inspector (PW.27) demanded detail and location of this mobile number from Asad Zia, in-charge IT Lab. The In-charge IT Lab told him on call and message that this number was in the name of Umar Hayat son of Amjad Javed, resident of Street No.4 Amin Park Jhumra Road, Jaranwala, Faisalabad and at 09:30 p.m. his location was in G-14. Fakhar Abbas, Inspector (PW.27) took prints of screen shots P1/1-5 of whatsapp chat in possession vide memo Ex.PK attested by Sher Ali HC. After permission of his superiors Fakhar Abbas, Inspector (PW.27) along with Mohsin Ali SI, Khalid Mahmood, HC, Waseem Iqbal C, Qaisar Mahmood C, Qaisar Abbas HC, Usama Khan C and Ejaz C on official vehicle left for Jaranawala. They reached P.S. Jaranwala. They incorporated their arrival in the P.S. and took helping team from the P.S. and went to Amin Park Jaranwala. A boy met them in the street Amin Park Jaranwala. They inquired him about his name who disclosed his name as Umar Hayat son of Amjad Javed. Fakhar Abbas, Inspector (PW.27) interrogated him. At that time Fakhar Abbas, Inspector (PW.27) recovered missing mobile phone of the deceased P17 from Umar Hayat which he took into possession through memo Ex.PR attested by Mohsin SI and Khalid Mahmood C. Fakhar Abbas, Inspector (PW.27) formally arrested Umar Hayat accused in this case. Fakhar Abbas, Inspector (PW.27) prepared rough site plan Ex.PR/1 of the place

of recovery of mobile. They brought the accused to Islamabad. He handed over the case property to the moharrar.

5. On the same day, the accused disclosed that he could get recovered 30 bore pistol. In pursuance of said disclosure, the accused voluntarily led the police party to Service Road G-13/1 and from under bridge of railway track got recovered 30 bore pistol P18. Fakhar Abbas, Inspector (PW.27) unloaded the pistol and recovered four live cartridges P19/1-4. He converted pistol P18 into sealed parcel and took the same into possession vide memo Ex.PS attested by Mohsin SI and Khalid Mahmood HC. He prepared rough site Ex.PS/1 of the place of recovery of pistol. The accused could not produce valid license of pistol so Fakhar Abbas, Inspector (PW.27) sent separate complaint under section 13/20/65 A.O. against the accused on which separate case FIR No.373/2025 u/s 13/20/65 A.O. was registered against the accused. The accused disclosed that the clothes worn by him were the same clothes which were worn by him at the time of occurrence. Fakhar Abbas, Inspector (PW.27) got changed the clothes i.e. shirt P20, pent P21 of the accused and took the same into possession vide memo Ex.PT attested by the same set of witnesses. He came back to P.S. and handed over the case property to the moharrar. Moharrar told him that the empties sent for forensic to the office of PFSA were returned due to objection that these should be deposited by I.O. himself and directly in PFSA, Lahore. On 04.06.2025 Fakhar Abbas, Inspector (PW.27) produced the accused before learned Magistrate in muffled face and got sent him to judicial lockup for ID Parade. On the same day, he received sealed parcel of blood stained cotton and sealed parcel of empty cartridges from the moharrar and deposited the same in the office of PFSA, Lahore intact. On 05.06.2025 Fakhar Abbas, Inspector (PW.27) received sealed parcel of 30 bore pistol from the moharrar and deposited the same in the office of PFSA, Lahore intact. He

directed the moharrar to get deposited finger prints card in the office of NADRA. On 12.06.2025 he got fixed the date for ID Parade. On the same day, he got noted particulars to the draftsman.

6. On 13.06.2025 Fakhar Abbas, Inspector (PW.27) took the witnesses to Adayala Jail where identification parade of the accused was conducted. On the same day, he received proceedings of ID Parade and took the same into possession through memo Ex.PP attested by Hafiz Nisar Ahmad Naib Court. On 16.06.2025 he got summoned the accused. He produced the accused before learned Magistrate and obtained his physical remand for four days. On the same day, he received postmortem report of Sana Yousaf and brought it on record.

7. On 17.06.2025 Yousaf Hassan father of the deceased identified mobile phone P17 of the deceased in malkhana recovered from the accused Umar Hayat vide identification memo Ex.PL attested by Yousaf Hassan and Sher Ali HC. Fakhar Abbas, Inspector (PW.27) added offence u/s 411 PPC to the list of offences. On 18.06.2025 he received CDR P6/1-5 of cell number of accused 0309-9115252 from Asad Zia, ASI and took the same into possession through memo Ex.PU attested by Asad Zia, ASI and Qaisar Mahmood C. On the same day, Fakhar Abbas, Inspector (PW.27) got developed pictures taken at different times P7/1-3 and took the same into possession through memo Ex.PV attested by Qaisar Mahmood HC. On the same day, Aamir Shahzad, Draftsman handed over to him scaled site plan.

8. On 19.06.2025 on the pointation of accused Fakhar Abbas, Inspector (PW.27) took Fortuner vehicle No.AYA-39 P8 into possession vide memo Ex.PW attested by Qaisar Abbas HC and Qaisar Mahmood C. He prepared rough site plan of the place of recovery of vehicle Ex.PW/1. The accused also pointed out the vehicle on which he prepared identification memo Ex.PX attested by Qaisar Abbas HC and

Qaisar Mahmood C. Ahmad Khan owner of the vehicle handed over to him memorandum P2 regarding giving of vehicle to accused which he took into possession through memo Ex.PN attested by Ahmad Khan and Muhammad Wakeel.

9. On 22.06.2025 the accused disclosed that he could get recovered the mobile phone in his use. In pursuance to said disclosure, the accused led the police party in his house Jaranawala and got recovered mobile phone P10 which he took into possession through memo Ex.PZ attested by Qaisar Abbas HC and Qaisar Mahmood C. He prepared rough site plan Ex.PZ/1 of the place of recovery of mobile. He came back to Islamabad and handed over case property to moharrar.

10. On 23.06.2025 the accused wished to make his statement under section 164 Cr.P.C. Fakhar Abbas, Inspector (PW.27) produced the accused before the learned Assistant Commissioner, Islamabad where after statement of the accused under section 164 Cr.P.C. He received copy of the statement consisting of four pages and took the same into possession through memo Ex.PAA attested by Qaisar Mahmood C. On the same day, he produced the accused before learned Magistrate and got sent him to judicial lockup. On 04.07.2025 Fakhar Abbas, Inspector (PW.27) received mobile phone of accused and deceased from the moharrar and deposited the same in the office of NFSA, Islamabad. He added offence under section 449 PPC to the list of offences. He handed over the police file to SHO for preparation of report under section 173 Cr.P.C.

11. On receipt of report under section 173 Cr.P.C after observing all legal formalities, this court framed charge against the accused on 20.09.2025 to which he pleaded not guilty. Accordingly, prosecution was directed to lead its evidence against accused. The prosecution examined as many as twenty seven witnesses. Farzana

Yousaf PW-18 and Bibi Latifa Shah PW-19 furnished ocular account of the occurrence. They deposed almost the same facts as mentioned in the FIR. They added that on 13.06.2025 they identified the accused in test identification parade. Asad Zia, ASI/Technician Lab CIA PW-21 deposed about providing location and ownership P6/1-5 of cell No.0309-9115252. Qaisar Mahmood HC PW-22 testified to the factum of recovery of vehicle AYA-39 and recovery of mobile phone on the pointation of Umar Hayat accused. Yousaf Hassan PW-23 deposed about the identification and receiving of dead body, recoveries during spot inspection and production of box along with purchase receipt of stolen mobile to the I.O as well as about identification of the mobile phone of deceased. Amina Baig PW-24 deposed about shifting the deceased in her car to KRL Hospital. Muhammad Ali, Assistant Commissioner PW-25 deposed about conducting of ID Parade and Yasir Nazir, Assistant Commissioner PW-26 deposed about confession of the accused. Ahmad Khan PW-13 and Muhammad Wakeel PW-14 deposed about taking Fortuner vehicle on rent for Rs.12,000/-. Mohsin Ali Khan, SI PW-20 testified to the factum of recovery of 30 bore pistol on pointation of the accused.

12. Dr. Harpal Kumar CMO Pakistan Institute of Medical Sciences [PIMS] PW-2 deposed that on 02.06.2025 Sana Yousaf was brought dead in Emergency Department at 06:11 p.m. He and his colleague Dr. Aniqa Malik conducted external examination of Sana Yousaf. He issued death certificate of Sana Yousaf Ex.PA which is in his hand and signed by him. After external examination they referred the dead body to MLO for further evaluation and examination.

13. Dr. Amna Rasheed Awan Ex-MLO, Pakistan Institute of Medical Sciences (PIMS) PW-3 stated that on 02.06.2025 at about 06:11 p.m. dead body of Sana Yousaf was brought by Muhammad Riasat, ASI (PW.07). Dead body was identified by Yousaf Hassan (PW.23) son

of Daulat Hassan and Syed Mustansar Shah son of Aamir Hussain. He conducted postmortem of Sana Yousaf daughter of Yousaf Hassan aged seventeen years caste Syed, resident of House No.75 Street No.81 Sector G-13/1, Islamabad. Police papers were received to me at 09:00 p.m. He conducted postmortem at 09:00 p.m.

EXTERNAL APPEARANCE

A dead body of young female height 5.5 with both eyes semi opened and mouth opened wearing pink mustared T-Shirt and light purple trouser (wearing inside out) and light blue and white shawl. Shirt and short are soaked in blood. Rigor mortis and postmortem staining not developed. Under shirt there is white bra. Following injuries were noted on the body of deceased:-

Injury No.1	An entry wound of 1x1 c.m. and 6 c.m. away from left nipple in its continuity. Margins are inverted and clean.
Injury No.2	Exit wound of 1.5x1 c.m. at right lower chest in middle of back if traced from center and 10 c.m. down word the shoulder blade. Margins are everted and dirty wound.
Injury No.3	An entry wound of 1.1 c.m. and 6 c.m. above injury No.1. Margins are inverted and tattooing present.
Injury No.4	An exit wound of 1.5x1 c.m. at right side of back, 4.5 c.m. away from wound No.2. If measured diagonally towards medial aspect of spinal cord. Margins are everted.
Injury No.5	Two parallel bruises of 4x1.5 c.m. at right midthigh.
Injury No.6	One bruise of 6.5x2 c.m. at left thigh. 8 c.m. above knee.
Injury No.7	One bruise of 4x1 c.m. at left thigh. 1.5 c.m. above knee.
	Scalp, skull and vertebrae are healthy and intact.

INTERNAL EXAMINATION

Membranes-Brain, Spinal Cord are healthy and intact. In thoracic examination walls, ribs and cartridges are damaged. Right lung pleurae damaged, left lung pleurae was healthy and intact. Larynx, Tracheae, Left Lung are healthy and intact. Right Lung, pericardium and heart and blood vessels were damaged and ruptured.

In Abdominal Examination walls, peritoneum, Mouth, Pharynx and Oesophagus, Diaphragm, Stomach, pancreas, small and large intestine, liver, spleen, kidneys, bladder, and organs of generation are healthy and intact.

All muscles, bones and joints are healthy and intact except at the site of injury.

OPINION

After complete postmortem examination, he was of the opinion that death occurred due to cardiopulmonary arrest, resulting from firearm injury to the chest causing damage to vital organs i.e. heart and lungs. All injuries were ante-mortem in nature and were sufficient to cause death in ordinary course of nature.

TIME BETWEEN INJURY AND DEATH

2-3 minutes approximately

TIME BETWEEN DEATH AND POSTMORTEM

More than four hours approximately.

Postmortem report Ex.PB consisting of six pages including diagram Ex.PB/1 & Ex.PB/2 were in his handwriting and bears his signatures and stamp. Inquest report also contains his signatures and stamp.

14. Statements of the above said witnesses would be discussed in detail during appraisal of evidence. The remaining witnesses are formal witnesses and their statements would be discussed if needed. The learned DPP has given up Syed Mustansar Hussain Shah, Khalid Mahmood LHC, Qaisar Abbas as being unnecessary and Badar Munir Mughal as being not available as per learned counsel for complainant. He tendered in prosecution evidence Forensic DNA and Serology Analysis Report Ex.PNN, National Forensic Agency Report Ex.PPP, Finger Print Report Ex.PQQ/1-3, Firearms Report Ex.PRR and closed the prosecution evidence.

15. After close of the prosecution evidence, statement of the accused have been recorded under section 342 Cr.P.C. He denied that accusation and maintained that he has been falsely involved in this case. He opted not to appear in witness box under section 340(2) Cr.PC. He produced his written statement containing his defense under section 265-F(5) Cr.P.C consisting of twelve pages.

16. For the sake of brevity this court would not like to recapitulate statement of the witnesses and arguments of learned counsel for the parties rather would discuss them in detail side by side.

17. Admittedly, accused is not nominated in the FIR. Now it is to be seen as to what led to arrest the accused in this case. In this respect statement of Fakhar Abbas, Inspector PW.27 is of great importance. During spot inspection on 02.06.2025 Fakhar Abbas, Inspector (PW.27) recovered android mobile P16 of the deceased vide memo Ex.PH. This witness started examining mobile phone of the deceased and a cell number 0309-9115252 was saved in the name of "Kaka" in mobile phone of the deceased. According to this witness from chat, he came to know that the holder of above said phone number came to Islamabad who was trying to meet the deceased but deceased was

not responding. After finding this number in cell of the deceased, Fakhar Abbas, Inspector (PW.27) demanded detail and location of this mobile number from Asad Zia, in-charge IT Lab [PW-21]. Asad Zia PW-21 provided requisite information to PW-27. As per this information location of cell No.0309-9115252 was of G-14 and this cell number was in the name of Umar Hayat son of Amjad Javed, resident of Street No.4 Amin Park Jhumra Road, Jaranawala, Faisalabad. Fakhar Abbas, Inspector (PW.27) took prints of screen shots P1/1-5 of whatsapp chat in possession vide memo Ex.PK attested by Sher Ali HC. After permission of his superiors Fakhar Abbas, Inspector (PW.27) along with Mohsin Ali SI [PW.20], Khalid Mahmood, HC, Waseem Iqbal C, Qaisar Mahmood C, Qaisar Abbas HC, Usama Khan C and Ejaz C on official vehicle left for Jaranawala. PW-27 and Mohsin Ali Khan PW-20 deposed that they reached Police Station Jaranawala, incorporated their arrival in the P.S., took helping team from the P.S. and went to Amin Park Jaranawala. They added that a boy met them in the street Amin Park Jaranawala and they inquired him about his name who disclosed his name as Umar Hayat son of Amjad Javed. Fakhar Abbas, Inspector (PW.27) maintained that he interrogated him and recovered missing mobile phone of the deceased P17 from Umar Hayat which he took into possession through memo Ex.PR attested by Mohsin Ali Khan, SI [PW-20] and Khalid Mahmood C. Fakhar Abbas, Inspector (PW.27) formally arrested Umar Hayat accused in this case.

18. On 03.06.2025 PW-27 along with his team brought the accused to Islamabad who disclosed that he could get recovered 30 bore pistol and got recovered 30 bore pistol P18 from service road G-13/1 from under the bridge of railway track which was taken into possession by the I.O. through memo Ex.PS attested by Mohsin Ali Khan PW-20 and Khalid Mahmood C. On 04.06.2025 the accused was sent to judicial lockup for ID Parade.

19. Now it is to be seen as to what pieces of evidence has been brought against the accused by the prosecution. The prosecution has produced Ahmad Khan PW-13 operating a rent-a-car business under the name "Khyber Rent a Car" situated at G-11 Markaz, Islamabad. This witness deposed that on 02.06.2025 at about 02:30 p.m., he was present in his office No.5, 3rd Floor, Islamabad Arcade, G-11, along with his driver Muhammad Wakeel PW-14, when a young boy came to the office and introduced himself as Umar Hayat. According to PW-13 Umar Hayat accused demanded a vehicle on rent from him and ultimately black Fortuner No.AYA-39 along with driver Muhammad Wakeel PW-14 was handed over to Umar Hayat accused. In this respect memorandum P2 was executed. Muhammad Wakeel PW-14 deposed on the same lines and added that he accompanied Umar Hayat accused in the vehicle towards G-13/1 and that upon reaching there, Umar Hayat accused asked him to stop the vehicle and thereafter proceeded on foot towards Street No.81. According to this witness, Umar Hayat accused at about 05:15 p.m. returned running towards the vehicle and at that time he was worried. This witness maintained that Umar Hayat accused asked him to drive the vehicle and the accused subsequently got the vehicle stopped near the service road at G-13/1 Railway Bridge on the pretext of answering the call of nature and went towards the bushes. According to PW-14, after returning, Umar Hayat instructed him to drop him at Chungi No.26 and that this witness dropped him at the motorway stop loop and thereafter returned with the vehicle. Much emphasis has been laid by learned defense counsel that the signatures and thumb impression of the accused are not available on memorandum P2 so this document is fabricated one. If for the sake of arguments it is admitted that signatures of the accused are not available on memorandum P2 yet Ahmad Khan PW-13 unequivocally stated in cross examination that when vehicle is given to a customer, without driver, the surety is taken but in this case, the vehicle was given to Umar Hayat

accused along with the driver so, there was no reason for any surety as well as for signing memorandum P2 by the accused. Therefore, non-signing of memorandum P2 by the accused is not fatal to the cause of prosecution.

20. During cross examination learned defense counsel tried to grill PW-14 that he was giving the evidence on the asking of police but PW-14 in cross examination maintained that no one asked him to give statement against the accused before the police.

21. According to statement of Qaisar Mahmood HC PW-22 on 19.06.2025 on the pointation of accused Fortuner AYA-39 was recovered from G-11 Markaz Arcade Plaza vide memo Ex.PW attested by him. Similar is the statement of Fakhar Abbas, Inspector PW-27 in this respect.

22. From perusal of statement of PW-13 & PW-14 it follows that Umar Hayat accused took Fortuner vehicle from PW-13 and then on the same vehicle went to street No.81 along with PW-14 and thereafter, along with PW-14 went to 26 number stop. Both these witnesses are independent witnesses. Their statements are confidence inspiring regarding taking Fortuner vehicle by accused, then going to the place of occurrence and then coming back from place of occurrence.

23. Now it is to be seen after coming to street No.81 Umar Hayat accused went where on 02.06.2025. In this respect statements of Farzana Yousaf PW-18 and Bibi Latifia Shah PW-19 are of great importance. Mst. Farzana Yousaf PW-18 deposed that on 02.06.2025 her husband had left the house for some work, while she, her sister-in-law Latifa Shah, and her daughter Sana Yousaf were present in the house, when at about 5:00 p.m., a person of smart physique and medium height entered their house and then fired two shots at Sana Yousaf on her chest. According to PW-18 the accused picked mobile phone of Sana

Yousaf and fled away from the spot. Similar is the statement of Latifa Shah PW-19. Both the witnesses in their statements added that on 13.06.2025 they identified the accused in identification parade before the learned Magistrate. According to statement of PW-18 Umar Hayat accused came to her house on 02.06.2025 who fired two shots on chest of her daughter Sana Yousaf after entering their house and then after picking mobile phone of Sana Yousaf fled away from the spot. In this way, specific role has been attributed to accused by PW-18. Similarly, PW-19 maintained that on 02.06.2025 at about 05:00 p.m. the accused wearing black shirt, blue trouser armed with 30 bore pistol went inside room of Sana Yousaf, fired two shots at her chest and then after picking the mobile of Sana Yousaf fled away from the spot. This witness also attributed specific role to the accused in identification parade. Learned defense counsel while pointing out the cross examination of witnesses deposed that there was a news on social media and TV that Sana Yousaf a famous tiktoker was murdered. Mere name of Sana Yousaf deceased on social media and TV regarding her murder is not indicative of the fact that name of the accused was also came on social media. It is to be mentioned here that accused was arrested on 03.06.2025 from Jaranawala and was sent to judicial lockup on 04.06.2025 for ID Parade.

24. Now it is to be seen as to whether PW-18 & PW-19 who are woman folk have a chance to see the accused before the ID Parade. As already stated above, the accused was arrested on 03.06.2025 from Jaranawala District Faisalabad and was sent to judicial lockup on 04.06.2025. In reply to a question by learned defense counsel, PW-18 maintained that before ID Parade she did not go to Police Station. Similarly, PW-19 in cross examination maintained that from 02.06.2025 to 13.06.2026 she only went to jail for ID Parade and did not go to Police Station during this time. This fact follows that both the

witnesses from 02.06.2025 to 13.06.2025 did not go to Police Station and they straightaway went to jail for ID Parade.

25. Much emphasis has been laid by learned defense counsel that investigating officer managed ID Parade and he was present at the time of ID Parade. In cross examination PW-19 maintained that I.O. did not make to stand the dummies. This fact shows that the I.O was not present at the time of ID Parade.

26. Muhammad Ali, Assistant Commissioner PW-25 maintained that on 13.06.2025 he conducted identification parade and that physical features of the suspect and that of the dummies were same. According to this witness he called Farzana through jailor and the witness identified Umar Hayat accused. This witness added that accused did not raise any objection. PW-25 maintained that thereafter second witness Latifa was called who identified the accused. According to PW-25 the accused despite asking of any objection, did not raise any objection. If for the sake of arguments pictures of the accused were taken or he was shown to the witnesses in the P.S. before the ID Parade he must have raised objection before the learned Magistrate but non-raising of any objection by the accused before the learned Magistrate is indicative of the fact that the accused was not shown to the witnesses and his pictures were not taken prior to ID Parade. Learned defense counsel has pointed out cross examination of learned Magistrate that clothes of accused were not similar to that of the dummies. This court has minutely gone through statement of Muhammad Ali, Assistant Commissioner PW-25 who in cross examination maintained that he did not remember whether clothes of the accused were different to that of dummies. If clothes of accused were different at the time of identification parade to that of dummies, accused must have raised an objection but no objection in this respect was raised by accused; hence, this argument is not helpful to defense.

27. PW-19 is resident of District Chitral. Her presence at the time and place of occurrence has been challenged by the defense. In her examination in chief PW-19 deposed that she had come to Islamabad from her village Chitral to see her brother and family. The prosecution produced Amina Baig PW-24 who maintained that on 02.06.2025 at about 05:00 p.m. on hearing hue and cry she went in car porch and witnessed that Latifa Shah and Farzana Bibi were present who told her that someone had fired at Sana Yousaf. According to her they put Sana Yousaf in her vehicle and took her to KRL Hospital where she was declared dead. According to her he came back to her house. From perusal of statement of PW-24 who is an independent witness it follows that PW-19 was present at the time and place of occurrence. Furthermore, PW-24 in cross examination maintained that distance between Chitral and Islamabad is of 15/16 hours drive. In this way, it was not possible for PW-19 to come to Islamabad within a short span of time to become a false witness. Therefore, presence of this witness is established at the time and place of occurrence.

28. The defense during cross examination challenged presence of eye witnesses at the time and place of occurrence by claiming that the dead body was shifted to the hospital by Rescue 15. Dr. Amna Rasheed PW-3 in cross examination maintained that the local police came to the hospital along with dead body. Muhammad Riasat PW-7 in cross examination maintained that before his reaching the hospital no other police official reached there and that first of all he met the complainant in the hospital who was already present there. According to him at that time mother of the deceased and four/five other relatives of the deceased were present. Saba Amanat C PW-11 in cross examination in reply to a question that when she reached the hospital she witnessed that mother of the deceased reached later on, she stated that mother of the deceased was already present. A suggestion

was denied by Fakhar Abbas, Inspector PW-27 that dead body of the deceased was found by 15 from unknown place and was shifted to the hospital. From perusal of statement of above said witness, it follows that the dead body was brought by the complainant party to the hospital and no by Rescue 15.

29. There is another aspect of the matter. The defense during cross examination of the witnesses tried to agitate that roznamcha was stopped and FIR was delayed after procuring the witnesses. The bonafide of the prosecution can be seen from the fact that Yousaf Hassan father of the deceased was outside the house at the time of occurrence and as per his cross examination when his wife Farzana Yousaf presented application for registration of FIR he was present. If false story was to be introduced by prosecution, this Yousaf Hassan a male member could have easily become complainant of the case but the prosecution brought on record the actual complainant Farzana Yousaf who was present at the time and place of occurrence.

30. The next bonafide of prosecution can be seen from the fact that no one was nominated in the FIR. The defense have tried to state that name of the accused came on social media on the day of occurrence but none mentioning of name of the accused in the FIR belittles the claim of defense because unknown accused is mentioned in the FIR. It was held in case of **MUHAMMAD WAJID Versus The STATE (2025 S C M R 1399)** that:-

> "The behavior of the complainant, Muhammad Javed (PW.1), was natural and devoid of any mala fide. Upon his daughter Malaika going missing on the evening of 17.12.2011, he promptly initiated search efforts along with his brother and on the same night reported in the Police Station about missing of his daughter. The appellant was not nominated in the said report, which reinforces the bona fides of the complainant that he was not interested in charging innocent person(s)

in random. Had there been any ulterior motive or enmity of the complainant with the appellant, could have falsely implicated him from the outset. Contrary, on the next day of missing of his daughter, the complainant nominated the appellant as accused when PW Muhammad Nasir told him that he had seen the deceased in the company of the appellant on the previous evening."

31. Respectfully relying upon the above mentioned esteemed citation, this court is of the view that it was bonafide of the prosecution when no one is nominated in the FIR.

32. The next evidence against the accused is his judicial confession before the learned Magistrate. In this respect the prosecution has produced Yasir Nazir, Assistant Commissioner PW-26 who deposed that investigating officer brought the accused that the accused wanted to make his confession. According to PW-26 he removed handcuffs of the accused and ousted all the persons from his office. According to him after observing all the legal formalities he recorded statement of the accused without oath under section 164 Cr.P.C who stated as under:-

"میں جڑانوالہ میں اپنے والد جو کہ ریٹائرڈ سرکاری ملازم ہے کے ساتھ رہائش پذیر ہوں میں ٹک ٹاک سوشل میڈیا ایپ پر اکاونٹ چلاتا ہوں میرا رابطہ ثناء یوسف(مقتولہ) سے سوشل میڈیا پر ہوا۔ جو خود بھی ایک ٹک ٹاکر اور انفلونءسر تھی اس رابطہ کی وجہ سے میں نے اس کو پسند کرنا شروع کر دیا مورخہ2025/05/29-28 کی درمیانی شب کو میں ثناء یوسف سے ملنے کے لیے جڑانوالہ سے اسلام آباد آیا کہ اس کو سالگرہ کی مبارک باد دوں لیکن اس نے بہانے بناءے کہ وہ مجھ سے نہیں مل سکتی ہے ۔ میں بہت دکھی دل کے ساتھ واپس جڑانوالہ گیا اور مجھے اس بات کا شک تھا کہ وہ جان بوجھ کے مجھ سے نہ ملی تھی اور مجھے دھوکہ دے رہی تھی ۔ ثناءیوسف سے رابطہ کے بعد یہ بات ہمارے درمیان طے پائی کہ میں مورخہ 2025-06-02کو جڑانوالہ سے اسلام آباد آؤں گا اور ثناء یوسف مجھ سے ملاقات کرے گی ۔ مورخہ 2025-06-02کو میں جڑانوالہ سے اسلام آباد آیااور اپنے ساتھ پسٹل 30بور لایا کہ اگر ثناء یوسف نے مجھ سے ملنے سے انکار کیا تو میں اس کو قتل کر دوں گا ۔میں اسلام آباد پہنچتے ہی ثناء یوسف سے رابطہ کیا لیکن اس نے مجھے کوئی بھی جواب نہ دیا مجھے بار باررابطہ کرنے کے بعد اس نے مجھے انتظار کرنے کا میسج کیا ۔میں نے فارچونر گاڑی اسلام آباد سے کرایہ پر لی اور ثناء یوسف کے گھر کے تھوڑی دور کھڑی کر دی ۔ اور بار بار اس

سے رابطہ کرتا رہا ۔لیکن کوئی جواب نہ آیا ۔بہت زیادہ انتظار کر نے کے بعد بھی جب ثناءیوسف نے مجھ سے رابطہ نہ کیا تو میں اس کے گھر گیا اور گھر کے اوپر والے پورشن میں چلا گیا وہاں دو خواتین موجود تھیں میں نے ان خواتین کی موجودگی میں ثناءیوسف جو کہ اپنے کمرے میں موجود تھی اور اس پر دو فائر کردیئے میں نے ثناء یوسف کا موبائل فون (آئی فون)اٹھا لیا اور پستول کی وجہ سے خواتین ڈر گئیں اور میں گھر سے بھاگ گیا۔میں بھاگ کر فارچونر گاڑی میں بیٹھا اور گاڑی کے ڈرائیور کو گاڑی تیز چلانے کا کہا راستے میں ریلوے پل کے سڑک کے کنارے گاڑی رکوائی اور پیشاب کرنے کے لیئے گھنی جھاڑیوں سے نیچے اتر گیا اور پل کے نیچے کنکریٹ پلر کے اوپر پسٹل 30بور محفوظ طریقہ سے چھپادیا اور گھنی جھاڑیوں سے نکل اوپر سڑک پر آیا اور گاڑی میں بیٹھ کر ڈرائیور کو گاڑی 26نمبر چونگی جانے کا کہا جہاں پر میں اتر گیا اور گاڑی معہ ڈرائیور کو فارغ کر دیا اور بذریعہ بس جڑانوالہ چلا گیا ۔میں نے ثناء یوسف کو قتل کر کے بہت بڑی غلطی کی ہے مجھے اپنے جرم پر ندامت ہے کہ میں نے ایک پھول جیسی نو عمر لڑکی کو انتہائی ظالمانہ طریقے سےقتل کر دیا ہے اب مجھے میرا ضمیر ہر وقت ملامت کرتا ہے."

33. Although the accused has retracted from the judicial confession but he did not appear under section 340(2) Cr.P.C to disprove the allegations leveled against him. He produced no evidence to prove that the judicial confession was result of coercion. According to Article 91 of the Qanoon-e-Shahadat Order, 1984 [hereinafter to be mentioned as the Order], the court shall presume that statement or confession by any prisoner or accused taken in accordance with law and purporting to be signed by any Judge or Magistrate are true and that such evidence, statement or confession was dully taken. In this article the word shall has been used. According to article 2 (8) of the Order whenever it is directed by the Order that the court shall presume a fact, it shall regard such fact as proved unless and until it is disproved. Thus this presumption under article 91 of the Order is rebuttable presumption. On general principles, the onus is on the accused to show that the confession is admissible under article 37 of the Order. Articles 37 to 39 of the Orders are exceptions to the general rule that a confession is admissible against its maker as an admission. Where, therefore, the question is whether a confession is inadmissible, the burden of showing that it falls within one or more

exceptions is upon the accused as it is for the party, who relies on an exception to show that his case comes within the exception. This onus is not heavy one and strict proof of inducement is not required by terms of article 37. All that article requires to make a confession inadmissible is that the "making of the confession appears to the Court to have been caused by any inducement, threat or promise". The onus of the word "appears" indicates a lesser degree of probability than would have been necessary if "proof" had been required. As already stated above the accused has failed to prove that his confession was involuntary.

34. Even otherwise as per case of **SHERAZ TUFAIL Versus THE STATE (2 0 0 7 S C M R 5 1 8)** that the proposition of law regarding confession was considered by this Court in the State v. Minhun alias Gul Hassan PLD 1964 SC 813. The relevant observation is as follows:-

> "Unless, a retracted confession is corroborated in material particulars it is not prudent to base a conviction in a criminal case on its strength alone. It is the duty of the Court that is called upon a retracted confession to enquire into all the material points and surrounding circumstances and satisfy fully that the confession cannot but be true."

It was further held in case of Sheraz Tufail supra that:-

> "We have minutely gone through the judgment of the learned trial Court as well as the impugned judgment. The entire evidence has been examined with the assistance of the learned counsel of the petitioner. After having gone through the entire record, we are of the view that prosecution has established its case by producing cogent and concrete evidence. Recent trend of this Court is that conviction could have been awarded on the basis of retracted confession without any corroboration. See Manjeet Singh's case PLD 2006 SC 30. The relevant observation is as follows:-
>
> > "This is a settled law that a retracted confession either judicial or extra-judicial, if is found truthful and confidence- inspiring and also qualifies the test of voluntariness, can be used for conviction without looking for any other sort of corroboration."

35. In the instant case, the judicial confession of the accused has been corroborated by the recoveries, the medical evidence and the motive. Furthermore, evidence of two eye witnesses is also available against the accused who have no axe to grind. It was held in case of IFTIKHAR **KIYANI alias Khara Versus The STATE (2025 S C M R 1360)** that:-

> "Even otherwise, we are fully convinced qua the presence of the eye-witnesses at the spot at the time of occurrence and their testimony is trustworthy and confidence inspiring, therefore, such minor inconsistencies in the testimony of the eye-witnesses with the medial evidence would not be sufficient for acquittal of the appellant. This Court in case titled, "Ali Taj and another v. The State" (2023 SCMR 900), held that where ocular evidence is found trustworthy and confidence inspiring, the same is given preference over medical evidence and the same alone is sufficient to sustain conviction of an accused. Same is the view of this Court in cases titled, Muhammad Iqbal v. The State (1996 SCMR 908), Naeem Akhtar v. The State (PLD 2003 SC 396), Faisal Mehmood v. The State (2010 SCMR 1025) and Muhammad Ilyas v. The State (2011 SCMR 460). It is by now a well-settled principle of criminal jurisprudence that minor discrepancies or omissions, which do not go to the root of the prosecution's case, are to be treated as inconsequential. Such discrepancies are inbuilt proof of truthfulness of witnesses as a human being cannot be expected to give tape-recorded statement. Courts are guided by the rule that if the core of the witness's testimony carries the ring of truth and inspires confidence, minor incongruities must not detract from its probative value. The test for the admissibility and reliability of a witness's evidence is not the mere presence of trivial inconsistencies but whether the testimony, taken as a whole, resonates with truth and credibility. Only those discrepancies which impinge upon the material aspects of the case, those which strike at the very heart of the prosecution's narrative may be taken advantage of by the defence. In adjudging the credibility of a witness, the courts are to assess the intrinsic worth of the evidence rather than apply rigid or mechanical standards based solely on the status or character of the witness. This Court in the case of "Abid Ali v. The State" (2011 SCMR 208), reaffirmed the principle that belief or disbelief in the testimony of a

witness hinges upon the intrinsic value of the statement made. There exists no universal rule that interested witnesses are invariably to be disbelieved or that disinterested ones are to be believed without scrutiny. Each case must be decided with reference to prudence, reasonableness, and the surrounding circumstances to ascertain whether the witness was present at the scene of occurrence and is narrating events truthfully. Furthermore, it must be borne in mind that under the cardinal principles of criminal law, the evidence of the prosecution is to be evaluated on the touchstone of quality rather than quantity. It is not the identity or status of the person testifying that determines the credibility of the evidence, but the content and coherence of the testimony itself. It is, therefore, the statement that is to be judged and not the person and it must be weighed on the scales of logic, consistency, and truthfulness."

36. In statements both the eye witnesses have fully supported the prosecution version despite lengthy cross examination their confidence could not be shattered.

37. The prosecution has also produced evidence in the shape of finger prints of the accused on the mirror lying in house of the deceased. These finger prints were taken by forensic team. The prosecution produced Ghazi Saleem LHC [PW-10] who maintained that on 05.06.2025 he received finger print card from Sher Ali moharrar [PW-8] and deposited the same in R&I Branch of MOI. As per report of NADRA Ex.PKK these finger prints of the accused matched with his finger prints on his National Identity Card No.3310494705857.

38. So far as recovery of pistol is concerned, PW-20 Mohsin Ali Khan, SI deposed that on 03.06.2025, the accused disclosed that he could get recovered 30 bore pistol and got recovered 30 bore pistol P18 from service road G-13/1 from under the bridge of railway track which was taken into possession by the I.O. through memo Ex.PS attested by him and Khalid Mahmood C. PW-27 deposed on the same lines. Now it is to be seen as to whether the recovery was effected

from this place or not. In this respect statement of PW-14 is of great importance. Muhammad Wakeel PW-14 took the accused on Fortuner No.AYA-39 towards service road G-13 Railway Bridge and accused got stopped the vehicle to answer the call of nature. This witness added that the accused went towards bushes. Later on, from this place the recovery of pistol 30 bore was effected. According to report of firearm Ex.PRR the empties cartridges recovered from the place of occurrence were identified as having been fired from pistol recovered on pointation of the accused. In this way, the recovery is proved. This court is not oblivious of the fact that the empty cartridges and pistol were sent to the office of PFSA together and after arrest of the accused. It is to be mentioned here that the empties were recovered from the accused on 02.06.2025 and pistol 30 bore was recovered from the accused on 03.06.2025 and in this way, it was impossible for the prosecution to send the empties before arrest of the accused and recovery of pistol on his pointation. It was held in JAVED **AKHTAR Versus The STATE (P L D 2020 Supreme Court 419)** that:-

> "We have reservations with regard to the learned Judges of the High Court disregarding the Forensic Science Laboratory, Punjab, Lahore's forensic report (exhibit PV) by designating it as 'inconsequential', by saying that the spent cartridges were sent together with the crime weapon for forensic examination. The petitioner was arrested on 18 February 2011, the very next day of having committed the crime. It was not reasonable to expect that the spent cartridges would be sent by the police immediately and on the very day that the crime was committed. The petitioner was arrested the next date and the crime weapon was sent together with the spent cartridges. In view of the very limited time available to the police it cannot be assumed, as it appears to have been done by the learned Judges, that after recovering the firearm it was fired to obtain spent cartridges to link them with the crime."

39. In these circumstances, the sending of empties along with pistol to the office of PFSA after arrest of the accused is not fatal to the cause of prosecution.

40. The defense maintained that no motive was alleged in the FIR and that as per statement of complainant she had no enmity with the accused. Motive is always in mind of the accused. It is well settled principle of law that when prosecution alleges a motive and is not proved during trial it may be considered as mitigating circumstance but in this case no motive is alleged in the FIR. The defense during cross examination brought on record that the accused and the deceased were famous tiktoker. In confessional statement of accused it is stated by the accused that the deceased refused to meet him and due to this reason he committed the murder. It was held in case of Rashid Ali versus the State (2011 S C M R 1037) that it was the appellant himself through his statement under section 164 Cr.P.C had given the reason for the said murder. In this way, the motive has been proved.

41. The accused picked up mobile of the deceased after occurrence and went away. The said mobile was recovered from accused at the time of his arrest which was identified by Yousaf Hassan PW23.

42. So far as medical evidence is concerned, both eye witnesses and accused in his judicial confession maintained that accused fired two shots at chest of the deceased. According to statement of Dr. Aman Rasheed PW-3 there are two entry wounds on chest of deceased. According to PW-3 death occurred due to cardiopulmonary arrest, resulting from firearm injury to the chest causing damage to vital organs i.e. heart and lungs. All injuries were ante-mortem in nature and were sufficient to cause death in ordinary course of nature. In this way, medical evidence is in line with the ocular account.

43. Resume of above discussion is that prosecution has produced overwhelming evidence against the accused in the shape of two eye witnesses, two witnesses regarding taking the vehicle by the accused on rent, then going to place of occurrence, then coming out from the place of occurrence after the commission of murder, judicial confession of the accused, motive, finger prints of the accused on mirror lying in house of the deceased, recovery of vehicle taken by the accused on rent and recovery of pistol. The accused due to non-meeting the deceased to him has committed murder of an innocent girl aged about seventeen years. There is no mitigating circumstance, therefore, the accused does not deserve any leniency. Accordingly, Umar Hayat accused is convicted and sentenced as under:-

Under Section 392 PPC Sentenced to ten (10) years rigorous imprisonment with fine of Rs.2,00,000/- (rupees two hundred thousand). In case of non-payment of fine two (2) months further simple imprisonment.

Under Section 499 PPC Sentenced to ten (10) years rigorous imprisonment with fine of Rs.2,00,000/- (rupees two hundred thousand). In case of non-payment of fine two (2) months further simple imprisonment.

Under Section 411 PPC Sentenced to one (01) year rigorous imprisonment with fine of Rs.1,00,000/- (rupees one hundred thousand). In case of non-payment of fine one (1) month further simple imprisonment.

Under Section 302(b) PPC Sentenced to **death as Tazir** for committing Qatl-e-Amd of Sana Yousaf. The convict shall also pay an amount of Rs.2,000,000/-

(rupees two million) as compensation under section 544-A Cr.PC to legal heirs of deceased. The amount of compensation shall be recoverable as an arrear of land revenue and in case of default in payment of compensation, the convict shall further undergo simple imprisonment for six (6) months.

44. Convict shall be hanged by his neck till he is dead subject to confirmation of death punishment by Hon'ble Islamabad High Court, Islamabad on reference being sent under section 374 Cr.P.C. All the sentences shall run concurrently. Benefit of section 382-B Cr.P.C is extended to the convict. The convict is informed that he has right to file an appeal in Hon'ble Islamabad High Court, Islamabad within thirty days. The convict is present in custody. He be sent to jail to undergo his sentences. Warrant of commitment of sentences be issued accordingly. Copy of this judgment is given to convict free of cost. Ahlmad is directed to send murder reference of convict to Hon'ble Islamabad High Court, Islamabad for confirmation of sentence of death. Copy of judgment be sent to officer in-charge of prosecution in the District as required under section 373 Cr.P.C. Case property be kept intact till decision of murder reference. File be consigned to record room after its due completion.

ANNOUNCED IN OPEN COURT
19.05.2026.

(**Muhammad Afzal Majoka**)
Additional Sessions Judge/MCC,
Islamabad-West

It is certified that this judgment consists of twenty seven pages, each of which has been dictated, read and signed by me.

Dated:19.05.2026.

Additional Sessions Judge/MCC,
Islamabad-West

19.05.2026

Present:- Umar Hayat accused in police custody from Central Jail, Rawalpindi.
Chaudhary Rizwan Ellahi, Advocate learned counsel for accused.
Complainant along with her learned counsel Sardar Muhammad Qadeer Hussain, Advocate.
Raja Naveed Hussain, learned DDP for State.
Mr. Mazhar Bashir Khan, learned SPP for State.

O R D E R

This court has heard learned counsel for parties, learned prosecutor and has gone through the record.

2. Vide my separate judgment typed in English of even date, prosecution has produced overwhelming evidence against the accused in the shape of two eye witnesses, two witnesses regarding taking the vehicle by the accused on rent, then going to place of occurrence, then coming out from the place of occurrence after the commission of murder, judicial confession of the accused, motive, finger prints of the accused on mirror lying in house of the deceased, recovery of vehicle taken by the accused on rent and recovery of pistol. The accused due to non-meeting the deceased to him has committed murder of an innocent girl aged about seventeen years. There is no mitigating circumstance, therefore, the accused does not deserve any leniency. Accordingly, Umar Hayat accused is convicted and sentenced as under:-

Under Section 392 PPC Sentenced to ten (10) years rigorous imprisonment with fine of Rs.2,00,000/- (rupees two hundred thousand). In case of non-payment of fine two (2) months further simple imprisonment.

Under Section 499 PPC Sentenced to ten (10) years rigorous imprisonment with fine of Rs.2,00,000/- (rupees two hundred thousand). In case of non-

payment of fine two (2) months further simple imprisonment.

Under Section 411 PPC Sentenced to one (01) year rigorous imprisonment with fine of Rs.1,00,000/- (rupees one hundred thousand). In case of non-payment of fine one (1) month further simple imprisonment.

Under Section 302(b) PPC Sentenced to **death as Tazir** for committing Qatl-e-Amd of Sana Yousaf. The convict shall also pay an amount of Rs.2,000,000/- (rupees two million) as compensation under section 544-A Cr.PC to legal heirs of deceased. The amount of compensation shall be recoverable as an arrear of land revenue and in case of default in payment of compensation, the convict shall further undergo simple imprisonment for six (6) months.

3. Convict shall be hanged by his neck till he is dead subject to confirmation of death punishment by Hon'ble Islamabad High Court, Islamabad on reference being sent under section 374 Cr.P.C. All the sentences shall run concurrently. Benefit of section 382-B Cr.P.C is extended to the convict. The convict is informed that he has right to file an appeal in Hon'ble Islamabad High Court, Islamabad within thirty days. The convict is present in custody. He be sent to jail to undergo his sentences. Warrant of commitment of sentences be issued accordingly. Copy of this judgment is given to convict free of cost. Ahlmad is directed to send murder reference of convict to Hon'ble Islamabad High Court, Islamabad for confirmation of sentence of death. Copy of judgment be sent to officer in-charge of prosecution in the District as required under section 373 Cr.P.C. Case property be kept intact till

decision of murder reference. File be consigned to record room after its due completion.

Announced
19.05.2026

(**Muhammad Afzal Majoka**)
Additional Sessions Judge/MCC,
Islamabad-West

IN THE COURT OF MUHAMMAD AFZAL MAJOKA,
ADDITIONAL SESSIONS JUDGE, ISLAMABAD-WEST

To

The Superintendent,
Central Jail Adayala, Rawalpindi.

WARRANT OF COMMITMENT OF CONVICTION

Whereas at Sessions held before me on 19th day of May, 2026 Umar Hayat son of Amjad Javed, resident of Street No.4 Mohallah Amin Park, Jhumra Road Jaranwala, District Faisalabad in case FIR No.370 dated 02.06.2025 under sections 302/392/411/449 PPC Police Station Sumbal, Islamabad is convicted and sentenced as under:-

Under Section 392 PPC Sentenced to ten (10) years rigorous imprisonment with fine of Rs.2,00,000/- (rupees two hundred thousand). In case of non-payment of fine two (2) months further simple imprisonment.

Under Section 499 PPC Sentenced to ten (10) years rigorous imprisonment with fine of Rs.2,00,000/- (rupees two hundred thousand). In case of non-payment of fine two (2) months further simple imprisonment.

Under Section 411 PPC Sentenced to one (01) year rigorous imprisonment with fine of Rs.1,00,000/- (rupees one hundred thousand). In case of non-payment of fine one (1) month further simple imprisonment.

Under Section 302(b) PPC Sentenced to **death as Tazir** for committing Qatl-e-Amd of Sana Yousaf. The convict shall also pay an amount of Rs.2,000,000/- (rupees two million) as compensation under section 544-A Cr.PC to legal heirs of deceased. The amount of

compensation shall be recoverable as an arrear of land revenue and in case of default in payment of compensation, the convict shall further undergo simple imprisonment for six (6) months. Convict shall be hanged by his neck till he is dead subject to confirmation of death punishment by Hon'ble Islamabad High Court, Islamabad on reference being sent under section 374 Cr.P.C.

All the sentences shall run concurrently. Benefit of section 382-B Cr.P.C is extended to the convict.

This is to authorize and require you, the said Superintendent to receive this warrant and to keep convict safely until you shall receive further warrant or orders of the court.

Given under my hand and the seal of this court on this 19th day of May, 2026.

(**Muhammad Afzal Majoka**)
Additional Sessions Judge/MCC,
Islamabad-West

IN THE COURT OF MUHAMMAD AFZAL MAJOKA,
ADDITIONAL SESSIONS JUDGE, ISLAMABAD-WEST

To

The Superintendent,
Central Jail Adayala, Rawalpindi.

WARRANT OF COMMITMENT OF CONVICTION

Whereas at Sessions held before me on 19th day of May, 2026 Umar Hayat son of Amjad Javed, resident of Street No.4 Mohallah Amin Park, Jhumra Road Jaranwala, District Faisalabad in case FIR No.373 dated 03.06.2025 under section 13/20/65 A.O Police Station Sumbal, Islamabad is convicted under section 13 of the Pakistan Arms Ordinance No.XX of 1965 and is sentenced to undergo RI for two (2) years with a fine of Rs.1,00,000/- [one hundred thousand]. In case of non-payment of fine, the convict shall further suffer SI for one (1) month. Benefit of section 382-B Cr.PC is given to the convict. Sentence of the convict shall run concurrently with case FIR No.370 dated 02.06.2025 under sections 302/392/411/449 PPC Police Station Sumbal, Islamabad under section 397 Cr.P.C.

This is to authorize and require you, the said Superintendent to receive the said convict into your custody in said jail together with this warrant and to keep him there safely until you shall receive further warrant or orders of the court.

Given under my hand and the seal of this court on this 19th day of May, 2026.

(**Muhammad Afzal Majoka**)
Additional Sessions Judge/MCC,
Islamabad-West