

Crl. Misc. Petition No. 365-2010

11.07.2012 Ch. Zulfiqar Ali PP FIA for the State.  
Mr. M.Naeem Sahgal Advocate counsel for the petitioner/accused.

Through the instant Crl. Misc. Petition No. 365-2010 the petitioner/accused seeks his acquittal, interalia on the grounds that the petitioner is innocent and there is no incriminating material on record to connect the accused with the offence. The Fact Finding Report clearly shows the dishonest and malicious investigation by the FIA. The I.O. of this case tried make the petitioner a scapegoat. The nominated accused persons Kamran Hayat and Mohammad Mubashar Hayat, office holders of Zarco were not arrested during the course of investigation. The FIR No. 09/2009 was registered on 21.02.2009 while the statement of Mohammad Mubashar Hayat was recorded U/S 161 Cr.P.C. on 14.01.2010 six days after submission of the challan in the court. Learned counsel further argued that two bogus account Nos. 0636-00-00-00620 and 0636-00-00-00398 were opened in the name of Mrs. Kausar Bano and Syed Lakht-e-Hasnain petitioner/accused on 02.06.2007 and 16.05.2005 when both of them were abroad in USA. It has been further argued that cash payment of Rs. 80.00 million to the petitioner/accused is not proved as per confirmation of the Firm of Chartered Accounts. Learned counsel prayed to accept the instant petition and acquit the petitioner/accused.

2. Ch. Zulfiqar Ali, learned PP FIA did not oppose the arguments of the learned counsel for the petitioner and asserted that during the inquiry no material has been collected to connect the petitioner with the offence and that he has no objection on the acquittal of the petitioner/accused in this case.




**ATTESTED**  
*M. Naeem*  
11.7.2012  
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3. Since the prosecution does not want to proceed against the petitioner/accused, therefore, the court is left with no option except to accept the instant petition and acquit Syed Lakht-e-Hasnain petitioner/accused. The instant Crl. Misc. petition No. 365-2010 is, therefore, accepted and Syed Lakht-e-Hasnain petitioner/accused is acquitted from the charge. He is already on bail and his bail bonds shall stand discharged.



Announced:  
11.07.2012.

  
Safdar Saleem Shahid,  
Judge.

**ATTESTED**  
*Muhammad*  
12-7-2012  
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