

**IN THE COURT OF MUHAMMAD ASIF,  
ADDITIONAL SESSIONS JUDGE/  
JUDGE, CHILD PROTECTION /  
GENDER-BASED VIOLENCE COURT,  
D.I.KHAN**

GBV case No.174 of 2020

The State through **Mst:** [REDACTED] daughter of [REDACTED], caste [REDACTED], resident of [REDACTED], presently Habib Abad, Sheikh Yousuf, D.I.Khan..... (Complainant)

Versus

[REDACTED], aged about 32/33 years son of [REDACTED], caste [REDACTED] [REDACTED], resident of village Kathh Garrh, Tehsil & District D.I.Khan..... Accused

Case FIR No.423  
Dated 27.07.2018  
Under Sections 457/354-A/380 P.P.C  
Police Station Saddar,  
D.I.Khan

Put in Court on	26.02.2019
Transfer in	03.06.2020
Decided on	07.01.2021

Prosecution represented by: Kifayat Ullah Khan Barki, Assistant Public Prosecutor

Complainant's counsel Noor Gul Khan Marwat, Advocate

Accused represented by: Muhammad Ilyas Khan Marwat, Advocate

**JUDGMENT**  
07.01.2021

1. [REDACTED], accused is facing trial in this Court vide F.I.R No.423 dated 27.07.2018 under Sections 457/354-A/380 PPC registered at Police Station Saddar, D.I.Khan.

2. Brief facts unfolded in F.I.R are that the complainant had earlier married and out of the wedlock one son namely [REDACTED] was born. The complainant Mst: [REDACTED] had later on married to present accused [REDACTED] facing trial, after living for some time, the accused divorced complainant and now she has been living in father's home in a separate room. The accused [REDACTED] came made trespassed by selling over the wall, entered into the complainant's room, torn off her clothes, tried to commit Zina and made live streaming naked video on IMO. On her hue and cry complainant's brother, [REDACTED] rushed to the spot and accused fled away. The video was seen by PW-2 Toseef Khan and PW-3 Syed Zulfiqar Ali Shah. Hence the F.I.R.
3. After the usual investigation, the case file was put in Court. Accused was summoned. The charge was framed to which the accused did not plead guilty and claim trial. Trial commenced. PWs have summoned the gist of prosecution witnesses are as follows:-

**Mst:** [REDACTED] (complainant/victim) appeared as **PW-1**, who deposed that she married with accused facing trial some five months prior to the occurrence but for the last four months, he divorced her and now she is living with her parents in a separate room. She has also a child namely [REDACTED] aged about 06 years from her first husband who also reside with him in the said room. On the night of occurrence, i.e., 26.07.2018 she along with her son were sleeping in

the room and door was opened. At about 11:00 PM [REDACTED], accused trespassed and entered into his room and forcibly drew her clothes and tried to commit zina with her and also made and play her live nude vide through cell phone. He also taken away her gold ring. On the hue and cry of her son, her brother [REDACTED] attracted to the room. The accused on seeing him decamped from the spot. Her video was also seen by the people on internet. Delay in lodging the report is that her father was not present in the home and when he came home, she in the company of her father, came to the Police Station for registration of F.I.R against the accused facing trial. She charged the accused for the commission of offence. She has seen and heard her report which is correct and correctly bears her signature and is Ex PA. Her father also endorsed her report and signed the same. Site plan was also prepared on her pointation which was confirmed by the accused facing trial.

[REDACTED] **PW-2** deposed that on the night of occurrence he was in his shop known as “[REDACTED]”, situated in Sheikh Yousuf Ada, D.I.Khan. at about 11/12:00 hours (night) he was online through IMO on his mobile No.0[REDACTED]5 one person drew the clothes of her cousin Mst: [REDACTED] and she tried to hide herself under a red colour clothes and this live video remained upto 51/52 seconds, meanwhile, he watched live video of Mst: [REDACTED] victim and save the said video. Thereafter, he went to the house of victim Mst: [REDACTED] and when he inquired from her, she replied that accused facing trial picturized this live video forcibly. He saved one

copy of such video. I is expert in this field because he is running the business of mobile. He handed over to the said video through memo card to the S.H.O.

**PW-03** is [REDACTED] who deposed that on the night of occurrence, i.e., 26.07.2018 at about 23:00 hours he was present in his home and was online through IMO on his cellular phone No. [REDACTED], he watched the live video on IMO that one person namely [REDACTED], accused facing trial (as he know him personally being co-villager) drew the clothes of Mst: [REDACTED] who is the daughter of Mst: [REDACTED] (ex-councilor prior known to him as elected councilor) and Mst: [REDACTED] i tried to hide herself under red colour clothes. This live video remain upto one minute. He watched the live video of Mst: [REDACTED] and did not save the said video. He personally known the accused being co villager. Prior to this, his statement under Section 161 Cr.P.C recorded before the Investigating Officer and now giving the evidence only as the violation of human rights was occurred by the accused and chastity and honour of a women was outraged by the accused. He is eyewitness of the live video which he has mentioned above.

**PW-04** is [REDACTED] S.H.O who deposed that on 27.07.2018 at about 15:40 hours Mst: [REDACTED] along with her father came to the Police Station and reported the matter in detail which he incorporated the contents of report into F.I.R and read over to both i.e., Mst: [REDACTED] and her father. After hearing the contents of report both Mst: [REDACTED] and her father signed on the report as a token of verification as a token of its correctness then he chalked out the

F.I.R which is Ex PW 4/1. After registration of the instant case, he handed over the copy of F.I.R to investigation staff for further proceedings/ investigation. On the next date, i.e., 28.07.2018 [REDACTED] accused was arrested and issued his card of arrest and correctly bears his signature and is Ex PW 4/2. On 02.08.2018 after the completion of investigation, he submitted/forwarded complete challan against the accused in the Court for trial proceedings. He has seen the same which correctly bears his signature.

**PW-05** is [REDACTED], who stated that on the night of 26.07.2018, he was sleeping in his house and his room was attached to the room of his sister Mst: [REDACTED] (complainant/victim) who along with her son [REDACTED] were also sleeping in her room. At 23:00 hours he heard some noise, hue and cry of his sister and weeping sound of his maternal nephew [REDACTED]. He immediately got up and (as the bathroom of both the room is joint) from the way of bathroom he came there and saw that his sister Mst: [REDACTED] i was in necked position (without clothes) while the accused facing trial [REDACTED] got mobile phone in his hand and was recording a video of his sister. As when he saw him, he immediately escape from the spot and opening the main gate run away to some unknown place. He identified the accused in the light of bulb which was already on in room. He is eyewitness of the occurrence. Accused facing trial has outrage the chastity and honor of his sister even accused facing trial had already divorced his sister even then he committed offence mentioned above.

**PW-06 is Dur Marjan IHC 1095** who deposed that on 27.07.2018 after the registration of case FIR No.423 dated 27.07.2018 under Sections 457/354A/380PPC of Police Station Saddar he along with Investigation Officer proceeded to the spot where during the spot inspection Investigation Officer took into possession first of all 04 bulbs LED bulb of Hollywood company 12 watt which were lightened through UPS which were removed from the holders of the ceiling and sealed into parcel after noting the signature after sharp edge article by affixing a monogram of NA around the parcel. Case property produced before the court today and is Ex P-1. Similarly, complainant/ victim Mst: [REDACTED] produced one mobile phone of touch screen OPPO model IMEI [REDACTED] [REDACTED] in which SIM card No. [REDACTED] is installed and video recording has also been found. Case property mobile phone also taken into possession by the Investigation Officer. Similarly, original receipt of golden ring which was allegedly to be snatched by the accused issued by [REDACTED] Jewelers in the name of [REDACTED] (father of victim) likewise one photocopy of divorce deed and garments of the victim camel, red and brown flowery color which were worn by the victim at the time of occurrence and accused put-off her clothes forcibly along with color sheet also produced by the victim. All the above mentioned were taken into possession by the Investigation Officer and sealed in to parcel No.02 also produced in the court Ex P2 by affixing the monogram of NA around the parcel. He has seen the same on judicial file, which is correct and correctly bears his

signature as well as the signature of one [REDACTED] brother of the complainant. The recovery memo was prepared by the Investigation Officer on the spot which is Ex PW 6/1. Site plan was also prepared by the Investigation Officer. Supplementary statement of victim Mst: [REDACTED] was also recorded at the spot. On the next day of the occurrence i.e., 28.07.2018 Investigation Officer prepared the recovery memo of one mobile phone of touch screen OPPO model IMEI [REDACTED] No. [REDACTED] in which SIM card No. [REDACTED] is installed and video recording has also been found which was already produced on 27.07.2018 which was produced by the victim which was sealed in the Police Station and yesterday it was not sealed because copy of video recording had to be saved in some memory card so, through mobile expert [REDACTED] in separate memory card the recording of that video saved. The said memory card of 04GB ultra flash/micro/SD was taken into possession and sealed in to parcel No.04 and mobile phone was sealed into parcel No.03 by affixing a monogram of NA around the parcel. Parcel No.03 produce before the court containing mobile phone is Ex P-3 and parcel containing memory card is Exp4. He has seen the same on judicial file, which is correct and correctly bears his signature as well as other police official Muhammad Nouman which is Ex PW 6/2. Investigation Officer also recorded the statement of PWs under Section 161 Cr.P.C. The attested photocopy of divorce deed is also placed on judicial file. Similarly, on 29.07.2018 after the arrest of the accused, he confesses his guilt before the Investigation Officer, and stated that he can produce

the mobile phone which he used in the occurrence. On his statement he in custody was brought through official vehicle and they along with Investigation Officer and other official accompany him and from his house of his residential room one mobile OPPO company F3 which was lying in the iron box was picked and produced to the Investigation Officer and stated that from this mobile phone he made a video of victim and to hide my guilty he deleted that video from mobile phone. Mobile phone IMEC [REDACTED] No.02 [REDACTED]. On checking the said mobile video and memory card were not found. The said mobile phone sealed into parcel No.05 by affixing a monogram of NA around the parcel. Case property produced before the court and is Ex P-5. Recovery memo bears his signature as well the signature of [REDACTED] [REDACTED] is Ex PW 6/3. On the next day 30.07.2018 accused was in physical custody to the Investigation Officer and he during interrogation/ investigation confess his guilt before the Investigation Officer and said that he can point out the place of occurrence where he recorded the video. So relying upon his statement under custody was brought to the place of occurrence in official vehicle, he along with Investigation Officer was accompany him and arrested accused brought the Investigation Officer to the house of victim where he pointed out place No.03 where he was stood and also pointed out a bed giving mark A by the Investigation Officer showing the presence of victim and her son [REDACTED] and also pointed out another place bearing No.4B where he shown the presence of eyewitness [REDACTED]. Sketch of the site plan prepared by the

Investigation Officer on the pointation on the accused facing trial with red ink in which he has given point No.03 while the recovery memo of the same was also prepared at the spot in the presence of [REDACTED] is Ex PW 6/4. Investigation Officer also recorded his statement under section 161 Cr.P.C.

**PW-07 is of Anees ul Hassan Inspector** deposed that after registration of FIR No.423 dated 27.07.2017 under Sections 451/354-A/380 PPC of Police Station Saddar, he immediately proceeded to the spot and prepared site plan on the pointation of complainant victim [REDACTED] in the presence of her brother [REDACTED] and [REDACTED]. He has seen the same on judicial file, which is correct and correctly bears his signature as Ex PW 7/1. He also recorded the supplementary statement of victim under Section 161 Cr.P.C in this regard. He took into possession first of all 04 bulbs LED bulb of Hollywood company 12 watt which were lightened through UPS which were removed from the holders of the ceiling and sealed into parcel after noting the signature with sharp edge article by affixing a monogram of NA around the parcel. Case properly already Ex P-1. Similarly, complainant /victim [REDACTED] produced one mobile phone of touch screen OPPO model IMEI No. [REDACTED]. No. [REDACTED] in which SIM card No.03170632242 is installed and video recording has also been found. Case property mobile phone also taken into possession by him. Similarly, original receipt of golden ring which was allegedly to be snatched by the accused issued by [REDACTED] Jewelers in the name of

██████████z (father of victim) likewise one photocopy of divorce deed and garments of the victim camel, red and brown flowery color which were worn by the victim at the time of occurrence and accused put-off her clothes forcibly along with color sheet also produced by the victim. All the above mentioned were taken into possession by him and sealed in to parcel No.02, already produced in the Court Ex P-2 by affixing the monogram of NA around the parcel. He has seen the same on judicial file, which is correct and correctly bears his signature as well as the signature of one ██████████ ██████████ brother of the complainant. The recovery memo was prepared by him on the spot which is already Ex PW 6/1. Site plan was also prepared by him. Supplementary statement of victim ██████████ was also recorded at the spot. On the next day of the occurrence i.e., 28.07.2018 he prepared the recovery memo of one mobile phone of touch screen OPPO model IMEI No. ██████████. No. ██████████ in which SIM card No. ██████████ is installed and video recording has also been found which was already produced on 27.07.2018 which was produced by the victim which was sealed in the Police Station and yesterday it was not sealed because copy of video recording had to be saved in some memory card so, through mobile expert Mr. ██████████ in separate memory card the recording of that video saved. The said memory card of 04GB ultra flash/micro/SD was taken into possession and sealed in to parcel No.04 and mobile phone was sealed into parcel No.03 by affixing a monogram of NA around the parcel. Parcel No.03 already produce before the Court containing mobile phone is Ex P-3 and parcel containing

memory card is Ex P-4. He has seen the same on judicial file, which is correct and correctly bears his signature as well as other police officials which is already Ex PW 6/2. He also recorded the statement of PWs under Section 161 Cr.P.C. The attested photocopy of divorce deed is also placed on judicial file. On the same day, accused was arrested by the additional SHO Police Station Saddar, he issued his card of arrest, which is placed on judicial file, already Ex PW 4/2. On the next day, accused [REDACTED] was produced before the Court with the request of 10-days physical remand but only one day physical remand of the accused was granted by the Court. On the next day i.e. 29.07.2018 after the arrest of the accused, he confessed his guilt before me and stated that he can produce the mobile phone, which he used in the commission of offence. On his disclosure, he was brought in custody through official vehicle and they along with other official accompany him to his house, wherefrom one mobile phone OPPO company F3, lying iron box was recovered from residential room of the house and produced to him and stated that from this mobile phone he made a video of victim and to hide his guilty he deleted that video from mobile phone. Mobile phone IMEI numbers are [REDACTED] & [REDACTED]. On checking the said mobile video and memory card were not found. The said mobile phone sealed into parcel No.05 by affixing a monogram of NA around the parcel. Case property already produced before the Court and is Ex P-5. He has seen the recovery memo bears his signature as well the signature of other officials is already Ex PW-6/3. On the next day 30.07.2018 accused again produced

before the court with request of 10 days further physical remand but one day physical remand was granted. On the same day, accused was in physical custody and he during interrogation/investigation confess his guilt before him and said that he can point out the place of occurrence, where he recorded the video. So, relying upon his statement under custody was brought to the place of occurrence in official vehicle, he along with other police official was accompany him and arrested accused brought to the house of victim, where he pointed out place No.03 where he was stood and also pointed out a bed giving mark A by me showing the presence of victim and her son [REDACTED] and also pointed out another place bearing No.4B where he shown the presence of eye witness [REDACTED]. Sketch of the site plan prepared by me on the pointation on the accused facing trial with red ink, while the recovery memo of the same was also prepared at the spot in the presence of [REDACTED] [REDACTED] is already Ex PW 6/4. On 31.07.2018, accused again produced before the Court for recording of his statement under Sections 364/164 Cr.P.C but application was turned down as accused refused to record his statement before the court and accused remanded to judicial lockup. He also recorded the statement of accused under Section 161 Cr.P.C in this regard. All the applications dated 29.07.2018, 30.07.2018 and 31.07.2018 coupled with the order of the Court are placed on judicial file which are Ex PW 7/2, Ex PW 7/3 and Ex PW 7/4 respectively. He also recorded statements of PWs under Section 161 Cr.P.C. After the completion of

investigation, he handed over the case file to the SHO concerned for submission of complete challan.

4. Thereafter, the learned Assistant Public Prosecutor for the State abandoned the remaining PWs and closed prosecution evidence.
5. After the closure of prosecution evidence, statement of the accused was recorded. The accused did not wish to be examined on Oath or to produce evidence in his defence in terms of Section 340(2) Cr.P.C.
6. The learned Assistant Public Prosecutor assisted by private counsel for the complainant argued that the prosecution has fully succeeded in proving his case against the accused facing trial beyond any reasonable shadow of a doubt. They further pointed out that relevant evidence available on file is infallible and confidences inspiring and that in such cases the solitary statement of the victim is sufficient to prove the guilt of the accused facing trial. They went on saying that the offence involves moral turpitude and needs to be dealt with iron hands so as to deter like-minded persons. The accused has made trespass in the house of the complainant, strip off her clothes, made live stream video and tried to commit Zina. The video was seen by many and safe by them. The PW-2 [REDACTED] had safe the safe video in his mobile and later on shown the complainant and handed over the investigation officer. The PW-2 [REDACTED] and [REDACTED] had also

seen the same video and recorded their natural statements and nothing was brought from the PWs to favour the defence. The complainant herself appeared as PW-1 and narrated similar facts and remained consistent in her cross-examination. The complainant has given very rational straightforward and natural facts and answers during the cross-examination except in respect of compromise. The offence under which the accused is charged is non-compoundable as per Section 345 and 6<sup>th</sup> column of the second schedule of the Cr.P.C. Therefore, the same can only be considered as mitigating circumstance but the case shall be decided on merits. The video is produced and played before the Court including the PW-2 [REDACTED], who had seen the same. In the said video the accused can easily be seen who stripped off the clothes of Mst. [REDACTED]. The video, clothes, bed, bedsheet, bulbs lit in the room and all other materials were produced before the Court. The marginal witnesses [REDACTED]-1558 and Durmarjan-IHC and Investigating Officer Anees ul Hassan PW-7 have recorded their statements before the Court, which are in the line of the prosecution case. The learned counsel of accused stated that the video is temper and manipulated one. If for the sake of arguments, it is considered as gospel truth then the accused had committed more heinous offence than the actual offence. The accused has destroyed the sanctity of the female and home by doing the nasty act. The accused and victim were exposed to the whole world thus ingredients of Section 354-A

Cr.P.C are fully proved before the Court. There is no dent or doubt in the prosecution case. Although, the parties have affected compromise but the offence is non-compoundable in nature. The accused was directly charged in the prompt lodged F.I.R. After the registration of F.I.R, the Investigating Officer was commenced, prepared the site plan, made recoveries, recorded the statements of witnesses under Section 161 Cr.P.C and after the closing of the relevant evidence, he came to the conclusion that prima facie case is made out against the accused. The complete challan was submitted before the Court and thereafter, transferred to the Special Court constituted under the law. During the trial, the prosecution has recorded the statements of witnesses. PW-1 Mst: ██████████ complainant/victim reiterated similar facts as narrated in her report. PW-2 and PW-3 ██████████ and ██████████ watched live nude video of the victim on their mobile and PW-2 ██████████ save the same on his own mobile. PW-4 is Javed Khan S.H.O incorporated the contents of the report into F.I.R, arrested the accused on 28.07.2018 and also submitted complete challan against the accused 02.08.2018. PW-5 ██████████ is the brother of the victim who supported the version of the victim. PW-6 is Durmarjan IHC is the marginal witness to the recovery memos Ex PW 6/1 to 6/4. PW-7 is ██████████, Investigating Officer who conducted the investigation in the instant case and made all relevant recoveries. The accused is prima facie connected with the

commission of the offence. Besides this, it is a non-compoundable offence in nature and delay in such like cases is not fatal for the prosecution case. Therefore, accused be punished to the maximum in accordance with the law.

7. The learned counsel of accused rebutted the arguments of the learned counsel of complainant and argues that it is a case of no evidence although the accused has been directly charged in the FIR. There is an inordinate unexplained delay of more than six hours which has not been reasonably explained by the prosecution. The occurrence is alleged to have been taken place on 26.07.2018 at 11:00 PM. The medical examination of the victim has not been conducted. It was night occurrence and no private independent witness had saw the occurrence. The complainant has examined and admitted in his cross-examination that he has priorly consulted with her parents before reporting the matter to the police, so there is a delay in reporting the matter. The victim has not specifically mentioned the name of PW [REDACTED] in the FIR, who allegedly had watched and save her nude video and later on informed her. At the time of occurrence, her brothers [REDACTED] and [REDACTED] were present in their rooms. [REDACTED] attracted to the spot but he did not try to catch hold the accused because he had already fled away from the spot. The clothes of the victim were not torn however, a certain portion of the upper shoulder was torn, however; the same fact was not mentioned in the F.I.R as well as in her statement recorded under Section 161 Cr.P.C.

Moreover, the parties have affected compromise and star witness has resiled from her earlier statement in the witness box and does not want to prosecute the accused. The learned counsel of accused argues and read the cross-examination of Mst: [REDACTED] that she has admitted before the Court that the matter had been patched up with the accused and she had received her due dower in the shape of 10 tolas gold. She has further admitted that she had reported the matter with consultation, deliberation and pre-mediation. The learned counsel pointed out that it has been wrongly narrated by the PWs including victim that live video was streamed on I.M.O. The I.M.O application does not play the online live video to the general public. The learned counsel referred the statement of PW-2 [REDACTED] who is allegedly an expert, saw the video and save the same on his mobile. In the cross-examination, the witness admitted that he does know the IMO's ID of the victim including her SIM number. The PW further admits that he is not in possession of touch mobile and not fully expert in the field of mobile. The major contradictions exist in the statement including this fact that the witness has recorded his statement prior to the lodging of an F.I.R. The PW has negated the material question regarding his expertise in live video's streaming. The witness has not described the description of the house where the occurrence took place. The cross-examination of PW-2 is the replica of the statement of PW-3 [REDACTED] having the major contradictions.

The learned counsel directly went on saying that that PW-7 is the material witness, therefore, he referred the cross-examination of the same witness. The Investigating Officer had admitted that he did not seal the mobile Ex PW-3, taken into possession from the accused. The Investigating Officer has further admitted that he did not send the memory card to Forensic Science Laboratory to prove the fact that the video is genuine or not? The Investigating Officer has also not taken any certificate regarding the expertise and experience of [REDACTED] in the said field. The PW admitted that it is possible that anyone can manipulate or prepare the forged video. The prosecution has not proved the case beyond a shadow of doubt and video's Forensic Science Laboratory report regarding the genuineness is not produced before the Court. Therefore, the case is not made out against the accused and prosecution has not brought charge home against the accused thus the accused is entitled to acquittal.

8. Before dilating upon merits of the case, first of all, I deem it proper to answers the points agitated by the learned counsel of defence. The learned counsel of defence argued that the IMO does not play the live stream video which notion is incorrect. The IMO APP is established to play the live streaming videos online with the addresses added on the same app. The live stream video could be seen by all the persons available online or even the same can be saved for them to see it, later on. In the present case, the live stream video was made

and shown to the general public and the same app can be used for the said purpose. Thus, to make it further clear, the definition of IMO APP is as under for the ready reference:-

“IMO FREE VIDEO CALLS AND CHAT is a video calling app that lets users live stream, as well as to conduct single and group chat sessions and video conferences. Users must verify their phone numbers and give the app access to their phone contact lists upon registration. Live streaming is done with the touch of a button, and users can browse streamers, join any ongoing stream, and chat with everyone viewing. They can also follow any streamers and send emojis and virtual gifts to them. In addition, to live streaming functionality, the app lets users send texts and initiate video/voice calls with existing contacts”.

9. As per the ibid definition, it is very much clear, proved and established beyond doubt that IMO app used to play live stream video etc. The same video would be available to all the contacts available on mobile, added on IMO. Therefore, I am not convinced with the arguments of the learned counsel of defence that IMO does not play a live stream video. The second line of arguments of learned counsel was that the compromise has been affected in the present case and the report was lodged with consultation including other inconsistencies available in the cross-examination of the victim. It is floating on the record that when the victim has appeared for the examination, the learned Judge (predecessor in Court) has

made a thorough examination of the victim as per the rules of Gender-Based Violence vide order sheet No.14 dated 12.02.2020. Thereafter, recorded the statement of the victim. The victim has uttered all the relevant straightforward natural facts word to word and supported her own story. The cross-examination was made and the victim has further admitted that the accused was her ex-husband and due to strained relation, the divorce took place between them. The accused made a trespassed in her house and after stripping off her clothes, made a live stream video which was seen by many persons including PW-2 [REDACTED] and PW-3 [REDACTED]. The two independent persons PW-2 & PW-3 have also recorded their statements in favour of the prosecution case and substantiate the version of the victim. The PW-2 [REDACTED] has not only seen the video but also saved the same on his mobile. Although, the learned counsel raised a question on his expertise but nowadays the saving the live stream video on IMO is the game of child. Even a minor can save and play the video on the internet. The question regarding touch mobile is also not convincing because he has well admitted before the Court that he had sold the same and the same answer does not fatal for the prosecution case. The main pivotal point involved in the present case that video is produced before the Court without Forensic Science Laboratory examination. The answer to this question is that I myself during the evidence has seen the objectionable video and come to the irresistible conclusion

that video is genuine and prepared by the accused in victim's room, therefore, the detailed discussion will come at the relevant point in the judgment. The learned counsel also agitated the point that the video is forged and manipulated with conspiracy against the accused to grab money. The present argument is also not well convincing as well because nobody destroys her own honour to gain some financial benefits. Whoever made or manipulated the video, the loss goes to the victim because she was exposed to the general public. The accused has not pointed out any malafidy on behalf of complainant that why she had lodged the report and contested the case against him. The merits and detail discussion of the case is as under:-

10. The present case pertains for attempting to commit Zina by making live stream nude objectionable video of Mst: [REDACTED] on IMO including the allegation of stealing ring.
11. The unfortunate occurrence in the present case got took place on 26.07.2018 at 11:00 PM night while the report was lodged on next day 27.07.2018 at 16:00 AM. Apparently, there is a delay of 17 hours but as the occurrence took place in pitch dark and odd hours and being female having son, it could not be expected from the female to report the matter without the assistance of any male person. Apart from this, when the video was shown to the complainant party by the general public then they left with no other option but to lodge the report. The victim always avoids lodging an FIR keeping in view the dignity and

honour of their family and stigma unsympathetically seen and behave by the general public. Besides this, in such like cases, the delay is not fatal for prosecution case (2020 SCMR 590 Supreme Court).

“FIR registered a day after the crime.....delay immaterial. fact that the modesty of a married woman was violated by the sexual assault made understandable the apprehension of the victim and her family in approaching the police immediately.....delay in reporting the crime to the police in respect of an offence involving a personal honour and reputation and which society may view unsympathetically could prey on the minds of a victim and her family and deter them to go to the police. The delay in registration of an F.I.R could also be explained because the victim and her family had elected for her medical treatment.....conviction and sentences of accused persons were maintained”.

*Normally, the Court may reject the case of the prosecution in case of inordinate delay in lodging the first information report because of the possibility of the concoction of evidence by the prosecution. However, if the delay is satisfactorily explained, the Court will decide the matter on merits without giving much importance to such delay. The Court is duty-bound to determine whether the explanation afforded is plausible enough given the facts and circumstances of the case. The delay may be condoned if the complainant appears to be reliable and without any motive for implicating the accused falsely. It is not given a limitation to register an F.I.R under Cr.P.C. Hence, the Superior Courts of Pakistan had held*

*decision on this issue as follows: - "Section 154 Delay in lodging of F.I.R, was not material. No limitation has been provided in criminal law for lodging F.I.R PLD 2014 Islamabad 71 2011 SCMR.*

12. In the present case, the complainant PW-1 lodged an F.I.R Ex PW 4/1 that the accused came at the spot (shown in site plan Ex PW-7/1), attempted to commit zina forcibly, play live stream video on IMO coupled with an allegation of stealing ring. The occurrence took place on 26.07.2018 at 11:00 PM night while the report was lodged on next day 27.07.2018 at 16:00 O'clock. Thus, the delay had been fully explained by the complainant detail of which is already mentioned above. The complainant has directly charged the accused for the despicable act with utmost promptitude. Apart from this, no person would bring such a nasty charge about her own-self where there was not even a distant suggestion to impute malafidy by the present complainant. In such like cases, the delay has no significance as held by the superior Court reliance is placed on 2001 P.Cr.L.J 503 FSC. 2016 P.Cr.L.J 454. Thus, it is concluded that the offence was promptly lodged and accused is directly charged with a very specific role of attempting to commit rape and making the live video by viral the same on IMO including snatching ring.
13. The Motive is an energetic source of mind which provides propelling force and gives impetus to perform any action or to do any act. Emotions are found concealed in the thoughts and

mind of an accused, which remain secret and concealed till their exposure through spoken words or actions and can be adjudged from events occurred or to have taken place or going to happen at a relevant time. The motive is the cause, manner and method of thoughts in the mind of a person for performing an action which is hidden in the mind of accused. The Motive is primarily known to accused and not to the complainant or to the informant or any other witness of the occurrence unless it is impliedly or explicitly expressed. Informant or other witnesses of occurrence can explain and convey actions which were performed by accused in the commission of the offence and express their conclusions are drawn from happenings and events occurring or narrations supplied to them at the relevant moment, incidents or occurrences, which can be considered the causes and reasons for commission of an offence by accused. The real cause or force for the commission of an offence is truly known to accused. Others actually adjudge it and given out the name to the cause or reason for doing an act or series of acts of an accused person from happenings or reproduction of spoken words, if those became known to them from the accused or from any other source. The real motive is known to the accused and not to another person, who ornaments those actions by their own opinions or from hearings. The old rule of failure of the prosecution to prove motive has taken a change through judgments of Superior Courts with the passage of time. Lack of,

absence, inadequacy, weakness of the motive, if any, set up by prosecution and failure to prove it or the motive shrouded in mystery, are not the grounds to withhold penalty of death or to order a sentence of life imprisonment if the prosecution has succeeded to prove its case beyond any doubt or suspicion with regard to the commission of the offence. In cases of rape, the sexual desire or *mensera* arises in the mind of accused and when he starts the physical act or *actesera* then victim or other person knows about it, otherwise, it shall be concealed in thoughts which would not disclose to anybody thus the motive in such like cases are not of much significance. The motive behind the occurrence was that the accused was the ex-husband and divorce took place between them and accused spend huge money on love marriage but separation took place owing to the strained relationship between the complainant and the family of accused since the accused was already married. The accused was in contact with the complainant after divorced but the complainant was not giving him a proper response on which the accused was annoyed. Thus, in vengeance, to settle his score, he came to D.I.Khan, where he decided to visit the house of the complainant, commit zina and shall make her nude video to disgrace her before the whole world. The accused to complete his *mensera* made trespass in the house of the complainant by sealing over the wall and came inside the separate room of complainant which had been correctly shown in the site plan Ex PW 7/1. The motive was not

only alleged in the F.I.R but later on unearthed and proved during the investigation and trial. The Nikah Nama dated 05.03.2018 and divorced deed dated 26.04.2018 available on record, which is sufficient to show that the complainant was the ex-wife of accused and later on talaq dated 26.04.2018 took place between the parties. The husband was infuriated and attempt to commit Zina when the little son of the complainant was sleeping on the bed and made live stream video on IMO. During the statement of PW-6, parcel No.2 was de-sealed and the video was shown to this court. The video is at the length of 51/52 seconds wherein the victim was naked in her room (shown in the site plan Ex PW -7/1) in presence of a minor child who was sitting behind and seeing all the nasty acts of the accused. The accused strip off the clothes of victim complainant, naked her and made her live video on IMO. The victim vigorously resisted the same by making kicks and fists below and also raped bed sheet on her body but the accused removed the same and completed the naked video of the victim wherein all the naked body and private parts can easily be seen. The accused also turn the camera towards him to show all the world that no one should dare to contact complainant because he is one and the only person who has a right to contact the complainant. The face reading of the accused was so confident and proud in the video that one can easily adjudge his intention. The accused did not even bother about the minor present on the bed. The accused had

repeatedly removed the bed sheet from the body to clearly expose her private parts to the whole of the world. The internet is such a filthy world where if video of anyone would have been captured on camera then his/her video shall be available to the whole world even after his/her death and his/her family shall suffer the trauma of this video till doom day. The accused has committed such nasty and exceptional act which shall be dealt unsympathetically in our society. The complainant has pardoned the accused but it does not give license to the accused to viral her video. Now even, the accused and complainant could not redeem the same video which goes into the internet world, from where no one could return or delete the same. Pakistan is an underdeveloped country where it could not be easily possible because all the companies shall be administered, controlled and run their business from different countries/states with whom Pakistan has not signed any convention to delete such type of video. Be that as it may, the offence is non-compoundable as per Section 345 Cr.P.C coupled with 6th column of the second scheduled of the Cr.P.C. Notwithstanding, the accused could not get the benefit of such compromise. It is not an ordinary case in our society. Our conservative society is not a sex-free society where such like video is admired by the public at large. The accused came at the place of occurrence correctly shown in site plan 7/1, made live stream video of Mst: [REDACTED], took the ring, as stated by him the same was misplaced while decamping from

the spot. The complainant after getting the financial benefit tried to resiled from her earlier stance but in presence of such a shameless act of the accused, even the complainant could not safe her from consequences of the present case. Therefore, the resiled statement of the complainant is not even fatal for the prosecution case. The victim was wearing red colour of clothes which was taken into possession vide recovery memo Ex PW 6/1 and sealed in parcel No.2 in presence of marginal witnesses [REDACTED] and [REDACTED] n. The PW-6 [REDACTED] appeared in a witness box and reiterated the facts of the recovery of said articles. The cross-examination was conducted but nothing was extracted to favour the defence. The Investigating Officer of the case also recovered the bed sheet, clothes, bed, OPPO mobile phones of accused and victim which were produced shown to this Court and exhibited as Ex P-1 to Ex P-5. The Investigating Officer had recovered the video from the mobile of the complainant Ex PW 6/1 sealed in parcel No.1 and later on the same was safe in memory card Ex PW 6/2. The PW-6 has appeared in the witness box and reiterated the relevant facts that how he had converted and transferred the video to the memory card by him in the shop of PW-2 [REDACTED]. The witness [REDACTED] PW-2 has appeared in the witness box and reiterated the straightforward natural facts. The defence made a lengthy cross-examination but nothing was extracted to favour the defence. The witness remained trustworthy and not shaken

during the cross-examination. Thus reliance is placed upon his statement.

14. The video is the documentary evidence as envisaged in Article 2(b) of Qanoon-e-Shahadat, 1984 which is reproduced for ready reference:-

“document” means any matter expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means, intended to be used, or which may be used, for the purpose of recording that matter;

A writing is a document,

Words printed, lithographed or photographed are documents;

A map or plan is a document;

An inscription on a metal plate or stone is a document;

A caricature is a document.

15. The video falls within the definition of a document as per Article 2-B of Qunun-e-Shahadat and is admissible in evidence in the light of Chapter XIII (Miscellaneous) Article 164 of Qunun-e-Shahadat, which is reproduced here for ready reference:-

“164. Production of evidence that has become available because of modern devices, etc: -- In such cases as the Court may consider appropriate, the Court may allow to be produced any evidence that

may have become available because of modern devices or techniques.

Provided that conviction on the basis of modern devices or techniques may be lawful.

The contention that to prove the video, the expert and the person who recorded the same is needed to appear in the witness box but in the present case different unique facts are involved. In the present case, the accused has made the video of the victim/complainant and shared the same on the internet. Wherein, the face of accused including victim and minor is clearly visible. Thus, in such situation, the legal proposition agitated by the learned defence counsel is not well convincing on the record (1991 P.Cr.L.J 2007). It is also relevant to mention that an expert is needed when there is a chance of manipulation that video is forged or fictitiously made. In the present case, the accused and victim including child sitting on the bed had been correctly identified in the video. The Investigating Officer had recovered the video from mobiles of the victim, and PW-2 [REDACTED]. The PW-2 has admitted that he is expert having shop in the same locality has had not only seen the video but also save the same in his mobile. The Investigating Officer when saw the video in mobiles had sent PW-2 to convert the same in-memory card Ex PW 6/2. The PW-2 on the direction of the Investigating Officer had correctly safe the same and thereafter, the same was taken into possession vide recovery memo Ex PW 6/2 and was sealed in

parcel No.4. The accused had stripped of the wearing clothes of the victim and tried to rape her. The medical was not conducted since no zina was committed, however, the attempt had been made which is clear in the video.

15. The site plan dated 27.07.2018 Ex PW 7/1 was prepared on the pointation of the complainant and her brother [REDACTED] PW-5 and [REDACTED] [REDACTED] PW, abandoned by the prosection. The description of the place of occurrence was correctly shown including the places exist in outskirts. The road, Damsaaz's vacant plots of on both side and house on other side. The point No.1 is the place where the accused made a live video and tried to commit zina and made live video. The point No.2 is assigned to place where the minor son (طفل) [REDACTED] aged about 5/6 years was sleeping, woke up and made hue and cry. On the same place, the bed was shown with mark-A, whereupon, the unfortunate incident took place. The point No.3 is assigned to the place where accused [REDACTED] was standing, removed the clothes of victim Mst: [REDACTED] and attempted to commit rape, made live stream video on IMO and snatched the ring. The point No.4 is a place where witness [REDACTED] was sleeping and woke-up on the hue and cry of minor [REDACTED] and identified the accused in bulb lit on the spot. The four dots were shown where the LED bulbs were present which were taken into possession as proof. The distance between all the places was shown 5 to 15 paces.
16. The abductee has appeared in a witness box as PW-1 and reiterated the all the facts word to word according to the report

without any exaggeration. The statement was truly natural and straightforward according to the F.I.R Ex PA. The abductee further clarified that her father also endorsed my report and signed the same. The site plan Ex PW 7/1 was also prepared on her pointation already discussed above. It is pertinent to mention here that the cross-examination had further clarified the story, therefore, the same is reproduced for ready reference:-

“I am educated up to the middle. First I have married one Said [REDACTED] and then the marriage was dissolved due to family dispute. I have a son namely [REDACTED] [REDACTED] of aged about 07 years from my ex-husband and has been living and residing with me. Thereafter, I have married the accused [REDACTED] in the year 2018 but the marriage is not maintained and is dissolved within a month. The present occurrence has been taken place after 4/5 months of the dissolution of marriage. The matter is reported due to the offence committed by him. I myself have seen the video mentioned in the contents of F.I.R. My paternal cousin namely [REDACTED] and others have seen the live video and also sent to me by the said [REDACTED] and I have got the knowledge of it. I do not remember the cell number and IMO ID of said [REDACTED]. I have shown the video to the concerned police officer at the time of reporting the matter. I have not specifically mentioned [REDACTED] in the contents of F.I.R but mentioned people who have seen the video. The video has been live shown through an application known as “IMO”. The place of occurrence is situated inside the compound/ hawaili having all the members of the family of their own rooms while my portion has two rooms, however,

there are six bedrooms in the entire house/hawaili. I do not know the IMO number of accused, but he has taken forcibly and struggle my mobile and made the video through it. At the time of occurrence, my brothers [REDACTED] [REDACTED] and [REDACTED] [REDACTED] were present in their own rooms but brother [REDACTED] is attracted to my room. My brother [REDACTED] has not tried to catch hold the accused because he already fled away before reaching my brother to my room. My clothes were not torn when it was taking off by the accused from me, however, a certain portion of the upper shoulder was torn”.

The PW-2 [REDACTED] deposed that he saw the video and save one copy with her. The detailed statement has already mentioned above. During the cross-examination, the story was further cleared and unfolded by the witness which is reproduced below:-

“that her mobile is added with me in IMO. Prior to the occurrence, I know accused [REDACTED] being the husband of Mst: [REDACTED], victim and then she was divorced before the occurrence. I have clearly seen the face of the accused in the mentioned video. The police has also recorded my statement under Section 161 Cr.P.C in the Police Station. My statement is recorded on the same date of occurrence. After one day they reported the matter in Police Station however, I do not exactly remember who is reported the matter being complainant. The live story means to put the camera and then make a live video on air. I do not know about live streaming. At the night, I only produce a video to my cousin Mst: [REDACTED]. The victim Mst: [REDACTED] has a separate house to that of her father Damsaaz”.

PW-3 is [REDACTED] who also watched the live nude video of the victim and during cross-examination stated that:-

“I am a Primary School Head Teacher. My qualification is FA. There is no relation between me and Mst: [REDACTED]. Self-stated that her mother was lady councillor of village [REDACTED]. The ID of IMO was in the name of Mst: [REDACTED] i herself. It is correct that live videos play on IMO. I am not in memory of the mobile number of Mst: [REDACTED] however, it is saved in my mobile.

PW-4 is [REDACTED], S.H.O scribed the report lodged by the victim complainant and during cross-examination stated that:-

“The complainant Mst: [REDACTED] herself reported the matter to him”.

PW-5 is [REDACTED], brother of victim complainant reiterated the similar story as narrated by him in his examination-in-chief while during cross-examination deposed that:-

“My sister/complainant living in separate own house. The local police recorded my statement under Section 161 Cr.P.C at morning time in the Police Station”.

[REDACTED] IHC is the marginal witness of recovery memos and recorded his statement as PW-6 and during cross-examination deposed that:-

“We departed from the PS at about 16:10 hours and reached to the spot at about 16:25 hours. The place occurrence would be at a distance of half an hour from the PS. We travelled on the official vehicle. The I.O initially took into possession bulbs. I cannot tell the voltage of the said bulbs; however, it was LED bulbs. It is correct that the bulbs are not available before the Court, however, during examination-in-chief, said bulbs were produced before the Court. The I.O did not take into possession the UPS through

which the said bulbs were connected at the time of alleged occurrence. I do not know the make & company of the said UPS. I do not know the date of issuance of receipt by the goldsmith. There is no stamp of said goldsmith over the receipt. I do not remember the SIM Numbers of the said mobiles. We consumed at about 2 to 2-1/2 hours on the spot on the very first day of the occurrence. On the second day of the occurrence, we visited the shop of [REDACTED], who deals with the mobile sale/purchase business. [REDACTED] has not an expert certificate. I do not know the age of said [REDACTED]f. I do not know whether the I.O recorded the statement the said Tauseef. Statement of the complainant was recorded on the spot by the I.O. Statement of the mother and father of the complainant as also recorded on the spot. It is incorrect to suggest that I am deposing falsely against the accused. It is incorrect to suggest that I never visited the spot”.

The investigation officer recorded his lengthy statement as PW-7 and uttered each and every fact of the case including the recoveries made by him. The cross-examination was made but nothing was extracted to favour the accused except a few points which have been already cleared above.

17. In the light of detailed discussion and cross-examination mentioned above, the accused is prima facie connected with the offence and prosecution proved its case beyond a shadow of a doubt. The allegation of a stolen ring is there regarding which the slip was produced but the same was not recovered from the accused, thus to this extent, the case is not proved.
18. The reliance of the above discussion is placed upon following dictums.

“The accused was alleged to have administered an intoxicant to the victim, whereafter he raped her and made a video film of the crime. Accused also allegedly blackmailed the victim due to the video film. Accused was categorically named in the F.I.R with a specific role. The victim recorded her statements under Sections 161 & 164 Cr.P.C. and specifically attributed to the accused charges of her abduction, rape, wrongful confinement and making of video film. No malice, ill-will, animosity or motive was shown on part of the complainant to falsely implicate the accused. During investigation found the accused to be involved in the commission of the offence. Expert report on the video of the occurrence stated that no tampering or editing was made with the video. Two witnesses of the locality corroborated the factum of playing of video film to them. Playing of video film of the victim by the accused was the continuation of the offence. Prima facie, evidence collected incriminated the accused to establish his physical presence, connectivity and participation in the crime. The offence allegedly committed by accused was a sensational, brutal and heinous crime, which had to be deprecated and dealt with iron hands. Such offences were not only committed against the individual but rather were also considered offences against the society and the State”. 2014 P.Cr.L.J 1635.

“The intention of the legislature while incorporating S.354-A C.P.C, by amending Ordinance XXIV of 1984 is that no woman should be assaulted by using criminal force and stripping her or her clothes in such position exposed to the public view. The aim of this Section is to protect the modesty and owner of the woman and if anyone exposes her for public view in the way in which no woman would like to appear in public by stripping her clothes, such person is liable to be prosecuted under his Section. It is not

necessary that the woman should be completely nude to attract S.354-A, P.P.C, if a substantial part of her clothes has been torn in such a way that the same exposes her body and the woman has been exposed in such humiliation for the view in the general public so as to humiliate her in that condition the requirement to attract this Section is satisfied". 2011 P.Cr.L.J 71; 2009 SCMR 913.

"To attract the penal provision of S.354-A, P.P.C, two conditions must be fulfilled firstly, there should be stripped off the clothes and secondly the victim in that condition should be exposed to the public view 2012 M.L.D 824. Two conditions must co-exist and must be fulfilled to attract the provision of S.354-A, P.P.C firstly there should be stopping of the clothes of the woman and secondly she in that condition be exposed in the public view". 2009 SCMR 913.

19. So, in corollary to the above discussion, the prosecution case has fully supported with overwhelming, infallible and confidences inspiring evidence available on file and already discussed above. The accused is prima facie connected with the commission of the offence. However, it is pertinent to mention here that compromise has also been affected which could be considered as redeeming and mitigating factors to reduce the sentence of accused, reliance is placed upon "1997 SCMR 1411, 2002 S C M R 1979", thus a lenient view is taken and the accused facing trial is convicted and sentenced on following counts.

(1) **Under Section 354-A P.P.C** he is convicted and sentenced to imprisonment for life (RI) and liable to pay fine of Rs.50,000/-. In default of payment of fine, he shall further suffer six months;

- (2) **Under Sections 511 read with 376 P.P.C** he is convicted and sentenced to **five years (R.I)** and liable to pay fine of **Rs.10,000/-**. In default of payment of fine, he shall further suffer six months;
- (3) **Section 380 P.P.C** is not proved on the record, since the said ring was not recovered from the accused. Hence the present Section stands deleted.
- (4) **Under Section 21 of Prevention of Electronic Crimes Act, 2017** he is convicted and sentenced to **seven years (R.I)** and liable to pay fine of seven million rupees. In default of payment of fine, he shall further suffer six months;
- (5) All the sentences shall run concurrently. The benefit of **Section 382-B Cr.P.C** is extended to the accused. He is also liable to pay compensation, amounting to **Rs.2,00,000/-** under **Section 544-A Cr.P.C**, as land revenue, which shall be paid to victim otherwise he shall go for 06 months simple imprisonment.

20. Accused is on bail. He is taken into custody and be sentenced to suffer the awarded sentence. The sureties of accused are absolved from the liabilities of bail bonds. Case property be dealt with in accordance with law but after the expiry of a period of appeal/revision. The police record be returned and file of this Court be consigned to the record room after its necessary completion and compilation. Before parting with the judgment the media is directed not to disclose the name of the complainant; in this respect, Mohrrir is directed to issue the notice to President Press Club D.I.Khan. Copy of this judgment be supplied to the convict free of cost and to this effect his acknowledging thumb

impression be obtained on the margin of the final order sheet.

Another copy be sent to District Public Prosecutor, D.I.Khan within  
the meaning of Section 373 Cr.P.C.

Announced:  
07.01.2021

**(Muhammad Asif)**  
Additional Sessions Judge/  
Judge, Child Protection /  
Gender Based Violence Court,  
D.I.Khan

C E R T I F I C A T E

Certified that this judgment of mine consisting of 39 pages, each of which  
has been read, signed and corrected by me wherever necessary.

**(Muhammad Asif)**  
Additional Sessions Judge/  
Judge, Child Protection /  
Gender Based Violence Court,  
D.I.Khan

**ORDER**  
07.01.2021

Kifayat Ullah Khan Barki, Assistant Public Prosecutor for the State present. Accused on bail along with counsel present. Counsel for complainant present.

Arguments on behalf of complainant heard. Record gone through.

Vide my detailed judgment of today, placed on file, consisting of 39 pages, the prosecution has successfully proved its case against the accused, thus, keeping in view the compromise, a lenient view is taken and the accused [REDACTED] is convicted and sentenced on following counts.

- (1) **Under Section 354-A P.P.C** he is convicted and sentenced to imprisonment for life (RI) and liable to pay fine of Rs.50,000/-. In default of payment of fine, he shall further suffer six months;
- (2) **Under Sections 511 read with 376 P.P.C** he is convicted and sentenced to five years (R.I) and liable to pay fine of Rs.10,000/-. In default of payment of fine, he shall further suffer six months;
- (3) **Section 380 P.P.C** is not proved on the record, since the said ring was not recovered from the accused. Hence the present Section stands deleted.
- (4) **Under Section 21** of Prevention of Electronic Crimes Act, 2017 he is convicted and sentenced to five years (R.I) and liable to pay fine of five million rupees. In default of payment of fine, he shall further suffer six months;
- (5) All the sentences shall run concurrently. The benefit of Section 382-B Cr.P.C is extended to the accused. He is also liable to pay compensation, amounting to Rs.2,00,000/- under Section 544-A Cr.P.C, as land

revenue, which shall be paid to victim otherwise he shall go for 06 months simple imprisonment.

Accused is on bail. He is taken into custody and be sentenced to suffer the awarded sentence. The sureties of accused are absolved from the liabilities of bail bonds. Case property is dealt with in accordance with law but after the expiry of a period of appeal/revision. The police record be returned and file of this Court be consigned to the record room after its necessary completion and compilation. Before parting with the judgment the media is directed not to disclose the name of the complainant; in this respect, Mohrrir is directed to issue the notice to President Press Club D.I.Khan. Copy of this judgment be supplied to the convict free of cost and to this effect his acknowledging thumb impression be obtained on the margin of the final order sheet. Another copy be sent to District Public Prosecutor, D.I.Khan within the meaning of Section 373 Cr.P.C.

Announced:  
07.01.2021

**(Muhammad Asif)**  
Additional Sessions Judge/  
Judge, Child Protection /  
Gender Based Violence Court,  
D.I.Khan