

Form No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No. 2081 of 2022

Haleem Adil Sheikh
Vs
Federation of Pakistan, etc.

| S. No. of order/ proceedings | Date of order/ proceedings | Order with signature of Judge and that of parties or counsel where necessary. |
|------------------------------|----------------------------|--|
| 02) | <u>08.06.2022.</u> | M/s Muhammad Rustam Malik and Tahir Hameed Khan Niazi Advocates, for the petitioner. |

The petitioner, Haleem Adil Sheikh [hereinafter referred to as the "**Petitioner**"] is a member of the provincial assembly of the Province of Sindh. He has invoked the jurisdiction of the Court seeking protection against acts on part of the respondents likely to prejudice his right to liberty.

2. The petitioner has not placed on record copy of any criminal case that may have been registered against him so as to grant him protective bail. He is rather seeking a blanket order to protect him against arrest in order to enable him to surrender before a court of competent jurisdiction in the Province of Sindh. It is noted that the petitioner was earlier granted protective bail vide order, dated 20.05.2022 and it was valid till 06.06.2022. This crucial fact has not been disclosed by the petitioner in his memorandum of petition. Moreover, the Court is bereft of territorial jurisdiction to grant blanket protective bail in favour of the petitioner. Since the

Court had already granted protective bail vide order, dated 20.05.2022, which was valid till 06.06.2022, therefore, he had an opportunity to surrender himself before the court of competent jurisdiction or in case his fundamental rights were threatened, then to approach a constitutional court vested with territorial jurisdiction in the Province of Sindh. The non-disclosure of the petitioner regarding protective bail already granted to him by this Court in his memorandum of petition does not entitle him to equitable relief nor the prayer can be granted for want of territorial jurisdiction.

3. For the above reasons, the petition is frivolous and **dismissed in limine**. Moreover, Rs.5000/- (rupees five thousand only) is imposed as cost for filing frivolous petition and non-disclosure of relief already granted by this Court vide order, dated 20.05.2022.

(CHIEF JUSTICE)

Ahmed/*