

Form No:HCJD/C-121

ORDER SHEET

**IN THE LAHORE HIGH COURT, RAWALPINDI BENCH
JUDICIAL DEPARTMENT**

Case No: W.P.No.3256/2022

Sheikh Muhammad Hafeez **Versus** Federation of Pakistan etc.

S.No. of order/ Proceeding	Date of order/ Proceeding	Order with signature of Judge, and that of Parties or counsel, where necessary.
-------------------------------	------------------------------	--

05.12.2022 M/s Razzaq A. Mirza and Israr-ul-Haq Malik,
ASCs for the Petitioner.
Mr. Muhammad Sajid Khan Tanoli, Deputy
Attorney General alongwith Tohail Bhatti,
Section Officer, Ministry of Interior,
Islamabad.
Mirza Asif Abbas, Assistant Advocate General
Punjab alongwith Hafiz Mohsin Ali Khizer,
Law Officer and Saqib Manan, Commissioner,
Rawalpindi, Rana Liaqat Ali, AIG (Legal),
Syed Shahzad Nadeem Bukhari, City Police
Officer, Rawalpindi, Musarrat Abbas, DSP,
Traffic, Shazia Naseem, DSP (Legal) and
Hassan Askari, SI.
Ch. Faisal Fareed, ASC for Respondent No.8.

Today, Senior Additional Registrar of this
Bench has informed the Court (in writing) that the
General Secretary of Pakistan Tehreek-e-Insaaf
(the "PTI"), Islamabad/Respondent No.8, during
pendency of this petition when notices were issued
to him to file reply, on 26.11.2022, addressed a
public gathering and made a public statement
which was telecasted country-wide. In the report,
it is also mentioned that this statement of
Respondent No.8 was an attempt to scandalize the
Hon'ble Judges of the superior Courts tending to
bring the superior Courts and Judges thereof into
hatred and ridicule which requires to issue
contempt proceedings against him under Article

204 of the Constitution of Islamic Republic of Pakistan, 1973 (the “Constitution”).

2. Article 204(2)(b) of the Constitution clearly states that this Court has power to punish any person who scandalizes the Court or otherwise does anything which tends to bring the Court or a Judge of the Court into hatred, ridicule or contempt. The contents of *Urdu* Transcript of the statement made by Respondent No.8, which is attached with the aforesaid report submitted by the Senior Additional Registrar, clearly attracts the provisions of Article 204(2)(b) of the Constitution. The report further mentions that, on similar issue, the Hon’ble Supreme Court of Pakistan in *Criminal Original Petition No. 154 of 2017 in Criminal Miscellaneous Application No. 985 of 2017 in Civil Miscellaneous Application No.2939 of 2017 in Constitutional Petition No. 29 of 2016 and others, decided on 1st February, 2018* (2018 SCMR 556) has convicted Nehal Hashmi, MNA, by holding that offending words uttered by the contemnor in public were meant to interfere with, obstruct and prejudice the process of law, justice and August Supreme Court and were also intended to bring the authority of Court and administration of law into disrespect, disrepute or hatred within the meanings of Section 3 of the Ordinance and Article 204 of the Constitution. It was also observed by the august Supreme Court of Pakistan that the manner in which the contemnor had acted on the occasion was surely prejudicial to the integrity and independence of the judiciary of

Pakistan as a whole as it had defamed and brought it into ridicule.

3. Under Article 14 of the Constitution the dignity of man and subject to law the privacy of home shall be inviolable. Moreover, recently in the case of Muhammad Naeem Mir versus Federation of Pakistan etc. (2022 LHC 7703) (LHC Citation), this Court, vide order dated 21.11.2022, has observed that due to the Long March, the main roads, including the GT Road and Motorways, on north Pakistan are blocked, thus, violating fundamental right of business & trade (Article 18) as well as the right to freely move (Article 15). Since the matter relates to the dignity of the institution, Respondent No.8 is directed to appear in person on the next date alongwith his reply. Relist for 07.12.2022.

Copy “dasti” on payment of usual charges.

(JAWAD HASSAN)
JUDGE