JUDGMENT SHEET
ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

Writ Petition No. 3566 of 2024

Sadeeq Anjam

Versus

The State and others

Petitioner by:	Mr. Ali Azim Afridi, Advocate.
Respondents No.1 to 4 by:	Mr. Fahad Khan Tareen, Assistant Attorney General. Sheikh Amir Sohail Anjum, AD (Legal) and Muhammad Haris Jabbar, AD (Inv), NCCIA.
Respondent No.5 by:	M/s Shah Khawar and Babar Hayat Samor, Advocates.
Date of Hearing:	**19.09.2025**

INAAM AMEEN MINHAS, J:- The petitioner has invoked constitutional jurisdiction of this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 read with section 561-A, Cr.P.C for quashing FIR No.220 dated 11.09.2024, u/s 20 & 24 of the Prevention of Electronic Crimes Act, 2016 **("PECA")** read with sections 505, 506(ii), 34 and 109 of the Pakistan Penal Code,1860 **("PPC")**, registered at police station Federal Investigation Agency Cyber Crime Reporting Centre, Islamabad.

2. As per contents of the FIR, the allegation against the petitioner is that he along with co-accused initiated a malicious campaign on different social media platforms i.e. facebook, youtube and X (formerly twitter) to harass blackmail defame respondent No.5/complainant along with his family as well as built an ill-will narrative in the public through social media against the entire judicial institution by declaring respondent No.5's uncle as corrupt upon baseless allegations without any proof.

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3. The learned counsel for the petitioner contended that the allegations against the petitioner are baseless; that the instant FIR was registered against the petitioner because of lodging of FIR and carrying legal proceedings against the family members of respondent No.5 by him; that information ending up in shape of registration of FIR No.2 of 2024 of Anti-Corruption Police Station Bannu, shared by any or social application cannot be made basis for registration of this FIR and that right to free speech is a fundamental right.

4. The learned Assistant Attorney General as well as the learned counsel for respondent No.5 opposed the instant writ petition and argued that the allegations levelled against the petitioner are duly supported by the material collected during the inquiry by FIA and that challan has been submitted before the learned Trial Court, therefore, this Court should not interfere as interference by this Court would amount to encroach upon the domain of the learned Trial Court.

5. I have heard learned counsel for the parties and perused the record.

6. Perusal of the record reveals that respondent No.5 had submitted an application before the FIA against the petitioner and the co-accused. The FIA, after conducting an inquiry and collecting material, found sufficient grounds and thereafter registered the FIR.

7. The petitioner has filed the instant petition to quash the FIR only to his extent, whereas there are other seven co-accused. Partial quashing of an FIR to the extent of some accused is a legal impossibility. Reliance is placed upon ***Director General, Anti-Corruption Establishment, Lahore and others vs. Muhammad Kamran Khan and others***, **(PLD 2013 SC 401)**.

8. Challan has been submitted before the learned Trial Court, where the petitioner can avail alternate remedy available to him u/s 265-K, Cr.P.C. In the case *Supra*, the Honourable Supreme Court also held that the law is quite settled by now that after taking of cognizance of a case by a Trial Court, the F.I.R. registered in that case cannot be quashed and the fate of the case and of the accused persons challaned therein is to be determined by the Trial

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Court itself. It goes without saying that if after taking of cognizance of a case by the Trial Court an accused person deems himself to be innocent and falsely implicated and he wishes to avoid the rigorous of a trial then the law has provided him a remedy under sections 249-A/265-K, Cr.P.C to seek his premature acquittal, if the charge against him is groundless or there is no probability of his conviction.

9. In view of the foregoing, the instant writ petition bears no merits, therefore, the same stands **dismissed.**

(INAAM AMEEN MINHAS)
JUDGE

Announced in open Court on 26.09.2025.

JUDGE

R.Anjam

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