JUDGMENT SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD

W.P. NO. 2526 OF 2025

AGHA INTESAR YUNUS

VS

FEDERAL INVESTIGATION AGENCY, ETC.

Petitioner by	**:**	**Raja Rizwan Abbasi, Advocate.**
Respondents by	**:**	**Raja Zamir-ud-Din Ahmed, A.A.G.** **Ms. Zara Lodhi, Inspector F.I.A/CBC.**
Date of hearing	**:**	**11.07.2025**

MUHAMMAD AZAM KHAN, J.

1. Through the instant Writ Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 (hereinafter referred to as the "**Constitution**"), Agha Intesar Yunus ("**Petitioner**") seeks a direction to the Respondents to disclose the purpose of their visit to him and to inform him of any accusation or case, if any, pending against him. The Petitioner also prays for protection against any apprehended arrest.

2. The learned counsel for the Petitioner contended that the Petitioner is currently employed with the Corporate Sales and Partnerships Division of Easypaisa, Digital Bank. On 26.06.2025, Respondents No. 4 & 5, namely Rehana Kousar and Zara Lodhi, visited the Petitioner's workplace and allegedly misbehaved with the staff. Despite repeated attempts by the Petitioner to ascertain the purpose of the said visit or the nature of any underlying accusation, the Respondents allegedly failed to provide any formal information. It is asserted that no call-up notice was served upon the Petitioner, and he was verbally instructed to appear without any written intimation. The learned counsel argued that the entire conduct of the Respondents is illegal and violative of the fundamental rights guaranteed under Article 19-A of the Constitution. He, therefore, invoked the jurisdiction of this Court to safeguard the liberty and dignity of the Petitioner.

3. On behalf of Respondents, a Report is submitted, according to which the instant inquiry has been initiated based on an intelligence report revealing the establishment of approximately twenty shell companies. Aggregator accounts have subsequently been opened in the names of these entities with Easypaisa (Telenor Microfinance Bank) and JazzCash (Mobilink Microfinance Bank). These accounts are allegedly being used to route funds derived from illicit sources, including digital hawala/hundi and money laundering. Investigations have uncovered that more than PKR 100 billion has been funneled through these accounts into mainstream bank accounts, which were opened with the consent of the account holders. The substantial funds are being layered across multiple accounts to obscure their origin and are ultimately remitted outside Pakistan through Cryptocurrency channels. A call-up notice was duly dispatched to the Petitioner on 24.06.2025, wherein he was directed to appear and join the inquiry proceedings. However, the Petitioner failed to comply with the said notice and did not join the inquiry. In view of the urgency of the matter, and in adherence to legal procedure, the undersigned visited the Petitioner's office on 26.06.2025 to serve the notice in person and to record his statement, however, the Petitioner was not present at his office, and he was contacted telephonically and informed about the issuance of the call-up notice and the reason for the visit. Subsequently, the Petitioner joined the inquiry proceedings, and his statement has been duly recorded, during which he was questioned regarding matters relevant to the inquiry.

4. I have heard the learned counsel for the Petitioner and the learned A.A.G. and perused the available record.

5. At the very outset, it is to be observed that the Constitution guarantees the fundamental rights of every citizen, including the right to life and liberty (Article 9), dignity of man (Article 14), protection from arbitrary detention (Article 10), the right to fair trial (Article 10-A), and the right to access information (Article 19-A). These constitutional safeguards, however, are not absolute; they are to be exercised in accordance with law and subject to reasonable restrictions where necessary to advance a legitimate state interest, such as national security or public order.

6. In the instant case, the Petitioner's grievance centered around the lack of formal communication regarding the nature of the allegations and the perception that he was being harassed through surprise visits. However, the material on record confirms that a formal call-up notice had already been dispatched to the Petitioner on 24.06.2025. When he did not respond, the follow-up visit by officials on 26.06.2025 was not only lawful but warranted by the urgency and magnitude of the alleged offense. The said notice formed the legal basis for summoning the Petitioner in connection with a wide-ranging investigation involving significant financial impropriety and suspected violations of anti-money laundering laws. The record also reveals that the **Petitioner** was not subjected to any physical or mental coercion, nor was he detained. Instead, he was informed of the inquiry and subsequently joined the proceedings voluntarily, during which his statement was recorded.

7. It is a well-established principle that law enforcement and regulatory authorities are legally empowered to investigate complex financial crimes, especially in cases involving significant public funds or matters impacting national economic security. Such investigations, however, must be conducted fairly, transparently, and with respect to the dignity and rights of individuals under investigation.

8. The Petitioner, after being contacted telephonically and informed of the purpose of the visit, has since joined the proceedings and recorded his statement. No material has been brought before this Court to show that any illegal coercion, physical force, or unauthorized action has been taken against him. It further appears that the purpose of the visit to the Petitioner's workplace was to effect service of a previously issued notice and not for the purpose of arrest or detention.

9. In view of the foregoing, the primary relief sought in the Petition i.e. to be informed of the nature of the case and to be protected against arbitrary action, stands redressed through the Petitioner's participation in the inquiry proceedings. Accordingly, the instant Petition has become infructuous to that effect. However, as far as the second limb of the Petitioner's prayer is concerned, the instant Writ Petition is **allowed** and the Respondents are directed not to initiate any coercive measures, including arrest or detention of the Petitioner, without first fulfilling the legal prerequisites prescribed under the Code of Criminal Procedure, 1898,

and other applicable laws. This includes the issuance of a formal notice, communication of the grounds thereof, and strict adherence to procedural safeguards. Conversely, the Petitioner shall remain duty-bound to fully cooperate with the investigation and to make himself available for any further inquiry, as and when lawfully summoned.

(MUHAMMAD AZAM KHAN)
JUDGE

Announced in the open Court on this _____ day of July 2025.

JUDGE

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