ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.

JUDICIAL DEPARTMENT.

Crl. Misc. No.71-B of 2014

Eric Adonis

Vs.

The State

S. No. of order / proceedings	Date of order / Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	24.02.2014	Mian Ahmed Khan, Advocate for petitioner, Mr. Faisal Rafiq Malik, learned Deputy Attorney-General. Mr. Qaiser Masud, Deputy Director/Law FIA HQ. Malik Jaffar Inspector/I.O. Police Station FIA AHTC, Islamabad.

O R D E R

MUHAMMAD ANWAR KHAN KASI, CJ:

Petitioner [Eric Adonis] prays for post-arrest bail in case FIR No.06, dated 04.1.2012, under Sections 420, 468, 471 PPC and 14 Foreigners Act, Police Station FIA, AHTC, Islamabad, after its rejection from the Court of learned Judicial Magistrate & learned Additional Sessions Judge (West), Islamabad, vide orders dated 22.1.2014 & 10.2.2014, respectively.

2. Learned counsel submits that nothing incriminating was recovered from the petitioner during physical remand and the alleged offences neither fall under the proviso of Section 14-A of the Foreigners Act, 1946 nor under the prohibitory clause of Section 497(1) Cr.P.C, he has falsely been implicated by the local police while he has no concern with the commission of alleged crime and his involvement is false, based on malafide and due to the ulterior motives of the complainant. He is previously non-convict and investigation of the case is complete and the person of the petitioner is no more required by police for further investigation.

3. Learned Deputy Attorney-General, on the other hand, resisted the petition, by stating that accused is specifically nominated in the FIR and Section 14-A of Foreigners Act, 1946 debars on the release of Foreign National, therefore, accused being foreign national is not entitled to the concession of bail.

4. Heard & record perused.

5. Brief facts of the case are that on 02.1.2014, the petitioner being Zambian national was intercepted by Immigration Authorities at Islamabad International Airport, when he was deported from Doha through Qatar Airlines on account of having bogus passport, as such, he was arrested and his traveling documents were seized

and consequently, the matter was handed over to FIA and after conducting the inquiry, he was found guilty of the charge.

6. Admittedly, the petitioner is a foreign national and found traveling on bogus passport. At this stage, it would be appropriate to direct the investigation agency to submit challan of the case without any loss of time and the Trial Court shall proceed with the case on day to day basis. The petitioner after decision of the case, shall be deported to his native country through concerned Consulate.

7. In view of above, the petition being devoid of merits, is dismissed. Report be submitted to this Court through Registrar.

(CHIEF JUSTICE)

Qamar Khan*