

**IN THE SUPREME APPELLATE COURT GILGIT-BALTISTAN,
GILGIT.**

Before:

Mr. Justice Dr. Rana Muhammad Shamim, Chief Judge.

Mr. Justice Javed Iqbal, Judge.

Cr. Appeal No. 15/2017

in

Cr. PLA No.29/2017.

Mst. Majida

Petitioner.

Versus

Din Ullah & others

Respondents.

PRESENT:-

1. Mr. Ehsan Ali Advocate for the petitioner.
2. The Advocate General Gilgit-Baltistan alongwith Mr. Saeed Iqbal, Deputy Advocate General Gilgit-Baltistan on behalf of the respondent No. 03.
3. Nemo for the respondents.

DATE OF HEARING: - 29.08.2017.

ORDER.

Dr. Rana Muhammad Shamim, CJ..... This Criminal petition for cancellation of bail has arisen out of the impugned order dated 25.05.2017 passed by the learned Chief Court whereby the bail were granted to the respondents subject to furnishing of bail bonds in the sum of Rs. 10, 00,000/- (rupees ten lac only) with two reliable sureties each in the like amount to the satisfaction of the learned Trial Court, hence, this petition for leave to appeal. This court vide order dated 03.07.2017 issued notices to the respondents/accused but nobody appeared on behalf of them.

2. Briefly, the facts of the case are that on 18.03.2017, the respondent/accused alongwith their principal accused namely Saeed-ur-Rehman abducted one Mst. Majida daughter of Ashiq Hussain resident of Murtazaabad Hunza. The accused were intercepted at barrier of Police Chowki Ganish Hunza while they

were taking the victim lady in a car bearing No. GLT-6811 driven by accused/respondent Dinullah. The accused took the victim girl in a Hotel in Gulmit Gojal, where the main accused namely Saeed-ur-Rehman reportedly committed sexual intercourse with her. The local police registered FIR No. 07/2017 on 18.03.2017 under Section 376, 365-B/34 PPC against the respondents/accused. The accused after their arrest were interrogated and subsequently they were sent to judicial lockup. The accused Din Ullah filed bail application in the learned Trial Court which upon hearing was dismissed vide order dated 18.05.2017. The respondent Din Ullah & Muhammad Nabi preferred Criminal Misc. No. 71/2017 & Criminal Misc No. 73/2017 in the learned Chief Court for grant of bail which upon hearing were accepted and granted bail to the respondent/accused, hence, this petition for leave to appeal.

3. The learned counsel for the petitioner submits that the respondents/accused have been nominated in the FIR who were involved in the abduction of the petitioner. He also submits that respondents were intercepted by the police red handed while travelling in a car alongwith the petitioner after abducting her. The offences committed by the respondents/accused are heinous in nature and against the society as well. The punishment provided for the said offences is life imprisonment, therefore, bail granted to them is not sustainable. He submits that the learned Trial Court has rightly refused the grant of bail to the respondents/accused whereas the learned Chief Court fell in error while granting them

bail on the grounds of further inquiry which is not tenable. He prays that the bail granting order graciously be recalled.

4. We have heard the learned counsel for petitioner at length, perused the material on record and gone through the impugned order dated 25.05.2017 passed by the learned Chief Court. The tentative perusal of the record of the case file transpires that the respondents/accused have not been attributed any specific role in the commission of the alleged offence. Further, the learned counsel for the petitioner could not point out any illegality or infirmity in the impugned order passed by the learned Chief Court.

5. In view of the above discussions, the leave to appeal is refused. Consequent thereto, the impugned order dated 25.05.2017 passed by the learned Chief Court is affirmed.

6. The leave is refused.

Chief Judge.

Judge.

Whether the case is Fit to be reported or Not?