

**IN THE COURT OF KASHIF QAYYUM,
ADDITIONAL SESSIONS JUDGE/
MULTAN**

Other Session Case No:3/03.08.2013

Other Session Trial No.12/T of 2014

The State Vs. Junaid Hafeez son of Hafeez Naseer, caste Rajput, r/o Mithan Press Circular Road, Rajanpur.

.....Accused

FIR No.103/13 Dated: 13.03.2013,
U/S 295-A, 295(B), 295(C) PPC
Police station Alpa, Multan.

JUDGMENT:-

Above mentioned accused namely Juanid Hafeez has been challaned by the police station Alpa, Multan to face trial in case FIR No.103/13 (Exh.PB/1), recorded on 13.03.2013, U/S 295(B), 295(C) PPC for deliberate and malicious acts intended to outrage religious feelings of Muslims by insulting their religion or religious beliefs, describing Holy Qur'an as derived from Mesopotamian folk stories and using derogatory remarks in respect of the Holy Prophet Muhammad (PBUH).

2. The FIR reads as under:-

”من SI محمد زمان مع ملازمان فرحان احمد/4000، وسیم C/2241، حقنواز C/1247، ریاض احمد C/2240، مظہر عباس C/2408، مسلح ہائے رائل بوقت 09/30 بجیدن بسواری سرکاری گاڑی نمبر MNG/1146 معہ ڈرائیور محمد رمضان C/1686 بسلسلہ گشت و پڑتال جرائم اڈانہالے والا موجود تھا کہ محمد انور C/889 سیکورٹی کانسٹیبل تھانہ اپہ نے اطلاع دی کہ یونیورسٹی کے اندر UBL چوک میں 100/150 طلباء، طالبات احتجاج کر رہے ہیں۔ اس اطلاع پر میں فوری میں فوری طور پر موقع پر پہنچا ہوں تو معلوم ہوا کہ جنید حفیظ ولد حفیظ نصیر سکنہ مٹھن پریس شہر راجن پور جو کہ انگلش ڈیپارٹمنٹ میں عارضی لیکچرار ہے۔ اور ایم فل کاسٹوڈنٹ بھی ہے نے Mullan Munafiq اور So Called Liberals Pakistan کے نام سے سوشل گروپ بنایا ہوا ہے۔ جسمیں جنید حفیظ متذکرہ بالانے ایسی تصویریں اور تحریریں Facebook پر اپ لوڈ کی ہوئی ہیں۔ جن سے یہ شخص اسلام کے خلاف (بیہودہ گفتگو) سیرت النبی کی تضحیک اور قرآن کی تعلیمات پر حملے

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کرتا ہے۔ محمد انور سیکیورٹی کانسٹیبل نے 02 قطعے احتجاجی پمفلٹ بھی میرے پیش کیے ہیں۔ جو کہ انگلش ڈیپارٹمنٹ BZU کے باہر نوٹس بورڈ پر آویزاں تھے۔ جس میں جنید حفیظ متذکرہ بالا کی جانب سے Facebook پر Upload کئے ہوئے 03 سوال مسلمان کہتے ہیں۔ کہ محسن انسانیت نے اپنے منہ بیٹے کی بیوی (زینب) سے شادی اس لئے کی کہ وہ مثال قائم کر کے عرب سے منہ بولے رشتوں کا رواج ختم کرنا تھا۔ پہلا سوال تو پھر زینب کے خاوند کو اپنا منہ بولا بیٹا بنایا ہی کیوں، دوسرا سوال زینب کے پرکشش جسم پر نظر پڑنے کے بعد ہی عرب سے منہ بولے رشتوں کا رواج ختم کرنے کا خیال کیوں آیا۔ تیسرا سوال اگر عرب سے منہ بولے رشتوں کا رواج ختم کرنے کا ارادہ مبارک فرمایا تو اپنی بیویوں کو مسلمانوں کی مائیں قرار دیکر ان بے چاریوں کو اپنی موت کے بعد کیوں شادی کی اجازت نہیں دی۔ یہ بھی تو منہ بولا رشتہ تھا جو محسن انسانیت نے بنایا۔ ملا منافق رحمت اللہ علیہ سٹوڈنٹس آف انگلش ڈیپارٹمنٹ BZU کی طرف سے مطالبہ کیا گیا ہے۔ کہ اس شخص کے خلاف فوراً کارروائی کر کے ڈیپارٹمنٹ سے نکالا جائے اور قانونی کارروائی کرتے ہوئے پولیس کے حوالے کیا جائے متذکرہ بالا پمفلٹ ہائے بطور وجہ ثبوت روبرو گواہان بذریعہ فرد علیحدہ قبضہ پولیس میں لئے گئے ہیں۔ پیش آمدہ حالات اور پمفلٹ کی تحریر سے پایا جاتا ہے کہ جنید حفیظ متذکرہ بالانے ایسی تحریر Facebook پر Upload کر کے جرم زیر دفعہ B/295-C/295 کا ارتکاب کیا ہے۔“

3. On 13.03.2013, Niaz Ahmad SI (PW-13) received information from Muhammad Anwar Security Constable from BZU, Multan regarding protest of about 100/150 students about blasphemous acts of accused Junaid Hafeez in the University premises. After receiving said information, PW-13 (Niaz Ahmad) reached in BZU, Multan where in UBL chowk, about 100/150 students were recording their protest that two pamphlets which were affixed by accused Junaid Hafeez within university premises were amounting to blasphemous acts in respect of Holy Prophet (PBUH). Both the said pamphlets (P-3) and (P-4) were produced before him by Muhammad Anwar Security Constable after taking the same from said students. PW-13 drafted written complaint Exh.PB and sent the same to police station through Farhan Ahmad constable for formal registration of FIR. On the same day, PW-13 inspected the place of occurrence, prepared rough site plan Exh.PM and took into possession the said pamphlets

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vide recovery memo Exh.PD, recorded statements u/s 161 Cr.PC of witnesses namely Muhammad Anwar, Waseem constables and Akbar Tabish etc.

4. On 13.03.2013, Joint Investigation Team (JIT) was constituted by CPO, Multan consisting of Shabbir Hussain Jaffri SP (Investigation), Naeem-ul-Hassan SP (City), Muhammad Amjad Lak DSP Saddar, Muhammad Saleem SI Incharge Computer Branch and PW-13 Niaz Hussain. A team from CIA was sent to Lahore to effect the arrest of the accused. On 14.03.2013, at 07:00 A.M. said team arrived in Multan after arresting the accused Junaid Hafeez from Lahore and accused was formally arrested in the instant case by JIT. Articles laptop etc. recovered from the accused were taken into possession by the JIT through recovery memos Exh.PA, Exh.PC, Exh.PD and Exh.PE. Report u/s 173 Cr.PC was prepared as per law.

5. On 24.04.2014, charge u/s 295-A, 295-B & 295-C PPC was framed against the accused, for which he pleaded not guilty and demanded his trial. Where-after, following witnesses were produced by prosecution.

PW-1: Ghulam Murtaza ASI, received sealed parcel said to contain CDs from SP City, Multan which, he (PW-1) handed over said parcel to Constable Shahid Iqbal 3709/C for its onward delivery to the office of FSL, Lahore intact.

PW-2: Shahid Iqbal 3709/C, received a sealed parcel from Ghulam Murtaza Moharrir and deposited it in the concerned office on 07.06.2013.

PW-3: Muhammad Anwar 889/C, went to BZU alongwith Niaz Ahmad SI. He removed from notice board the pamphlet containing head-note "Teen Sawal" and handed over to Niaz Ahmad SI/IO. He alongwith SP Investigation, SP City and

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Muhammad Hanif constable visited Hamza Hall of BZU and signed recovery memo there.

PW-4 Khalid Saeed 2676/HC, received complaint and drafted formal FIR Exh.PB/1.


PW-5 Aftab Ahmad: he alongwith others arrested the accused from Lahore. Articles P-5 to P-11 were taken into possession by the JIT vide recovery memo Exh.PC and he signed it.

PW-6 Muhammad Waseem 2241/C: is a recovery witness of recovery memo Exh.PD.

PW-7 Rana Muhammad Akbar Tabish: he was student of M.A. English. He witnessed the occurrence and got recorded his statement u/s 161 Cr.PC.

PW-8 Shahid Kaleem: he attended seminar, he protested when the accused uttered derogatory words but the administration compelled him and others to sit silently. He left the Hall alongwith others in protest. Stall was also arranged by the accused and he saw two books containing derogatory material. He joined investigation and got recorded his statement.

PW-9 Muhammad Sharif: He attended the seminar. Accused uttered derogatory words and displayed two magazines. He alongwith others made protest. They left the Hall in protest. Stall was also arranged by the accused and they saw two books containing derogatory material. He joined investigation and got recorded his statement.


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PW-10 Muhammad Arslan Khalil: He attended University till the end of 2013. He was hostalized in Abu Bakar Hall Room No.228. He attended the classes where the accused and Dr. Sheerin Zubair used to discuss the gender of GOD in open class. Accused used to defile the Holy Personalities by saying that they are just characters. He attended different seminars which were organized by Sheerin Zubair and compared by Junaid Hafeez. He witnessed that accused used derogatory words about Islam. He alongwith others went to Dr. Hakoomat Ali at his residence in order to complain against him and he told them that he would personally talk to accused and Dr. Sheerin Zubair in this regard. They again visited the house of Dr. Hakoomat Ali where the accused and others were present. He again repeated the words uttered by the accused and the accused turned hyper and said that it was his liberty of expression. After uttering said words, he left. He joined the investigation and got recorded his statement.

PW-11 Prof. Dr. Hakoomat Ali : He was sitting with one of his colleague i.e. Dr. Shakeel Ahmad in his house. Two students Dilshad and Arslan complained against accused and Dr. Shirin Zubair that Dr. Shirin Zubair used to show nude films at the pretext of art movies in the class room and she delivered lecture on gender of GOD, which hurt their feelings. They further told him that she ridicule the Holy Personalities and used such words about them which could not be narrated by a prudent man. They further disclosed that the accused made a group on face book with the name as "BZU" and he used to post and shared lectures of said Dr. Sheerin Zubair about gender of GOD

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and all members of JIT observed the same. Accused was the sole administrator of said group and as per setting of said page, no one could post or become member of said group without permission of the accused. The JIT after scanning of said page organized, managed and made by the accused took into possession different posts. The above said posts were given by JIT and same were taken into possession vide recovery memo Exh.PE which was signed by all members of JIT. After the above said proceedings conducted by the JIT, different questions were asked to the accused regarding his blasphemous acts, in reply whereof accused Junaid Hafeez said that whatever he and others posted at his page of face book account i.e. "So Called Liberals of Paksitan" were in his knowledge and he did not attempt to delete the same. After the said session with the accused which was recorded in case diary No.2 dated 14.03.2013, JIT came to the conclusion that the accused committed blasphemous acts in respect of Allah Almighty and Holy Prophet (PBUH). The case diary was signed by all the members of JIT including him (PW-12). On 16.03.2013, JIT including him (PW-12) took into possession E-mail data from the e-mail account of accused and details of friends list, 35-more posts from the group "So Called Liberals of Pakistan" were taken into possession by JIT vide recovery memo Exh.PJ which was signed by him and other members of JIT. On 03.06.2013, he prepared two CDs from e-mail account and face book account of the accused. He produced the same before Niaz SI which were taken into possession through recovery memo Exh.PK. On 05.06.2013, he

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procured the administrator page of face book group namely "So Called Liberals of Paksitan" and handed over the same to Niaz SI which was taken into possession through recovery memo Exh.PL. He recorded his staemetn u/s 161 Cr.PC regarding preparing of CDs etc.

PW-13 Niaz Ahmad SI :He received information from Muhammad Anwar Security Constable regarding protest about blasphemous acts of the accused. He reached in BZU where in UBL chowk, about 100/150 students were recording their protest that two pamphlets which were affixed by accused relating to blasphemous acts. Both said pamphlets were produced before him by Muhammad Anwar security constable after taking the same from said students. He recorded the written complaint Exh.PB and sent the same to PS through Farhan Ahmad constable for registration of FIR. He inspected the place of occurrence, prepared rough site plan Exh.PM and took into possession said pamphlets vide recovery memo Exh.PD, recorded statements u/s 161 Cr.PC of the witnesses. On 13.03.2013, he became member of JIT. Accused was formally arrested by JIT. All the recovered articles were taken into possession by JIT through recovery memo Exh.PC. On 14.03.2013, different thirteen posts were taken into possession vide recovery memo Exh.PE. Accused was sent to judicial lock-up. JIT took into possession two magazines Lalteen (P.2) and Family Magazine (P.1) through recovery memo Exh.PA. JIT recorded the statements of Dr. Hakoomat, Dilshad, Arslan, Muhammad Sharif, Anwar and Hanif u/s 161 Cr.PC. JIT also took into possession two CDs. JIT recorded statement of

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Muhammad Saleem in this regard. CDs were sent to PFSA, Lahore. Report u/s 173 Cr.PC was prepared. JIT found the accused connected with the occurrence.

PW-14 Moulana Abdul Rehman Shaheen: he received letter Exh.PN, and he gave Fatwa Exh.PN/1. He got recorded his statement u/s 161 Cr.PC. He gave opinion that blasphemous acts were committed in respect of Allah Almighty, Holy Propher (PBUH). Hazrat Zainab RA i.e. Um-ul-Momnin and Hazrat Zaid RA.

PW-15 Naeem-ul-Hassan SP City, Multan: he was member of JIT. JIT members reached at the place of protest against the accused. JIT recorded the statements of Rana Akbar Tabish and Muhammad Rafique. After that JIT reached in the office of VC and obtained data of the accused. They inquired from Dr. Shirin Zubair about whereabouts of the accused who told them that the accused had gone to Lahore through Daewoo Terminal, Multan who verified the departure of the accused. JIT sent Aftab SI and others in official vehicle to arrest the accused. They recorded the statements of the witnesses. All the recovered articles and posts were taken into possession through recovery memos by JIT. JIT visited Hamza Hall and recorded the statements u/s 161 Cr.PC of nine PWs. JIT also prepared rough site plan of place of recovery Exh.PA/1. JIT received Fatwa and recorded statement of Abdul Rehman Shaheen u/s 161 Cr.PC. JIT recorded the statements of recovery witnesses of recovery memos Exh.PK and Exh.PL and statement of Shahid Iqbal regarding delivery of CDs in the office

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of PFSA. JIT found the accused in commission of blasphemous acts.

CW-1 Muhammad Rafique : He, Tabish and others went to English department. They saw near the Notice Board, many students gathered there and they were reading the pamphlet affixed on notice board containing three questions. He tendered these questions in his handwriting at the time of recording his statement as Exh.PP. They were called by CPO office where he got recorded his statement u/s 161 Cr.PC by JIT. On pamphlet, name of accused was also written. The accused was in habit of sharing such type of views on social media. They restrained him not to indulge in such type of activities but he did not pay any heed. They made reference from Holy Quran and Ahadith of Rasool (PBUH) but he restrained them in harsh words (آیات مت بکو).

6. Learned DDPP tendered the report of PFSA, Lahore Exh.PR and closed the prosecution evidence while giving up PW Shabbir Jaffri Retired SP after tendering the following documents:-

- (i) Recovery memo of magazine Exh.PA
- (ii) Site map of recovery of magazine Exh.PA/ 1
- (iii) Complaint Exh.PB
- (iv) FIR Exh.PB/ 1
- (v) Recovery memo of photos, CNIC, driving licence, ATM, mobile phone, laptop etc. Exh.PC
- (vi) Recovery memo of two pamphlets Exh.PD
- (vii) Recovery memo of 13 posts (P.12 to P.24) Exh.PE
- (viii) Site map without scale of recovery Exh.PE/ 1
- (ix) Face-book data Exh.PF (1-35)
- (x) Photocopies of friends picture Exh.PG (1-118)
- (xi) G.mail data Exh.PH (1-344)
- (xii) Recovery memo of email posts, friends list etc. Exh.PJ
- (xiii) Site map of recovery Exh.PJ/ 1
- (xiv) Recovery memo of two CDs Exh.PK
- (xv) Recovery memo of page So Called Liberals of Pakistan Exh.PL
- (xvi) Site map of place of occurrence Exh.PM

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- (xvii) Sawalnama for seeking Fatawa Exh.PN
- (xviii) Fatawa Exh.PN/ 1
- (xix) Teen Sawal Exh.PP
- (xx) Family Magazines (P1), Lalteen (P2)
- (xxi) Preliminary report to probe the matter (PB/ 7-120)
- (xxii) Report regarding the death of Mr. Shabbir Jaffri Retired SP formulated by SHO PS Alpa, District Multan Exh.PQ alongwith photocopy of death certificate Mark-A
- (xxiii) Report of PFSA bearing agency case No.PFSA 201312313 consisting of three pages Exh.PR
- (xxiv) Office letter No.DPP/MN/2019-2261 dated 06.11.2019 Exh.PS,
- (xxv) Office letter No.Legal-D.630 dated 13.11.2019 of Assistant Registrar Legal of BZU Exh.PT
- (xxvi) Application for admission M. Phil English of the accused form No. No.28221 Exh.PU,
- (xxvii) selected candidates of M.Phil English Session 2011-13 first merit list dated 26.01.2012 Exh.PV,
- (xxviii) office order No.Admin/ Eng-04/ 9615 dated 22.12.2011 Exh.PW/ 1,
- (xxix) office order No.Admin/ Eng-04/ 5058 dated 31.05.2012 Exh.PW/ 2,
- (xxx) office order No.Admin/ Eng-04/ 4320 dated 09.05.2012 Exh.PW/ 3,
- (xxxi) office order No.Admin/ Eng-04/ 727 dated 21.01.2013 Exh.PW/ 4,
- (xxxii) letter of VC bearing No.VC-14/ 1-13/ 81 dated 13.03.2013 Exh.PX

7. The accused in his statement recorded u/s 342 Cr.P.C. has replied as under:-

"I was a member of the visiting/adjunct faculty of the Department of English (Language and Literature) Bahauddin Zakariya University, Multan between 2011-2013. I was simultaneously enrolled as an MPhil student 2011-2013 after I was selected on merit which is evident from Exh. PV (Selected Candidates of MPhil English Session 2011-13 First Merit List dd. 26.01.2011. I was the top candidate as the list shows. I had applied for a permanent position in the department after the University advertised the vacancy in the last days of December 2012. The interviews for the permanent position were about to be conducted when I was arrested after a group of students acting on their own and at the behest of some teachers conspired against the then Head of the Department of English, Prof. Dr. Shirin Zubair and also implicated me in the larger conspiracy by instituting this false case against me. Everyone in the university from the VC to the gardener and cleaners/sanitary workers knew that I would get the permanent faculty position and also that I would rise and shine on the teaching and academic horizons. Copies of my academic testimonials are submitted before this Hon'ble Court for consideration.

I proved to an easier target due to my vulnerability as a student and a relatively less experienced teacher compared to Prof. Dr. Shirin Zubair who went away and continued to live

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like a free person while teaching in other universities. Even to date, the university's website (https://bzu.edu.pk/v2_faculty.php?id=6) shows her as a faculty member "On Leave". It may be mentioned that Prof. Dr. Shirin Zubair is a highly qualified and highly respected academic not just in the BZU and within Pakistan but also elsewhere in the world. She has been a PhD supervisor approved by Higher Education Commission. Since this status means that she disqualified some, disapproved of others in admissions or did not recommend some candidates for teaching, or gave poor rating to some PhD candidates meant that she earned enemies too, within and outside of the university. Further, in early 2013 she intended to contest the election to the University's Syndicate, a prestigious forum, she was seen by some teachers as a threat to their status. But she was forced to withdraw from the candidature of Syndicate in early March 2013. Being a highly qualified woman teacher she had earned enemies in the person of some insecure teachers. There were a few teachers in the department as well as in the university, generally, who felt insecure due to the powerful personality of Prof. Dr. Shirin Zubair. It was generally believed that being among the most experienced among teachers and being highly qualified meant that she could soon become Vice Chancellor of the university. Some teachers in the English department and elsewhere in the university would be happy to see her ousted because in her presence they could not rise to the top position in the department or in the university. Others like Professor Hukumat Ali (PW11) had personal grudge in addition to the fear of being left behind by Prof. Dr. Shirin Zubair in the race for the vice chancellorship of university. Another such a teacher was Prof. Saiqa Intiaz who was part of the conspiracy against her. She had a grudge against me as well because she saw me as an ally of Prof. Dr. Shirin Zubair. On 12 March 2013 and before Prof. Saiqa Intiaz encouraged students especially women students of the English department and various hostels to help male students who hatched conspiracy against me. These were the students who were jealous of my academic success, feared that I might become a permanent faculty member through the selection process initiated for interviews to be held later at the end of March. They belonged to certain groups in the university who propagated violence as a means to acquire power. Prof. Saiqa Intiaz encouraged them to distribute forged and false pamphlets against me.

Rana Akbar Tabish (PW7) and Muhammad Rafique (CW) led these handful of students mentioned in the ExDM (Muhammad Rafique's complaint) who nursed grudge against me due to the fact, among others, that I had been granted a one year scholarship to study literature and drama in the Jackson State University, Mississippi, USA in 2009 and later on completed BA Hons programme (16 years of education) with flying colours. These students were also jealous that I was often given the opportunity to moderate events seminars and debates etc. by the administration of the university and my own departmental head Professor Shirin Zubair due to my good communication skills.

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PW7 Rana Muhammad Akbar, six weeks after the assassination of the former defence counsel of the accused, in his application for early disposal of the case submitted before this court on 19.06.2014 stated:

"I have the privilege to submit that I am the main PW in the case and virtually case was launched on my movement".

Further, the fact that these two PWs led the movement is admitted by both in different language. Their statements u/s 161 CrPC are identical to each other word by word. Their written complaints differ in content. The written complaints show that they also targeted Prof. Dr. Shirin Zubair. But statements u/s 161 focus on me. This shows that the police IO did not record their statements but manufactured the statements. This shows that there was collusion between them and the police IO and JIT.

Further, CW Muhammad Rafique in his statement submitted before the so-called inquiry committee contained in the Preliminary Inquiry Report placed on record as PB/7 to 120 (at page 71) vide this court's order dd. 14.11.2019.

At page 71 of the Preliminary Inquiry Report placed on record as PB/7 to 120 where (@ p.69-71) CW Muhammad Rafique states

"Dr. Shirin a night before advised us against taking out a rally and threatened them that those students of English department who participate in such an activity will be responsible for consequences" [Translated by the accused].

In the statement by CW before the so-called inquiry there is nothing specific against me. All PWs have been changing statements from one forum to another, from the inquiry committee to the police to what they stated before this Hon'ble Court. Take also the example of Rana Muhammad Akbar stated in his testimony before the inquiry committee (placed on record as PB/7 to 120 @ p.51 and p.65) as follows:

PW7 Rana Muhammad Akbar's statement @p.51 clearly shows his anxiety against me due to his fear that I might be inducted in the department as a permanent faculty member.

"Not only that Dr. Shirin used to often utter poisonous remarks against Islam and in order to make her work [against Islam] more effective Dr. Shirin was making her level best efforts to induct Junaid Hafeez [in the department]."

PW7's statement @p.65 indicates that he tried hard to maliciously connect Dr. Shirin with me to paint an extremely negative picture in the religious context.

"In the case of Tauheen-i-Risalat Junaid Hafeez was merely a puppet whose strings were in the hands of Dr. Shirin" [Translation by the accused]

It may also be submitted that the collusion and conspiracy was much wider than may appear to be the case. Reference may be made to p. 9 of the documents placed on record as PB/7 to 120 where reference to an earlier inquiry committee constituted is made along with the reference to "Committee report" Ref. no. 754/Pharm/13 dated 30.05.2013 which has not been placed on record for dishonest and malicious reasons. A careful perusal of these documents shows that there was pressure on the Vice Chancellor and he dismissed an earlier report Ref. no. 754/Pharm/13 dd. 30.05.2013 and reconstituted a new committee with different bigger

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composition of members who reached at different findings compared to the first one. Then one of the members of the committee withdrew and another member was inducted. A "Citizens Committee" was also constituted which had as members legal counsel Mr. Zulfiqar Ali Sidhu who has been representing private witnesses PW7 and others in this case (Reference may be made to p. 11 of the documents placed on record as PB/ 7 to 120. At p.12 a Note by the committee reads as follows

"The above mentioned questions were asked to those students and faculty members who were sent either by the chairperson of the Department of English or approached individually to the Fact Finding Committee."

This indicates that the then chairperson of Department of English, Prof. Saiqa Imtiaz, had a role to play. Prof. Saiqa Imtiaz was a direct beneficiary of the ouster of Prof. Dr. Shirin Zubair as she became the Head of Department. This promotion gave her the much needed experience as an administrator for future appointments. She is now a vice chancellor in a public sector university. It makes sense why would she become part of a conspiracy which would help oust Prof. Dr. Shirin Zubair and someone like me who was seen as close to Prof. Dr. Shirin Zubair.

Any head of the department and vice chancellor of university who would like to develop a good image of the department and also raise the standards would naturally promote such students and teachers who work hard and perform well in academics. One such event was held on 25 February 2013 where a writer namely Qaisra Shahrzad's books launched. Qaisra Shahrzad was invited by the University's administration as were other well-known writers or scholars were invited to deliver lectures and speeches in the universities not just in the English department but other departments too. The so-called witnesses PWs no. 8, 9, who gave false testimony and the given up witness Kashif Ahmed (who could not be compelled to appear before this learned court because no such student was ever enrolled in the university) have submitted in evidence that they attended a seminar with Qasra Shahrzad as a guest for her books launch in the university. They stated in their examination-in-chief that the said event in which I allegedly committed blasphemy was held on 25.12.2012. Whereas in their statements before the police PW8 mentioned 25.02.2013 and PW 9 mentioned it as 25.12.2013 (which shows that the latter's statement u/s 161 CrPC may have been written down on 25.12.2013 nine months after the registration of FIR No.103/2013. The event was in fact held in the last week of March, 2013, not on 25December 2012. Newspaper clippings dated 28.03.2013 are being submitted for the kind perusal of the learned Court. My Facebook account was hacked about several months before the events of 13 March 2013. Being a busy student/MPhil research scholar and even a busier teacher, I had absolutely no time to retrieve my Facebook account and engage in Facebook or any social media gimmickry. This fact would have been proven if the JIT had contacted Facebook Inc. The posts and the secret group being attributed to me is simply false and concocted. If the JIT obtained the user ID and

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password from why did they not preserve the Facebook account? Why did they lose control over it. All the printed Facebook posts are fake, and were posted by the hackers. It was in this kind of environment that I received threatening messages on my cell phone no. 0333-6443006 in which I was told to withdraw from the candidature of lectureship or I would have to face dire consequences. Most of these were flash messages and origins of such messages could have been easily tracked if the police had honestly and diligently investigated based on the information I gave them on 14 March 2013. When I was arrested on 13 March 2013 in Lahore and brought to Multan, I had informed the police IO Niaz Ahmad (SI) that I had been receiving threats from unknown numbers on the days leading to 13th March 2013 (13.03.2013) when I was arrested. On 12.03.2013 I had received a death threat. I believe that those arrayed as private witnesses in the challan/police report including PW7 and CW were committing those intimidating acts. I told IO Niaz Ahmed and other members of JIT about it and also that the allegations against me were part of a bigger conspiracy to force me to withdraw from the race to achieve Lectureship (BS-18). I also informed him that my cell phone with SIM number 0333-6443006 must have had those messages. But the IO Niaz Ahmed instead of bringing my original cell phone number tried to suppress it with fake number 0332-4312442 as mentioned in ExPC. When I insisted Niaz PW13 asked for bribe in the sum of 100,000.00.

When during cross-examination this honourable court allowed me and my counsel to examine Zimni number 2 dd. 14.03.2013 I saw that the writer of the case diary zimni number 2 wrote my true 03333-6443006 instead of the one which was later on written on the recovery memo ExPC dd. 14.03.2013, i.e 0332-4312442 which is not registered in my name. They didn't even bother to check with the concerned service providing cell phone company and get the Call Data Record. My cell number (SIM) 0333-6443006 and cell phone on which I received threatening messages was not sent for forensic examination and relevant data was not procured, and if it was procured the police officials maliciously and dishonestly did not place it on record due to the collusion of the IO and other police officers in the JIT with the conspirators. The recovery memo ExPC is therefore false and forged document and it was definitely not made on 14.03.2013 but it was made later on after deliberation, and in the process they ignored the fact that the case diary could be summoned by this learned court. It may also be noticed that Niaz Ahmed PW13 has specifically mentioned this number 0332-4312442 from among the articles allegedly recovered from me in his examination-in-chief. But not only that PW13 suppressed my cell number, but also that PW12 and PW15 did not mention this number specifically and expressly. The fact that 0333-6443006 was in 2013 registered against my name and that I never used 0332-4312442 and it was never recovered from me, cannot be denied especially in light of the fact that the latter number 0332-4312442 is mentioned on fake and false recovery memo ExPC. This clearly establishes

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collusion between the police and the people who lodged false case under sections 295C, 295B, 295A of PPC.

The fact is that the police officers who arrested me at Daewoo Bus terminal at Lahore took away all my possessions including laptop and cell phone as has been recorded in evidence. But the recovery memo was made later on not instantly and at the place of arrest and recovery. I have no idea what they did after taking away my articles, especially my laptop and my cell phone. They didn't immediately make recovery memo as is obvious from the evidence/statements submitted by PW5, PW12, PW13, & PW15. I was never allowed to see and touch any of my possessions. PW5 Aftab Ahmed describes the articles he recovered from me and after mentioning some of the articles states "these articles were presented before SP Investigation, SP City & DSP Saddar which were taken into possession by the JIT". He doesn't claim to have made recovery memo, nor does he state that a sealed parcel was made of the articles recovered in accordance with the rules. Therefore, the recovery of articles is denied.

Other articles presented in evidence by the prosecution as exhibits are also false, fake and forged thus unreliable

1. Exh. PC
2. Exh. PD
3. Exh. P3 & P4
4. Exh. P.22
5. Exh P12 to Exh.P24 and Exh. PE
6. Exh.PF/ 1 to Exh.PF/ 35
7. Exh. PG/ 1-118 and Exh. PG
8. Exh. PH/ 1-344 and Exh.PJ
9. Exh. P 25/ 1-2 CDs and ExhPK
10. Exh. P26
11. Exh. PL
12. Exh. PM

And all other documents placed on record as exhibits or otherwise in support of the prosecution's case are false thus unreliable.

On 16.03.2013 I was expelled from the university without being provided an opportunity to be heard which shows how effective the conspiracy was against me and how deeply affected and scared the university administration and the VC was. Despite the fact that the Vice Chancellor had in his letter dd. 13.03.2013 indicated that an inquiry would be conducted regarding allegations against JunaidHafeez, but those who created terror in the university did not let any inquiry take place so far as allegations against me were concerned because if impartial inquiry were to be conducted then all the conspiracy would be exposed. The Notification of expulsion is being submitted for this court's consideration.

8. Accused did not opt to appear as a witness u/s 340(2) Cr.PC. However, he tendered following documents in defence evidence and closed it.

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https://bzu.edu.pk/v2_faculty.php?id=6 department of English Mark-DV
US Educational Foundation in Pakistan letter dated 14.05.2009 Mark-DW
Certificate of participation presented to Junaid Hafeez Mark-DX
Degree of BA Joint (Hons.) in English Literature & Linguistics Mark-DY
Letter of Credential as Testimonial issued by HCBA, Multan Mark-DZ
Certificate of Honour issued by BISE, D. G. Khan Mark-DAA
Certificate for Intermediate Examination 2003 Mark-DBB
Certificate for matriculation Examination 2001 Mark-DCC
Copy of petition for early disposal of the case on behalf of PW-7 Mark-DEE
Statement u/s 161 Cr.PC of Shahid Kaleem Mark-DFE/1
Statement u/s 161 Cr.PC of Muhammad Sharif Mark-DFE/2
Statement u/s 161 Cr.PC of Kashif Ahmad Mark-DFE/3
Second statement u/s 161 Cr.PC of Kashif Ahmad Mark-DFE/4
Statement u/s 161 Cr.PC of Dr. Muhammad Shakeel Mark-DFE/5
Statement u/s 161 Cr.PC of Muhammad Dilshad Mark-DFE/6
Press clipping of Daily Khabrain dated 28.02.2013 Mark-DGG/1
Press clipping of Daily Express dated 28.02.2013 Mark-DGG/2
Press clipping of Daily Jang dated 28.02.2013 Mark-DGG/3
Press clippings of Daily Nawa-e-Waqt dated 28.02.2013 Mark-DGG/4

9. As the accused produced documentary evidence in his defence so as per section 265-G(2) Cr.PC, the learned defence counsel was called to sum up the case whereafter, prosecution made its reply.

10. Learned defence counsel has argued that the accused has been falsely implicated in this case due to malafide and ulterior motive of private PWs. The offence u/s 295-A PPC is not triable by this Court, so, mandatory requirements of Section 196 Cr.PC have been violated, whereas the remaining offences u/s 295-B and 295-C PPC are not attracted from the facts and circumstances of the present case. In the FIR, date of occurrence has been mentioned as 10.02.2013 whereas the PWs deposed that the occurrence has taken place on 13.03.2013 and Law Enforcing Agency came in motion from said date. There are major contradictions between the statements of the prosecution

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witnesses. PW-13 Niaz Ahmad admitted that on 26.03.2013, incomplete report u/s 173 Cr.PC (Exh.DH) was submitted while mentioning therein that investigation is complete but in the end, it was mentioned that complete report u/s 173 Cr.PC will be submitted after receiving the report from PFSA. So, the report u/s 173 Cr.PC is result of fabrication and manipulation. In Exh.DN number of witnesses and their names are different to that of the names and number of witnesses mentioned in report u/s 173 Cr.PC.

11. It has not been brought on record that who affixed/pasted pamphlet on notice board. All witnesses i.e. Rana Tabish PW-7, Muhammad Rafique CW-1, PW-12, 13 & 15 are silent about this fact. PW-13 deposed that pamphlets mentioned in the FIR were given to him by Anwar after removing the same from notice board, which was affixed by the accused but PW-7 showed his ignorance about it. The pamphlets were distributed before 13.03.2013. PW-12 and PW-13 have deposed falsely regarding delivery of pamphlets.

12. PW-12 deposed that he was computer expert having degree of MCS but he failed to produce his degree of MCS till today. He downloaded P.12 to P.24, PF/1 to 35 while operating facebook account of accused. He also prepared two CDs after three months and produced the same before Niaz SI in presence of PWs Haqnawaz and again said in presence of Muhammad Akhtar and Tariq constable. These two witnesses have not been examined. CDs were prepared just to conceal the truth and are afterthought. There are also contradictions between the statements of PWs regarding place and preparation of CDs. PW-13 Niaz negated the version of PW-12 regarding place and preparation of CDs. These are major discrepancies which have demolished the prosecution case. These CDs were not carrying the security procedures, so, the same are not reliable according to modern scientific standard. So, report of PFSA is also not reliable.

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13. Prints P.12 to P.24 and PF/1 to 35 were taken from facebook account of accused after obtaining ID and password. JIT after scanning of said page (P.23), allegedly organized, managed and made by the accused, took into possession after taking its print and produced the same in evidence against the accused. PW-12 in cross examination deposed that P.23 has not been taken from facebook account but in examination in chief, PW-12 deposed that all these posts have been printed out by him from facebook account of the accused. Statement of PW-12 and 13 in this regard are bunch of lies. Investigation has been conducted with dishonest and malicious manner.

14. Accused was allegedly arrested on 13.03.2013 from Lahore and produced before the JIT on 14.03.2013. All witnesses i.e. PW-8, 9, 11 & 14 are false, fabricated and manipulated witnesses. The articles which were taken into possession at the time of arrest of the accused were neither sealed nor their recovery memos was prepared. Recovery memo Exh.PC is a false and fabricated one which cannot be relied upon. As per PW-3, he went to the English department with Niaz SI whereas PW-13 Niaz deposed that Muhammad Anwar informed him regarding the protest lodged by the students against the accused. PW-3 mentioned the time 11:00/12:00 noon whereas Niaz SI mentioned the time of early in the morning. The time mentioned in the complaint is 10:30 a.m. The prosecution witnesses are at variance regarding the time of the occurrence and their arrival in the English department.

15. The recovered articles were not sent to Forensic Lab for their analysis. The Laptop recovered from the accused was operated by prosecution, so the documents recovered from said laptop are not reliable. Neither the facebook authorities nor FIA, PTA were approached to ascertain the validity and reliability of the digital evidence, produced by the

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prosecution. The evidence of PW-15 is also not reliable as he has mentioned the same story which has been negated by PW-12 & 13. All these witnesses are at variance on the major points. P.23 is the pamphlet which has been written against Junaid Hafeez and it was not possible that he himself produced the same as evidence against him. Kashif Ahmad witness was not the student of the university who delivered two magazine Lalteen and Family Magazine. Prosecution witnesses are at variance regarding place of delivery of said magazines. The prosecution has failed to prove that who recorded the statements of the witnesses either by the JIT or Niaz Ahmad. PW-7 deposed that he did not hear any derogatory remarks from the accused against Holy Personalities. Prosecution could not ascertain the identity of Mullan Munafiq. All this case was manipulated against the accused just to get him expelled from the department.

16. The prosecution has got issued letter P.3 from V.C. forcibly along-with Annex "A" and used it against the accused with malafide intention and ulterior motive. PW-12 deposed that he procured Admin page on facebook namely So Called Liberals of Pakistan and handed it over to Niaz SI.

17. The pamphlets were distributed against the accused as a conspiracy prior to 13.03.2013. CW-1 has deposed regarding the mayhem in the hostel on 12.03.2013. He has also deposed that Qazi Abid professor did not pay heed to them and he reprimanded them. The statement of PW-13 regarding the pamphlet is misleading. The CDs were prepared on 03.06.2013 with inordinate delay and PW-26 Admin page was retrieved after three months and no cogent reasons regarding this delay has been given.

18. Learned defence counsel further argued that the accused was top candidate. He had applied for a permanent position in the department after the university advertised the vacancies in the last days of December, 2012. The interviews

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for the permanent position were about to be conducted when he was arrested after a group of students acting on their own and at the behest of some teachers conspired against Dr. Shirin Zubair and implicated him in the larger conspiracy. On 16.03.2013, he was expelled from university without giving him opportunity of being heard. The notification of his expulsion is also available.

19. There was no protest of students at UBL chowk. Had there been any protest of 100/150 students, Niaz Ahmad SI and JIT would not have been failed to gather further evidence and record statements of more witnesses. There is a contradiction between PW-13 Niaz Ahmad and PW-3 Muhammad Anwar regarding their arrival at the so called place of occurrence. No investigation was conducted to find out who affixed the blasphemous posts/pamphlets on the notice board. The statements of PW-7 and CW-1 recorded by the IO u/s 161 Cr.PC are absolutely identical which is an improbability. Similarly, statements of other private witnesses recorded u/s 161 Cr.PC are identical. Prof. Shakeel Ahmad declined to come to the court to be examined. Statements u/s 161 Cr.PC of the other private witnesses such as Arslan and others are also false.

20. The FIR was registered after much deliberation. The alleged posts by Mullan Munafiq was posted on 10.02.2013 and it was downloaded by one of the conspirators. CW-1 and PW-7 during cross examination with reference to his complaint even admitted that he downloaded some of the posts and made pamphlet as the sentences written on it against accused show that conspiracy was hatched against accused. The pamphlet was distributed on 12.03.2013 to incite students against him to inflict violence. It is lie that he created administered and operated facebook So Called Liberal of Pakistan.

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21. According to the prosecution evidence blasphemous posts originated from one Mullan Munafiq but the investigation was not conducted to find out who affixed it on notice board and what was his intention. In fact, no pamphlets were ever pasted on any notice board. The recovery memo Exh.PD attested by recovery witnesses Muhammad Waseem 2241/C PW-6 and Haqnawaz 2244/C is a forged document.

22. Location of so called notice board according to PW-3 was different from what was deposed by PW-7, PW-13 and CW-1. JIT never visited the so called place of occurrence. This fact came out when PW-13 was confronted with Zimni No.1 and 1(Alif). Those who manufactured and fabricated evidence against accused knew his absence from the university. Someone had written a sentence in Urdu on backside of Exh.P.23. Last night this boy stayed at the V.C's house and in the morning the VC himself gave him a safe exit to run away.

23. The email data and other data which was allegedly deleted, no witness deposed about the deletion. The computer etc. should have been sent for forensic analysis.

24. Since, no recovery memo was made immediately after recovery and the items recovered were not sealed, therefore, no reliance could be placed on these items.

25. The learned defence counsel further argued that facebook account of the accused was hacked a few months before the event of 13.03.2013. All the alleged blasphemous contents are from the last three months. All the printed facebook posts are fake. He never created, operated the so called alleged facebook secret group So Called Liberals of Pakistan. All the exhibits are fabricated. IP addresses and other information regarding location and users of facebook

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and its users from facebook and Pakistan Telecommunication Authority were not received.

26. PW-8 Shahid Kaleem and Muhammad Sharif PW-9 did not attend the seminar. The seminar was held in the last week of March, 2013, not on 25.12.2012. Reports in the newspapers falsify the depositions of PW-8 and PW-9.

27. Exh.PH/23 was printed on 18.03.2013 at 5:08 a.m. Exh.PH/43 was printed on 19.03.2013 at 01:50 a.m. Exh.PH/73, 74, 75 on 17.03.2013. The claim of prosecution was that FIR was registered without delay then why these prints were taken in possession several days after. Recovery memo Exh.PJ and all other recovery memos are fabricated.

28. All the prosecution witnesses made dishonest improvement in their statements. CDs are unreliable due to broken chain of custody. P.26 is fabricated as it was allegedly recovered months later after accessing the alleged facebook page and secret group. He never went to Dr. Hakoomat Ali's house. He did not allow the post Exh.PF/29 to be seen on his timeline. He did not share Exh.PF/28 and Exh.PF/30. JIT did not contact to facebook Inc. and PTA to find out who were behind the facebook users with the names of "MullaMunafiq" and "Critical Analyst". Mutual friends do not carry the significance. Leading questions cannot be raised as evidence against the accused.

29. PW-12 and other prosecution witnesses could not confirm how the facebook was activated and then deactivated by him. No memorandum was made. PW-12 never took prints of alleged exhibits on his own during investigation. Blasphemous content in the form of printed posts were provided to the PW-12 and rest of the JIT by PW-7, PW-8, PW-9, PW-10 and PW-11. To fortify his arguments, he has placed reliance on 2013 P Cr. LJ 619 [Supreme Court (AJ&K)], 1993 SCMR 550, 2016 YLR 2212, 2008 SCMR 6

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[Supreme Court of Pakistan], PLD 2011 SC 554, 2019 P Cr. LJ 472, 1996 SCMR 1553, AIR 1937 Madras 618, AIR 1929 Lahore 344, AIR (32) 1945 Madras 202, 2003 YLR 110, PLD 2008 Peshawar 157, 2014 P Cr. LJ 1236 [Islamabad], PLD 1992 Lahore 336, PLD 2009 Lahore 254, 2019 P Cr. LJ 1033, 1973 P Cr. LJ 858 [Karachi], 2010 SCMR 1604, 2017 SCMR 596 [Supreme Court of Pakistan], PLD 2018 Lahore 28, 2016 SCMR 1144 [Supreme Court of Pakistan], PLD 2019 SC 64, PLD 2019 Supreme Court 527, 2015 SCMR 315 [Supreme Court of Pakistan], 2011 SCMR 1127, 2018 SCMR 1425, PLD 2018 Lahore 28, 2017 SCMR 596 [Supreme Court of Pakistan], 2018 SCMR 1425, 2011 SCMR 1127, 2015 SCMR 315 [Supreme Court of Pakistan], 2019 P Cr. LJ 1033, PLD 2019 Supreme Court 527, PLD 2019 SC 64. In nutshell the prosecution has failed to proved its case against the accused and he be acquitted.

30. Learned DDPP assisted by the learned counsels for the witness argued that accused Juniad Hafeez was a visiting lecturer English Department B.Z.U, Multan. On 13.03.2013 Niaz Ahmad S.I. PW 13 along with Muhammad Waseem 2241/C/ PW 06 and other officials received information regarding protest of students. They reached at UBL Chowk B.Z.U, Multan, where 100/150 students were protesting regarding accused's continued deliberate, blasphemous, derogatory, malicious acts in respect of Allah Almighty, Holy Prophet (P.B.U.H), Holy personalities i.e Uma-Hatt-ul-Momnin. He intended to outrage and insult the religious feelings of Muslims on his face book group "So-called liberals of Pakistan" as well as in different lectures and Seminars. Muhammad Anwar 889/C/PW 3, after removing the Pamphlet P-3 and P-4 from the notice board produced the same before Niaz Ahmad S.I who recorded the written complaint EX.PB and sent the same to police station Alpa for registration of FIR. On receiving the complaint EX.PB, Khalid

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Saeed 26769/HC/ PW-4 chalked out formal FIR No. 103/13 EX.PB/1.

31. On 13.03.2013 Niaz Ahmad S.I prepared rough site plan EX.PM of the place of occurrence / place of protest UBL Chowk B.Z.U. He took into possession pamphlet P-3 and P-4 through recovery memo EX.PD attested by recovery witnesses Muhammad Waseem 2241/C/PW-6 and Haq Nawaz 2244/C.

32. On 13.03.2013 JIT team consisting of Ghulam Shabir Jaffari S.P, investigation (since died), Naeem-ul-Hassan S.P, City PW-15, Muhammad Amjid DSP/ SDPO Sadder, Niaz Ahmad S.I / SHO Alpa PW -13 and Muhammad Saleem S.I / PW 12 Incharge I.T Branch CPO office Multan was constituted who visited the place of occurrence, recorded statements of PWs, met the V.C of university and obtained data of accused from the office of Vice Chancellor. The JIT also met with Dr. Shereen Zubair Head of English Department who disclosed that accused had gone to Lahore through Daewoo Bus on the same day.

33. They further argued that accused Junaid Hafeez escaped from Multan to Lahore at 10:A.M on 13.03.2013 after boarding on Dewoo Bus bearing registration number 3873/LES at seat No 32. He willfully absconded from Multan to Lahore in order to leave Pakistan for USA. One of his facebook friend and member of his blasphemous facebook group "so called liberals of Pakistan", "Bushra Aziz" (bushra124@yahoo.com) emailed in this regard to Mr. Jason Rieff Consular Officer U.S Consulate General Lahore Pakistan on 13.03.2013. Said email EX.PH/6 was recovered from his email (juniad.hafeez86@gamil.com) by JIT.

34. Police party consisting of Naveed, Naeem, Zahid, Zaffar constables and headed by Aftab Ahmad S.I / PW 5, deputed by JIT arrested the accused. At that time accused was holding two bags, one was hanging on his shoulder and other was in your hand at that time.

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35. On 14.03.2013, Aftab S.I / PW 5 produced accused before JIT in the office of S.P, investigation along with 02 bags which were in his possession at the time of his arrest. The JIT took into possession certain articles i.e. original CNIC, student card Jackson State University, cash amount of Rs. 4480/-, wallet brown colour, mobile phone Nokia 302, English book Modern Linguistics, head phone, data cable, one power cable Laptop charger, One computer flash PTCL 3.G net devic, one laptop bearing Sr. No. 00039613121655 No.712257003 P.42 (P-5) etc. The said articles were recovered from a black coloured bag. From search of other black coloured bag of accused, one SIM U. Phone No. 0332 4312442, one English book titled a FINGER PRINTING POPULAR CULTURE (Oxford). All the said articles were taken into possession by JIT through recovery memo EX.PC. Aftab Ahmad S.I PW 5 and Zafar Constable attested said recovery memo besides members of JIT.

36. On 14.03.2013, during investigation accused disclosed before the JIT his email address and user name "juniad.hafeez86@gmail.com" and password "rub@}cv*&3006" of his facebook account / group, "So called liberals of Pakistan". He further login facebook account / group on his laptop after the same was connected with the internet of the S.P, Office. The JIT procured through snapshots various computer systems, different 13 posts P-12 to P-24 from his face book group "So, Called Liberals of Pakistan" which were taken into possession by JIT through recovery Memo EX.PE duly attested by the recovery witnesses Niaz Ahmad S.I/ PW 13 and Muhammad Saleem S.I/. PW 12 besides the others members of JIT. The JIT also prepared rough site plan of said recovery EX.PE/1.

37. Accused had his active email address juniad.hafeez86@gmail.com and password and was active Facebook user and social media user having his own facebook page."So-called liberals of Pakistan.

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38. He created face-book group "So-Called Liberals of Pakistan" from his facebook account /ID Juniad Hafeez. There were about 800 members of said group, Junaid Hafeez was the sole administrator of said group. As per setting of said group no one can post and or become member without his permission. All the blasphemous, derogatory, malicious, posts were posted in his group by him and his friends with his permission and these posts were in his knowledge but he did not attempt to delete the same rather liked them.

39. The accused in his lectures to B.S English class and in different seminars used to say that "the Holy Quran is not the Holy Book and the same is just a myth". He used to say "the Holy Quran was written by Hazrat Muhammad (P.B.U.H) himself and the same is not divine book. He further used to say that as "the Holy Book was written by Muhammad (P.B.U.H) himself, hence, he called God as "He". He also used to allege that as word HE is used for God, so in Islam women have no rights and they are gender with low status.

40. In a Seminar "building bridge" held in IMS Hall B.Z.U, Multan, accused started his speech as speaker by uttering the following words "In the name of Allah Almighty, who is always absent, without any leave, whose omnipotent absence is always taken for his omnipotent presence". Shahid Kaleem PW 8, Muhammad Sharif PW 9 and others attended the said seminar, they deposed as witnesses against.

41. Accused used to defile the Holy personalities i.e. Uma-Hatt-ul-Momnin in his class lectures and in different Seminars by Saying that they are just characters. They neither existed in reality nor they had such like characters as the same alleged by the Muslims.

42. On 16.03.2013 during investigation JIT recovered his Facebook friend list consisting of 1397 friends and 35 more posts from his group "So, called liberals of Pakistan" and the email data of accused Junaid Hafeez from his email

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address. Thus all the said data was taken into possession by JIT through recovery memo EX.PJ. The JIT also prepared rough site plan of said recovery.

43. They further argued that on 18.03.2013, JIT took into possession two Magazines i.e LALTEEN P.2 and FAMILY MAGAZINE P.1 through recovery memo EX.PA. As per page 48 of family Magazine there is photograph of the accused while addressing the CEREMONY of English department wherein he accused uttered the words” in the name of Allah who does not any existence in this world and we are obeying him” in disrespect Allah Almighty. PW 10 Arslan Khalil heard and witnessed the accused uttering said words and he deposed against him as witness.

44. The accused passed blasphemous comments in direct conversation with Rana Akbar Tabish (PW-7) student of English Department BZU, Multan of face-book group “department of English BZU visible in tool bar of P-12 but also via posts. He said Muhammad Akbar Tabish PW-7 protested on said group, due to which, accused not only removed the members who supported the protest of PW-7 but also further insulted & humiliated Islam and its fundamental principles by calling Quran plagiarism and saying versus of Holy Quran compared with spitting out (آیات مت بکو).

45. On 21.05.2013, Mufti Moulana Abdul Rehman Shaheen / PW 14 received a letter EXPN from Mr. Naeem-ul Hassan S.P, City / PW 15 for attaining FATWA regarding derogatory acts and posts of the accused. On the basis of said letter Mufti Abdul Rehman Shaheen / PW 14 gave FATWA No. 15/2013 EX.PN/1 dated 28.05.2013. As per said Fatwa accused passed derogatory remarks in respect of Allah Almighty and committed blasphemous act, Holy Prophet (P.B.U.H), Hazart Zainab R.A (Um-ul-Momnin and Hazrat Zaid R.A).

Waqar J. Dary
 JUDGE
 ADDL. D. OFFICE & SESSIONS JUDGE
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 11.11.2013

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46. On 03.06.2013, Muhammad Saleem S.I Incharge IT Branch / PW 12 prepared two CDs P.25/1 and P.25/2 from his facebook group So Called Liberals of Pakistan and produced said CDs before JIT which were taken into possession through recovery memo EX.PK and the said CDs were handed over to Ghulam Murtaza ASI /PW 1/ Moharir PS. Alpa for safe custody and onward transmission to the office of PFSA, Lahore. Ghulam Murtaza ASI /PW 1/ Moharir handed over the CDs P. 25/1 and P.25/2 to Shahid Iqbal 3709/C/ PW 02 for onward delivered to the office of PFSA, Lahore who deposited the same in said office on 07.06.2013 intact. On 06.06.2013 Ghulam Murtaza ASI/ Moharir / PW 1 handed over the sealed parcels of CDs P/25/1 and P. 25/02 to Shahid Iqbal 3709/C PW2 who deposited the same in the office of PFSA, Lahore on 07.06.2013 intact. The report of PFSA bearing serial No 000005425-26-27EX.P regarding CDs P/25/1 and P.25/2 were tendered in evidence against him by prosecution. The chain is not broken.

47. Muhammad Saleem S.I/ Incharge IT Branch PW 12 produced administrative page P.26 of his facebook group "so-called Liberals of Pakistan" before the JIT which was taken into possession through recovery memo EX.PL. As per setting of administrative page his group was secret group and he was the sole admin of said group and no one can post or became member of said group without his permission. As per P.26 this group so-called liberals of Pakistan" was created and joined by him about seven months prior to registration of instant case. There were 99 + messages / posts in new feeds pending for his approval as per admin page. As per prosecution evidence, the accused used to change status of his group as open group and secret group as per his own in different times.

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48. JIT took into possession Hard copy of email data of his email account "juniad.hafeez86@gmail.com" through recovery memo as per his email data first mail which was found in his email was of Tuesday March 12.2013 6;30 P.M EX.PH/5 prior to said date no email data was found by JIT in his email which reveals that he deleted his earlier received email data with malicious intention in order to destroy evidence against him so that he could save himself from legal punishment.

49. About three days prior to 13.03.2013 Muhammad Dilshad and Arslan Khalil PW 10 visited the house of Professor Dr, Hakumat Ali / PW 11 in order to complain about his blasphemous derogatory and defiling acts and he asked them to come next day and repeat the said allegation in front of accused Junaid Hafeez. On the next day, said Muhammad Dilshad and Arslan Khalil PW 10 visited the house of Dr. Hakumat Ali PW 11, accused Juniad Hafeez was also present there where in presence of Arslan Khalil PW 10, he repeated his derogatory / blasphemous remarks and blasphemous posts shared by the accused and his friends with his permission on facebook group "So-Called liberals of Pakistan" in response accused replied that every person has a right of freedom of expression and he expressed his views. They further argued that "critical analyst" was facebook friend of the accused as per EX.PG/47 facebook friends list procured by JIT from his facebook account / ID Junaid Hafeez. As per EX.PF/29 the accused shared / allowed on his timeline on February,27 Critical Analyst post containing the blasphemous material. Profile picture of the accused is visible on said page and he shared a post on his timeline titled "Islam sanctioned rape in the Quran" EX.PF/30, EX.PF/28. He permitted his facebook friend "critical analyst" to share a post EX.P.14 on his group "So-Called Liberals of Pakistan" Titled as "HALALA another shameless Islamic teaching and

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ritual” having top caption” Quran has made women a Sex Toy” Sura Baqra-230”.

50. The accused permitted and shared his facebook friend “critical analyst” post EX.PF/3 having blasphemous material;

“Whatever was done by maniac named Muhammad is still well practiced by the Muslims. Looting, Burning and Ambushing Peace loving people were the ways of Muhammad (piss be upon him)”. He and his facebook friend “Mulla-Munfiq” has 31 mutual friends on facebook as per EX.PG/38. He and his facebook friend “Mulla-Munfiq” shared a posted titled “TEEN SAWAL” on February, 10 at 8; 53 P.M and the accused liked the said post as per EX.P.22 and he also permitted and shared his facebook friends Mulla-Munafiq same post in his group “So-called Liberals of Pakistan”. The post was also the part of pamphlet pasted at notice board as deposed by Rana Akbar Tabish PW 07.

51. Accused permitted and shared his face book friend “Mulla-Munafiq” post titled “JANAT SAY TAZA KHABER”EX.P.24 shared by him February, 14 at 8:05 AM and he permitted the same post to his group “So-Called Liberals of Pakistan” as per EX.PF/34.


52. Accused shared a post titled 72 “HOORs” for 01 momin! Ahem;. Having semi-nude pictures of women on February, 10 at 7:20PM. In response to a comments of Khizar Jamal Jamali his facebook friend, accused Junaid Hafeez commented “spiritual entertainment, yani rohani lazzatain, oops, very erotic” on February. 19 at 3:47 pm as per P.18. The said posts were also shared by him in his group so-called Liberals of Pakistan as per EX.PH/17.

53. The accused also shared posts titled “KHUDA KA DAFAH” PF/5 “ KHUDA APNY WAJUD KI MAHEYAT AUR GAYAT KA DIFA KERNY “MAIN NAKAM REHA HAI” P.F/4, “WHY GOD NEVER RECEIVED A PHD”PF/8, DEEN-E-SALAMTI KIEX.PF/11.

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54. During cross examination of PW-12 Muhammad Saleem, accused took a specific plea that user name & password of your face book account / group was obtained after exercising physical torture upon him and this plea was negated by PW-12. Accused also took a plea that no opportunity was provided to him to consult his counsel at the time of obtaining his face-book account/group user name and password. He also put a specific suggestion that other members of JIT were not present at the time of obtaining password and user name of said face-book account.

55. Prosecution also tendered in his evidence office letter No.DPP/MN/2019-2261 dated 06.11.2019 Exh.PS, office letter No.Legal-D.630 dated 13.11.2019 of Assistant Registrar Legal of BZU Exh.PT, application for admission M.Phil English of the accused from No.28221 Exh.PU, selected candidates of M.Phil English Session 2011-13 first merit list dated 26.01.2012 Exh.PV, office order No.Admin/Eng-04/9615 dated 22.12.2011 Exh.PW/1, office order No.Admin/Eng-04/5058 dated 31.05.2012 Exh.PW/2, office order No.Admin/Eng-04/4320 dated 09.05.2012 Exh.PW/3, office order No.Admin/Eng-04/727 dated 21.01.2013 Exh.PW/4, letter of VC bearing No.VC-14/1-13/81 dated 13.03.2013 Exh.PX and preliminary inquiry Mark-PB/7 to 120. To fortify their arguments, he has placed reliance on PLD 1994 Lahore 485, PLD 1992 Lahore 1, 2005 YLR 985, 2010 SCMR 1791, PLD 1991 Federal Shariat Court 10, 2007 SCMR 518, 1994 MLD 15, 2008 SCMR 742, PLD 2014 Federal Shariat Court 18, PLD 2017 Islamabad 218, PLD 2006 Supreme Court 61, 2005 P Cr. LJ 667, 2014 P Cr. LJ 1405, 2016 YLR 577, 2013 YLR 548, 2004 SCMR 1766, 2014 YLR 2087, PLD 2014 Peshawar 69, 2018 SCMR 762, 2006 P Cr. LJ 110, 2000 P Cr. LJ 1882, PLD 2002 Lahore 587, PLD 2016 Lahore 570, PLD 2019 Lahore 366, PLD 2009 LHR 254, PLD 2009 Lahore 254, 2009 P Cr. LJ 57, 2006 CLD

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1491, 1995 MLD 1485, PLD 2010 Federal Shariat Court 215, 2012 YLR 2686, and PLD 2006 Supreme Court 61. In nutshell, the prosecution has proved its case against the accused.

56. Arguments heard. Record perused.

57. The accused has been charged for deliberate and malicious acts intended to outrage religious feelings of Muslims by insulting their religion or religious beliefs, describing Holy Qur'an as derived from Mesopotamian folk stories and using derogatory remarks in respect of the Holy Prophet Hazrat Muhammad (PBUH).

58. *To constitute offence under section 295-C PPC, number of witnesses are not required and it is not necessary that such abusive language should be made loudly in public or in a meeting or at some specific place, but statement of single witness that somebody had made utterance for the contempt of the Holy Prophet (PBUH) even inside the house is sufficient to award death penalty to such contemnor. (2005 YLR 985 DB)*

As per Muhammad Anwar 889/C PW-3 on 13.03.2013, he went to English department of B.Z. University alongwith Niaz Ahmad SI. One pamphlet containing two pages was affixed on notice board of the above said department. On its head-note "TEEN SAWAL" were written which were created by accused Junaid Hafeez. As per PW-6 Muhammad Waseem 2241/C, at UBL chowk of B.Z. University, 100/150 students were protesting. Some of the students intimated them that Junaid Hafeez had prepared Mulla Munafiq on his facebook. Anwar Security constable brought two pamphlets before Niaz SI which were taken into possession through recovery memo Exh.PE. At one pamphlet there were three questions which were against Quranic injunctions and against Holy Prophet Hazrat Muhammad (PBUH). During the course of cross examination, he deposed that the students who were protesting intimated Niaz SI that Junaid Hafeez pasted these pamphlets on notice board. The contents of these pamphlets

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Exh.P.3 and P.4 were read over by the witnesses on the asking of learned defence counsel. Through this mode, he got the clarity and got verified the contents of the notice.

59. Rana Akbar Tabish PW-7 student of MA English deposed that on 13.03.2013, it was morning time. He alongwith his friend Muhammad Rafique Baloch proceeded towards English department, students had gathered in front of notice board in English department. A pamphlet carrying three questions was pasted on notice board.

تین سوال

مسلمان کہتے ہیں کہ 'محسن انسانیت' نے اپنے منہ بولے بیٹے کی بیوی (زینب) سے شادی اس لئے کی کہ وہ یہ مثال قائم کر کے عرب سے 'منہ بولے رشتوں' کا رواج ختم کرنا تھا۔ پہلا سوال: تو پھر زینب کے خاوند کو اپنا منہ بولا بیٹا بنایا ہی کیوں؟ دوسرا سوال: زینب کے پر کشش جسم پر نظر پڑنے کے بعد ہی عرب سے 'منہ بولے رشتوں' کا رواج ختم کرنے کا خیال کیوں آیا؟ تیسرا سوال: اگر عرب سے منہ بولے رشتوں کا رواج ختم کرنے کا ارادہ مبارک فرمایا تو اپنی بیویوں کو مسلمانوں کی مائیں قرار دے کر ان بے چاریوں کو اپنی موت کے بعد کیوں کی شادی کی اجازت نہیں دی؟ یہ بھی تو 'منہ بولا رشتہ' تھا جو 'محسن انسانیت' نے بنایا؟ ملاں منافق، رحمت اللہ علیہ

The page pasted at notice board was from the group So Called Liberal of Pakistan solely administered and governed by accused Junaid Hafeez. Many students have already complained about his blasphemous actions and activities. During cross examination, he deposed that under part of Exh.P.3 was picture post. It was from So Called Liberal of Pakistan solely administered by accused Junaid Hafeez. The URL had to be examined by internet and computer forensic expert but the post was certainly from So Called Liberal of Pakistan administered by accused Junaid Hafeez. He had not seen that said poster was posted by Junaid Hafeez. He was not member of facebook page namely So Called Liberal of Pakistan. Volunteered, he was mutual friend of Junaid Hafeez. So that whatever he pasted or shared could be seen in the news feet. He submitted application Exh.PA before university administration which bore his signature.

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During the course of cross examination, certain suggestive questions were put.

“It is incorrect to suggest that I had hacked Face Book account of accused Junaid Hafeez. It is further incorrect to suggest that I had manipulated Face Book account of accused Junaid Hafeez. It is further incorrect to suggest that PW Muhammad Rafique is friend of mine also proved assistance in hacking Face Book account of accused Junaid Hafeez. It is also incorrect to suggest that I had hacked Face Book account of accused Junaid Hafeez with the assistance of third party. It is further incorrect to suggest that MULLAN MUNAFIQ Face Book account is mine. It is further incorrect to suggest that So Called Liberals of Pakistan Face Book account is actually created by me. It is also incorrect to suggest that critical analysis Face Book account was created by me. It is also incorrect to suggest that I manipulated Junaid Hafeez as administer of So Called Liberal Group. It is incorrect to suggest that a person who can hack Face Book account can make a person administer but cannot remove himself at the same time, so than they stay more than one at once not single”.

60. PW-7 denied all the supra suggestions. He elaborated that a person could hack facebook account, could make a person administrator but could not remove himself at the same time. So, then they stay more than one at once not single. These suggestive questions show that this derogatory material was available on the Timeline of facebook account of accused. Timeline shows the history of different posts shared on facebook. It was intended to revamp users’ profiles in order to show content based on year, month and date. The Timeline also encouraged scrolling with constantly loading story posts of user’s posts. The onus was shifted on the accused to prove that his facebook account was hacked. It was further suggested that So Called Liberals of Pakistan

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facebook group was created in the name of the accused by PW-7. The onus of this was also not discharged by the accused.

61. PW-7 further deposed that he had never heard any objectionable or derogatory remarks uttered by him against Islam, against Holy Prophet (PBUH) verbally, volunteered being mutual friend and member of department of English, he read many of blasphemous comments not only passed in direct conversation with him on the Face Book group department of English, BZU but also via posts. Approximately, 6/7 months prior to the occurrence, he was mutual friend of accused Junaid Hafeez. It was suggested to him as the defence version that on the instigation of some teaching staff of BZU, he had hatched conspiracy against the accused and falsely involved him in the case. He denied the suggestion. He deposed that at two occasions he had direct interaction with the accused, first when the accused congratulated him for getting first position in English speech competition at BZU and secondly he met him at the farewell party given by his juniors where he was teaching his juniors. He recorded his protest openly to all the members of face book page Department of English BZU where Junaid Hafeez did not only remove the members who supported his point but also further insulted and humiliated Islam and its fundamental principles by calling Quran plagiarism and saying verses of Holy Qur'an compared with spitting out.

62. As per CW-1 on 13.03.2013, he saw the pamphlet affixed on notice board, three questions were mentioned. He also tendered these questions written in his handwriting at the time of recording of his statement in the court as Exh.PP. On perusing the pamphlet (P.22), the religious beliefs of the students gathered there were outraged. On the pamphlet (P.22), name of accused Junaid Hafeez was also written. The accused was in the habit of sharing such type of views on social media facebook etc. They restricted him not to indulge

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in such type of activities but he did not pay heed to them. They referred the references from Holy Qur'an and Ahadith of Rasool (PBUH) but he restricted them in harsh words آیات مت بکو not to quote Qur'an and Ahadith before him. During the course of cross examination he deposed "I downloaded the posts shared by the accused on facebook in which the riots were shown and beneath the picture of riots, the words "Piss Be Upon Him" was written instead of the words (Peace Be Upon Him)". He further deposed during cross examination that Exh.DM was the application which he submitted to the police. He denied the suggestion that specific group "Dept. of English BZU" did not exist on facebook as he had written in application Exh.DM. He refuted the suggestion that he was jealous with Junaid Hafeez as he had got American scholarship to study in America. He further refuted the suggestion that they broke open the door of hostel room of accused on 12.03.2013 and hostel warden Qazi Abid reprimanded him on this act of vandalizing. The statements made by CW-1 and PW-7 are corroborative. Their evidence is confidence inspiring. Their statements are consistent on all material points.

63. Shahid Kaleem PW-8 deposed on 25.12.2012, a seminar "building bridge" was held in IMS Hall, chaired by Dr. Shirin Head of English Department. He alongwith Qari Sharif, Muzaffar Abbas and other students attended the said seminar. Accused Junaid Hafeez was the only speaker of said seminar who started his speech by saying "In the name of Allah, who is always absent, without any leave, whose omnipotent absence, is always taken for this omnipotent presence". After uttering these words, he further displayed two blasphemous books containing derogatory material against Holy Prophet (PBUH). The books names were "The Holy Woman" and "Typhoon". He further said that he fully agreed with the material contained in said books. During the time of uttering said derogatory words by accused Junaid

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Hafeez, he alongwith 3/4 other students made protest but the administration compelled them to sit silently. A stall was also arranged outside said hall containing above said books which might have been arranged by the accused Junaid Hafeez. After hearing derogatory remarks against Holy Prophet (PBUH), Almighty Allah and other Holy Personalities of Islam, he alongwith other students left the hall in protest. During the course of cross examination, he was suggested *"it is correct to say that I got recorded in my statement u/s 161 Cr.PC that in the said seminar, the accused Junaid Hafeez, in his speech, uttered derogatory words against Allah Almighty, Holy Prophet (PBUH) and the holy Wives (R.A) of Holy Prophet (PBUH). It is correct that I further got recorded in my statement u/s 161 Cr.PC that 3/4 students tried to register protest against the said derogatory words uttered by the accused, but the administration restrained us to do so and asked us to sit down"*. The point raised by the defence was that accused was made scape goat in this case. This logic does not appeal to the prudent mind that if one is let scot free so the other be also made free from all liabilities.

64. Muhammad Sharif PW-9 also attended the seminar "Building Bridge" held in IMS hall. Junaid Hafeez was the only speaker in the said seminar, who started his speech with the words *"In the name of Allah, who is always absent, without any leave and whose omnipotent absence, is always taken for this omnipotent presence"*.

65. The testimony of these two witnesses to the extent of holding seminar, the accused being speaker, presence of VC of BZU and Dr. Shirin Zubair, distribution of two books was admitted from both sides. Only the difference is of date of seminar. Both the witnesses claimed the seminar was held on 25.12.2012 and the defence suggested the date 27.02.2013. While in the statement u/s 342 Cr.PC, defence mentioned the date as last week of March, 2013. This fact is noteworthy that in the fact finding report P.B/7 to 120, the date of

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seminar was mentioned as 25.12.2012. The testimony of these two witnesses PW-8 and PW-9 is consistent and corroborative. No animus with the accused was even suggested.

66. Muhammad Arslan Khalil PW-10 deposed that in the year, 2013, when he was attending his classes in English department, BZ University, Multan, Dr. Shirin Zubair and accused Junaid Hafeez used to discuss gender of GOD in open class. Accused Junaid Hafeez used to defile the Holy Personalities i.e. Uma-Hatt-ul-Momneen by saying that they are just character, they neither existed in reality nor they had such like character as the same alleged by the Muslims. The accused Junaid Hafeez further used to say that the Holy Quran was written by Holy Prophet (PBUH) himself and same is not a Divine Book. He further used to say that as the Holy Book was written by Muhammad (PBUH) himself hence the accused called God as "HE". The accused Junaid Hafeez further alleged that as the word "HE" is used for GOD, so in Islam woman have no rights and they are a gender with low status. He attended different seminars held in BZ university which were organized and presided by Shirin Zubair and compared by Junaid Hafeez. In the said seminars, he himself witnessed that accused Junaid Hafeez used to say *"In the name of Allah who doesn't has any existence in this World, and we are obeying him"*. The accused further used to defile and disrespect the Holy Personalities in the said seminars and also used derogatory words about Islam. All the said derogatory acts/remarks of accused Junaid Hafeez were witnessed by his friend Dilshad, Qarif Sharif. He alongwith his friends Dilshad, Qari Sharif and others went to Prof. Dr. Hakoomat Ali at his residence in the university premises in order to complain him about said derogatory words of accused Junaid Hafeez and Dr. Shirin Zubair. When they reached there, Dr. Shakeel Ahmad was also present at the house of said Prof. Dr. Hakoomat Ali. He alongwith said

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Dilshad narrated all the derogatory acts of accused Junaid Hafeez and Dr. Shirin Zubair to Prof. Dr. Hakoomat Ali in the presence of Dr. Shakeel Ahmad. Prof. Dr. Hakoomat Ali told them that he would personally talk to accused Junaid Hafeez and Dr. Shirin Zubair in this regard. They visited the house of said Prof. Dr. Hakoomat Ali in the month of March, 2013. On the next day of their said first visit to the house of Prof. Dr. Hakoomat Ali, they again visited his house where Dr. Hakoomat Ali, Dr. Shakeel alongwith accused were already present. Dr. Hakoomat Ali asked him to repeat in the presence of accused Junaid Hafeez all the said derogatory words which were committed by him and Shirin Zubair which were told by him to Prof. Dr. Hakoomat Ali in their previous meeting. He repeated all the said derogatory acts of accused Junaid Hafeez, Dr. Shirin Zubair in the presence of accused Junaid Hafeez who turned hyper and said that it was his liberty of expression. Hence, he did all the said acts as his right. After uttering the said words, accused left the said place.

67. Prof. Dr. Hakoomat Ali PW-11 deposed that two students of English department Muhammad Dilshad and Muhammad Arslan disclosed to him when Dr. Shakeel was also sitting there that Dr. Shirin Zubair used to show nude films at the pretext of Art movies in the class room and she also delivered lectures on gender of GOD which hurt their feelings. The said Arslan and Dilshad further disclosed that accused Junaid Hafeez made a group on face book with the name as "BZU" and he used to post and share lectures of said Dr. Shirin Zubair about gender of GOD which she used to deliver in the class room. The said students further disclosed that Junaid Hafeez used to say that Holy Quran is not a Divine Book rather the same is just a myth, religion Islam is deceit/deception which gives no rights to the woman. Allah Almighty is not able enough to do Ph.D. They further disclosed that accused Junaid Hafeez had opened another

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group on the face book with the name of "So Called Liberal of Pakistan" where the said accused used to share said lectures of Dr. Shirin Zubair alongwith alleged nude pictures of Holy Personalities Uma-Hatt-ul-Momineen. He asked them the reason why accused Junaid Hafeez did so to which they replied that he hated Muslims and in order to express his hatred and to injure their feelings, he did so. He asked them whether they complained this matter prior to today to anyone to which they said that they complained about it to Dr. Shirin Zubair but of no use. On the next day, accused Junaid Hafeez came to his house on his asking. The said Arslan and Dilshad also came there while Dr. Shakeel was also present there. Both the said Arslan and Dilshad repeated whole of their above mentioned statements before accused Junaid Hafeez to which accused replied that every person has a right of freedom of expression and he expressed his views by using the said right. He confronted the accused Junaid Hafeez with his said opinion, due to which, the accused became angry and he left his house.

68. In the supra background depicted in the testimony of supra cited eye witnesses the occurrence of 13.03.2013 as narrated in the FIR did take place. The same is manifest by the evidence of police officials.

69. As per PW-3, Muhammad Anwar 889/C on 13.03.2013, he went to English Department BZU along with Niaz Ahmad SI. One pamphlet containing two pages were affixed on Notice Board of above said department on its head-note, "TEEN SAWAL" were written, which was created by Junaid Hafeez accused. He removed it from said Notice Board and handed over to Niaz Ahmad SI / IO of this case. On 18.03.2013, he alongwith S.P. Investigation, S.P. City and Muhammad Hanif constable visited Hamza Hall of BZU where students of said University namely Muhammad kashif handed over to SP Investigation captioned Family Magazine (P1) and Lalteen (P2). At page No.48 of Family Magazine,

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there were photographs of accused Junaid Hafeez, Dr. Shirin and two professors. As per version of student Kashif, magazine Lalteen was delivered in said ceremony. During the course of cross examination, he deposed that the pamphlets which he removed from notice board are available on judicial file. SP Investigation did not inquire from student Kashif about his studentship card of said university.

70. As per PW-5, the accused was going to Lahore by Daewoo Bus bearing Registration No.3873/LES sitting on Seat No.32. They proceeded to Lahore and reached Daewoo terminal Lahore. They went inside the bus and apprehended the accused. At that time, he was holding laptop Exh.P5 on his shoulder. In the second bag, which he was holding in hands were having clothes, driving license Exh.P6, ATM card Exh.P7, wallet brown colour Exh.P8, mobile phone Nokia 302 Exh.P9, pencils Exh.P10, photographs Exh.P11 and socks. The accused and all these articles were produced before the SP Investigation, SP City, DSP Saddar which were taken into possession by the JIT vide recovery memo Exh.PC which was attested by Mian Zafar constable. During cross examination, he deposed that he did not lodge any rapat in the concerned police station of Daewoo terminal. After the arrest of the accused, he did not lodge any rapat within the concerned police station of bus terminal with reference to his arrest. He arrested the accused Junaid Hafeez in between 03 O'clock to 04 O'clock. They reached at Multan at "Fajjar prayer". He did not take any transit remand prior to arrest of accused Junaid Hafeez. He further deposed when he arrested the accused Junaid Hafeez, he was having only one laptop and he was not having three laptops. He was suggested that he neither reached at Daewoo terminal Lahore nor he arrested the accused from said terminal, he deposed it incorrect. He further deposed it incorrect that DSP Model town, Lahore arrested accused Junaid Hafeez and handed over to him. These suggestions categorically show that the accused was

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actually arrested by DSP Model town, Lahore and he was handed over to PW-5. It is clear that he was arrested from Lahore. As per section 56 and 58 of Cr.PC, the supra arrest of the accused cannot be declared as illegal, as PW-5 was duly authorized by his high ups.

71. PW-6 Muhammad Waseem 2241/C deposed that at UBL chow of BZ University, 100/150 students were protesting. Some of the students intimated them that Junaid Hafeez had prepared "Mullan Munafiq" on his face book. After that Anwar Security constable brought two pamphlets before Niaz SI. Niaz SI took said two pamphlets into his custody vide recovery memo Exh.PD which was attested by him. At one pamphlet there were three questions which were against Quranic injunctions and against Holy Prophet Muhammad (PBUH). During the course of cross examination, he deposed that said pamphlets are Exh.P3 & P4. The students who were protesting intimated SI that Junaid Hafeez temporary Lecturer pasted these pamphlets at the Notice Board. The contents of Exh.P3 & P4 were read over by the witnesses on the asking of learned defence counsel. Through this mode, he got the clarity and verified the contents of notice.

72. As per PW-13, on 13.03.2013, he alongwith other officials was present at Adda Nehaly wala. He received information from Muhammad Anwar Security constable BZU Multan regarding protest of 100/150 students about blasphemous act of accused Junaid Hafeez in university premises. He reached in BZ University wherein UBL chowk, about 100/150 students were recording their protest that two pamphlets affixed by accused Junaid Hafeez within university premises were amounting to blasphemous act in respect of Holy Prophet (PBUH). Both the said pamphlets P.3 and P.4 were produced before him by Muhammad Anwar after taking the same from the said students. He recorded the written complaint Exh.PB and sent the same to police station

through Farhan Ahmad constable for formal registration of FIR. On the same day, he inspected the place of occurrence, prepared rough site plan Exh.PN, also took into possession the said pamphlets vide recovery memo Exh.PD, recorded statements u/s 161 Cr.PC of witnesses namely Muhammad Anwar, Waseem constable and Akbar Tabish. On 13.03.2013, Joint Investigation Team was constituted by CPO, Multan. A team from CIA was sent to Lahore for arrest of accused because an information was received that accused had escaped to Lahore through Daewoo bus. At the time of arrest of the accused the articles i.e. his twelve passport size photographs (P.11/1 to 12), original CNIC of accused Junaid Hafeez (P.27), driving license (P.6), ATM card (P.7), student card Jackson State University (P.28), cash amount of Rs.4480/-, wallet brown colour (P.8), mobile phone Nokia 309 (P.9), English book Model Linguistics, one pass book library, another library pass book bearing No.2507 (P.29), head phone (P.30), data cable (P.32), one power cable (P.32), laptop charger (P.33), one white connector (P.34), one computer flash PTCL 3.G net device (P.35), two black markers P.36/1 to 2, highlighter (P.37), glue stick (P.38), two small black markers P.39/1 to 2, one red marker (P.40), one white tape, six different keys (P.41/1 to 6), one laptop bearing Sr. No.00039613121655 No.712257003 (P.42), three receipts of UBL (P.43/1 to 3). The said articles were recovered from a black coloured bag (P.44). From search of other black coloured bag (P.45) of accused Junaid Hafeez, two black coloured pents (P.46/1 to 2), four multi coloured shirts (P.47/1 to 4), one black coloured lining pent (P.48), three pairs of socks (P.49/1 to 3), two underwears (P.50/1 to 2), one Sim U-Phone No.0332-4312442, one key purse containing eight keys (P.51/1 to 8), one Bunyan (P.52), one English book titled "A FINGER PRINTING POPULAR CULTURE (Oxford) (P.53).

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73. All the said articles were taken into possession by JIT through recovery memo Exh.PC. Muhammad Saleem SI operated the said group of facebook So Called Liberals of Pakistan and procured different 13 posts P.12 to P.24 which were taken into possession vide recovery memo Exh.PE. On 18.03.2013, JIT also taken into possession two magazines Lalteen P.2 and Family Magazine P.1 which were produced before the JIT by a student namely Kashif. The same were taken into possession by JIT through recovery memo Exh.PA. During investigation of instant case, statements of Prof. Hakoomat, Dilshad, Arslan, Muhammad Sharif, Muhammad Anwar and Hanif etc. were also recorded by JIT. JIT also took into possession two CDs P.25/1 and P.25/2 which were prepared by Saleem SI from the material of facebook group So Called Liberals of Pakistan. Statement of Saleem SI was also recorded by JIT to the said effect. The said CDs were sent to the office of PFSA, Lahore for analysis. Lengthy cross examination was conducted by the defence counsel. Certain discrepancies and contradictions arose but those are negligible.

74. As per PW-15 Naeem-ul-Hassan SP City Multan who was the member of JIT. On 13.03.2013, he alongwith other members of JIT visited the place where protest was being held against accused Junaid Hafeez. JIT recorded statements of Rana Akbar Tabish, Muhammad Rafique students of English department u/s 161 Cr.PC. After that they reached in the office of VC of the university. They obtained the data of the accused Junaid Hafeez from the office of VC i.e. ID card number, mobile number and other particulars of said accused. They also inquired from Shirin Zubair regarding whereabouts of the accused who told them that he had gone to Lahore through Daewoo bus. After entering the name and password of facebook page, 13 objectionable posts were recovered which were P.12 to P.24 which were taken into possession through recovery memo

Naeem-ul-Hassan SP City, Niaz SI Incharge Investigation PS Alpa, Muhammad Amjid DSP/SDPO Saddar circle. He was also member of said team. On 14.03.2013, the team headed by Aftab Ahmad SI arrived in Multan after arresting the accused Junaid Hafeez from Lahore. The investigation team formally arrested the accused and took into possession the articles which were in possession of the accused vide recovery memo Exh.PC. Accused was asked to provide username and password of facebook account/group who disclosed before the investigation team the username and the password. Said account of accused was opened on his laptop. He operated the said facebook page namely So Called Liberals of Pakistan and all other members of JIT also observed the same. The sole administrator of this group was accused Junaid Hafeez and as per setting of said page, no one could post or become member of said group without his permission. The JIT after scanning the said page, took into possession the different posts i.e. "KHUDA KA DIFAH" P.12, "AGAR ISS SALEEB KI JAGAH QURAN HOTA" P.13, "HALALAS" P.14, "FALSAFA GHAZALI PAR TANQEED" P.15, "ISLAM AMAN KA MAZHAB HONAY KI TAZHEEK" P.16, "AOURAT KI KARTONIC TAZHEEK" P.17, "HOUROON KA TASAWAR" P.18, "ALLAH KAY MUTLAQ PHD KA TASAWAR" P.19, "MISAR LIBYA AUR PAKISTAN MAIN FAHASHI PAR POST" P.20, "RUSHDI MALOON KY MAUQAF KI TAIED" P.21, "TEEN SAWAL JS MIN NABI SALALA HO ALAHI WASALAM KI SHAN MAIN GUSTAKHANA ALFAZ ASTIMAL KIAY GAY HAIN" P.22, "PARDA KY BARAY AOURAT KY HAJAB MAZAK URRAYA GAYA HAY AUR TULBA KAY JAZBAT KO MAJROH KIA GAYA HAY" P.23, "JANNAT SY TAZA KHABAR" P.24. The above said posts were given the above mentioned captioned by JIT and the same were taken into possession vide recovery memo Exh.PE duly signed by all the members of JIT including him. On 16.03.2013, JIT took into possession email data from email account of accused Junaid Hafeez

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junaid.hafeez86@gmail.com and detail of friends list from the above mentioned facebook account. Besides the above said, 35 more posts from the group "So Called Liberals of Pakistan" of accused were also taken into possession after using laptop and email account/facebook account of the accused. The said 35 posts were Exh.PF/1-35. The friends list of the accused which was recovered from his facebook account was Exh.PG/1-118 consisting of 1397 friends. The email data including book titled "Progressive Muslims" was Exh.PH/1 to 344. The whole prints were taken into possession by JIT vide recovery memo Exh.PJ. On 03.06.2013, he prepared two CDs from email account and facebook account of the accused P-25/1 and P-25/2 which were taken into possession through recovery memo Exh.PK. On 05.06.2013, he procured the administrator page P.26 of facebook group namely "So Called Liberals of Pakistan" and handed over the same to Niaz SI which was taken into possession through recovery memo Exh.PL. During the course of cross examination, it was suggested that the username and the password of facebook account of accused was obtained after exercising physical torture upon him which was categorically denied by said witness. It was further suggested that report from PFSA, Lahore was obtained regarding electronic evidence collected in this case which the witness conceded. He deposed "*we did not obtain the exact list of members of facebook group of accused Junaid Hafeez titled So called Liberals of Pakistan during investigation. We did not prepare any sort of list of members of said facebook group. Voluntareed, during investigation we separated those members of the said facebook group who were having majority of the posts on the page of said facebook group. I can tell the names of those members of said facebook group according to my memory e.g. CRITICAL ANALYST, MULLA MUNAFIQ etc. I remember the post of MULLA MUNAFIQ namely TEEN SAWAL. I myself did not try to find out the operator of the account namely MULLA MUNAFIQ.*

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Volunteered, I just provided information regarding the said facebook accounts to the other members of JIT. I myself got the prints of P.12 to P.24, Exh.PF/1 to 35, Exh.PG/1 to 118, Exh.PH/1 to 344. I myself prepared the CDs i.e. P.25/1 and P.25/2. I myself obtained the print of P.26. I got the prints of above said documents on 14.03.2013 and afterwards". He further deposed "I got the screen shots in order to obtain the above said prints. I used the software namely SNIPPING TOOL for the said purpose". It was deposed "P.26 is just an administrator page of facebook i.e. So Called Liberals of Pakistan, of accused Junaid Hafeez. This fact is noteworthy that the case property CD P.25/1 was put in the CD rom of computer and the witness was asked to open and proceed. On the request of the accused, the folder Noteable friends was opened. It showed image files including Critical Analyst, Mulla Munafiq, Noteable 3 Critical Analyst, Noteable Critical Analyst, Noteable 1 Ameer-ul-Munafiq and Noteable 2 Mulla Munafiq. The second folder Junaid Videos 1 was opened and on its further click, two video files Junaid Home Page and So Called Liberals of Pakistan were opened. CD.P.25/1 was ejected and CD.P.25/2 was inserted in the CD rom for display. On giving a click folder CD.2 appeared on the screen. On further click, further three folders Junaid videos 2, Mulla Munafiq and Posts appeared. On the request of the accused, the first folder Junaid video 2 was clicked which opened two VLC files namely Mulla Munafiq Junaid friend and Timelines photos Junaid. Second folder Mulla Munafiq was opened. On click, it displayed ten files. Folder Posts was clicked which displayed 79 image files. P.12 is the post from the page So Called Liberals of Pakistan created by Junaid. The heading of post P.12 is "KHUDA KA DEFA". On this page at the right bottom corner, time mentioned is 19:16, date 07.03.2013 is mentioned below the time mentioned. On P.26 the word Admin 1 is written wherefrom it depicts that Junaid Hafeez is administrator of this page "So Called Liberals of Pakistan". It

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was asked that no electronic, digital file having file extension file type "DOC", "DOCX" on these two CDs could be found. It was deposed by the witness that there was no such file on these CDs. It was deposed by the said witness that these snapshots of P.12 and P.17 were captured from different computer systems. This question was asked by the defence counsel "*Did you check the activity log of the facebook account of the accused to verify/confirm as to whether the accused had posted blasphemous content or not? PW-12 deposed "I had made search all the Activities Log alongwith JIT to confirm / verify the fact that the accused had posted blasphemous content. I had not obtained the hardcopy of entire Activity Log, however, some selected portion of the posts had been obtained through hardcopy".* He maintained record of the privacy settings of the facebook account of the accused regarding his secret group "So Called Liberals of Pakistan" only after examining the same in the shape of hardcopy and print outs. The facebook account of the accused was deactivated by him so to avoid any anarchy. He deactivated facebook account of the accused before JIT. He gave names to the folders and files in the two CDs Exh.P.25/1 and Exh.P.25/2 for recognition after consultation with JIT. Page 26 of facebook group namely "So Called Liberals of Pakistan" was handed over to DSP Investigation. The CDs were also produced before the DSP Investigation. The hardcopy of documents P.12 to P.24 and P.26 are available. The CDs were prepared by the I.T. Expert PW-12 of the police department and the said CDs (Exh.P.25/1 and P.25/2) were sent to PFSA, Lahore for their analysis. The report of PFSA was exhibited as Exh.PR.

78. As per report of PFSA, the examination of video recording of the facebook account found in the Item I and Item 2 identified the following summary information:

1. The facebook account with the name "Junaid Hafeez" had friends named "Mullah Munafiq", "Ameer Ul Munafiqeen", "Critical Analysit" (Adeel Ahmad), etc.

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2. The Facebook account with the name "Junaid Hafeez" was a member of the group: "So Called Liberals of Pakistan", "Pakistan Atheist &", "Atheist are Humanitarians", etc.

3. The Facebook account with the name "Junaid Hafeez" had liked the facebook pages: "Atheism is fact", "Atheists are Rational", etc.

4. Some of the evidence of interest were found in the video named as "Junaid Home Page" contained inside the folder 'Junaid Videos_1' of item 1 (CDI) at the following time intervals:

1:38, 4:34, 5:04, 8:26, 11:51, 14:03, 17:32, 17:48, 19:42, 20:24, etc.

5. Some of the evidence of interest were found in the video named as "So called Liberal of Pakistan" contained inside the folder 'Junaid Videos_I of item I (CD1),

6. Some of the evidence of interest were found in the video named as 'Mullah Munafiq Junaid Friend' inside the folder 'Junaid_Videos_2' of item 2 at the following time:-

0:17, 0:34, 0:54, 1:29, 1:58, 3:40, 3:50, 6:09, 7:16, 7:37, 8:21, 8:50, 10:00, 10:20, 11:19, etc.

7. Some of the evidence of interest were found in the videos named 'TimeLines Photos Junaid' inside the folder 'Junaid_Videos_2' of item 2 at the following time intervals:-2:21, 2:54, 3:27, 4:33, 5:05, 5:13, 5:32, 6:15, 6:45, 7:16, 7:48, 9:06, 9:59, 10:22, 10:44, 11:42, 12:57, 13:30, 14:58, 15:50, 16:11, 16:34, ____, 17:19, 18:05, etc.

8. Some objectionable images were also found inside the folder "Mullah Munafiq" of item 2 (CD2).

9. Some items of interest were also found inside the folder "Posts" of item 2 (CD2).

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10. The following information about "Mullah Munafiq" was visible in the video recordings of "Mullah Munafiq" facebook account:

Born: Feb, 25, 1977, Went to: Allama Iqbal College, Lahore

11. Some of the people who posted material (which can be considered as evidence of interest in this case) on Mullah Munafiq's facebook page are:

"Critical Analyst", "Ameer Ul Munafiqeen", "Mulheed Murtad", "Pakistan Kafir Tehriq (PKT)", "Haqeeq Tein", "Allama Ahmed", Talib E Ilm" etc.

All this show the availability of blasphemous material and authenticity of the CDs which were prepared by fulfilling all the procedural formalities. I am fortified by PLD 2009 Lahore 254 reported as 'Alamgir Khalid Chughtai vs The State' *"No doubt that criterion for assessing the admissibility, of the document or information, etc. is that the same should remain complete and un-altered but at the same time it is also provided in the above quoted law that if there is any addition in instrument, and that arise in normal course, and the document is still complete and un-altered, that could not be brushed aside. The legislature in its wisdom has amended the provision of Article 2(e) of Qanun-e-Shahadat, 1984 in terms of section 29 of Electronic Transactions Ordinance, 2002 and by said Ordinance various changes have been made in definition clause, by addition of Article 2(e) of the Qanun-e-Shahadat, 1984 and all the documents prepared, produced or generated through Modern devices are admissible in evidence. So, thereafter there remains no ambiguity that any document electronically transmitted was prepared whether the same is signed or unsigned could be questioned with reference to the crimes which is subject matter of this appeal"-----"Similarly extensive changes have been brought by the legislature in Qanun-e-Shahadat, 1984 through second schedule of E.T.O. 2002 to meet with the situation like present one and*

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electronically gathered evidence is to be treated as primary evidence, so the documents tendered in evidence from Exh.PA to Exh.PH/1 are admissible and duly proved and there is nothing on record which could show that narration therein was altered. I may observe here that this is a case of cyber crime wherein latest technology was used whereby the whole operational system of the State was by-passed meaning thereby an advance and most revenue generating department of the State was set at naught with illegal installations. Such crime have become rampant in the society and that is the reason the legislature in its wisdom has provided a different criterion about admissibility of evidence in such like cases. Now a days without any wire one can have facility of connection all over the world and the whole business of the world is going on through Internet, E-Mail etc. and due to development in Science and Technology, it would not be possible to bring on record the physical existence of everything, as the whole technology is based on satellite operational net works”.

79. Objectionable and derogatory posts given below show the blasphemous acts of the accused:

- * *“Whatever was done by maniac named Muhammad, is still well practiced by Muslims, Looting, Burning and Ambushing Peace loving people were the ways of Muhammad (piss be upon him)*

Islam The Religion of Peace


About 178 Christian Homes, 85 Shops and a Church was set on Fire by Brave Muslims of Pakistan”.

This post is available as P-16 and as PF/3 this is available on Timeline of facebook group “So Called Liberals of Pakistan”.

- * **Why increasing cases of Necrophilia in Egypt, Lybia, Pakistan, Iraq etc???**

“Reference: Hadith 34424 Kanezel Omall

This is from a book called “Kanz Al Umal” (The Treasure of the Workers), in the chapter of “The issues of women”

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authored by Ali Ibn Husam Aldin, commonly known as Al-Mutaki Al Hindi. He based his book on the hadiths and saying listed in "Al Jami Al Saghir" written by Jalal ul Din Al-Suyuti.

Narrated by Ibn Abbas:

"(Muhammad) put on her my shirt that she may wear the clothes of heaven and I SLEPT with her in her coffin (grave) that I may lessen the pressure of the grave. She was the best of Allah's creatures to me after Abu Talib" – The Prophet was referring to Fatima, the mother of Ali.

The Arabic scholar Demetrius explains: The Arabic word used here for "slept" is "idtajal" and literally means "lay down" with her. It is often used to mean, "lay down to have sex. *Muhammad is understood as saying that because he slept with her she has become like a wife to him so she will be considered like a *mother of the believers*. This will supposedly prevent her from being tormented in the grave, since Muslims believed that as people wait for the Judgment Day they will be tormented in the grave. *Reduce the pressure* here means that the torment won't be as much because she is now a *mother of the believers* after Muhammad slept with her and *consummated* the union*.

This post P.20 is available on timeline of So Called Liberal of Pakistan with the caption "Muhammad had sex with a Dead Women in her Grave".

* تین سوال
 مسلمان کہتے ہیں کہ 'محسن انسانیت' نے اپنے منہ بولے بیٹے کی بیوی (زینب) سے شادی اس لیے کی کہ وہ یہ مثال قائم کر کے عرب سے 'منہ بولے رشتوں' کا رواج ختم کرنا تھا۔ پہلا سوال: تو پھر زینب کے خاوند کو اپنا منہ بولا بیٹا بنایا ہی کیوں؟ دوسرا سوال: زینب کے پر کشش جسم پر نظر پڑنے کے بعد ہی عرب سے 'منہ بولے رشتوں' کا رواج ختم کرنے کا خیال کیوں آیا؟ تیسرا سوال: اگر عرب سے منہ بولے رشتوں کا رواج ختم کرنے کا ارادہ مبارک فرمایا تو اپنی بیویوں کو مسلمانوں کی مائیں قرار دے کر ان بے چاریوں کو اپنی موت کے بعد کیوں کی شادی کی اجازت نہیں دی؟ یہ بھی تو 'منہ بولا رشتہ' تھا جو 'محسن انسانیت' نے بنایا؟ ملاں منافق، رحمت اللہ علیہ

This post is also available as Exh.PF on the Timeline of "So Called Liberals of Pakistan". This post was also liked by

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Junaid Hafeez and Bushra Aziz on February 10, at 8:53 p.m. and the same was seen by 58.

* *Mohammad was a Sex maniac who not only raped but ordered his fellow Muslims to rape as well.*

Rape Album

A complete detailed Account of His rape Stories with Complete references Mohammad The Rapist

The Pedophile

By Critical Analyst

This post PF/28 is available on Junaid Hafeez Timeline February were retrieved. He created facebook group "So Called Liberals of Pakistan" which was connected with his facebook account/ID junaidhafeez. Accused Junaid Hafeez was the sole administrator of said group. No person could post or become member of said group without his permission. All the deliberate blasphemous derogatory malicious acts in respect of Holy Prophet (PBUH) were posted in his group by him and his friends with his permission. These posts were in his knowledge and he did not attempt to delete the same rather liked them. On 16.03.2013, JIT took into possession hardcopy of email data of accused email account junaid.hafeez86@gmail.com Exh.PH/1-344 through recovery memo. As per said email data first email which was found in email was of Tuesday March 12, 2013 6:30 p.m. Exh.PH/5 prior to said date, no email data was found by JIT in email which revealed that accused deleted earlier received email data with malicious intention. "Critical Analyst" a facebook friend of accused as per Exh.PG/47 facebook friends list procured by JIT from his facebook account/ID junaidhafeez. Accused Junaid Hafeez and his facebook friend Critical Analyst has 20 mutual friends on facebook as per Exh.PG/47. As per Exh.PF/29 he shared/allowed on his timeline on February 27, critical analyst post containing the blasphemous material. Mohammad was a sex maniac who not only raped but ordered his fellow Muslims to rape as well.


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Rape Album A complete detailed account of His rape stories with complete references. Mohammad The Rapist. The Pedophile. By critical analyst.

Profile picture of accused was also visible on said page. Accused also shared a post on his timeline titled Islam sanction rape in Qur'an Exh.PF/30, Exh.PF/28. Mullan Munafiq is his facebook friend as per Exh.PG/38 facebook friends list procured by JIT from his facebook account junaidhafeez. Accused Junaid Hafeez and his facebook friend Mullan Munafiq have 31 mutual friends on facebook as per PG/38. Accused and his facebook friend Mullan Munafiq shared a post titled TEEN SAWAL on February 10, at 8:53 p.m. Accused Junaid Hafeez liked the said post as per Exh.P.22 and he also permitted and shared his facebook friend Mullan Munafiq same post in his group "So Called Liberals of Pakistan". This post was also the part of pamphlet pasted at notice board as deposed by Rana Akbar Tabish PW-7.

80. This fact is noteworthy that electronically generated evidence is primary evidence as per Article 73 of Q.S.O. and even the prints out or other form of output of this information system. Reliance is placed on PLD 2016 Lahore 570 reported as "Mst. Rehana Anjum vs Additional Sessions Judge and six others" "*As mentioned in Explanation No.3, a printout or other form of output of an automated information system could not be denied the status of primary evidence solely for the reason that it was an output of automated information system*".

81. It was during cross examination of PW-12 who had operated the laptop of the accused and recovered thirteen posts disclosed the date, time and format. On seven posts, date, time and format is different from the rest of the posts such as P.12 the time 19:16 dated 07.03.2013, P.15, the time 19:28 dated 07.03.2013, P.16 time 20:29 dated 09.03.2013, P.17 time 3:28 p.m. dated 10 Mar-13, P.19 time 19:20 dated


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07.03.2013, P.20 time shown as 15:50 dated 10.03.2013, P.21 time 19:27 dated 07.03.2013. In cross examination, the learned defence counsel has not drawn any inference from these differences of time, date and format. Neither in any answer to question No.10 of statement u/s 342 Cr.PC any such inference has been pointed out. Presumably the stance by the defence is that these seven posts are forged one. Then this stance cannot stand logically, for if at all forgery was to be committed then it was not difficult for the forger to make the time, date and format of these posts identical to rest of the posts whose prints were taken by JIT on 14.03.2013. Anyhow, it is apparent that the prints of these seven posts were taken prior to the arrest of the accused on 13.03.2013. As the defence has itself relied upon the time, date and format of these posts, therefore, it implies inevitably to be genuine one. Even in cross examination and in answer to question No.10 of statement u/s 342 Cr.PC, the genuineness of these posts has not been assailed.

82. As far as rest of the posts which are P.13, P.14, P.18, P.22, P.23 and P.24 are concerned, the defence counsel has not at all questioned the genuineness of these remaining posts save P.22 TEEN SAWAL. It was asked from PW-12 whether he could show the blasphemous post named TEEN SAWAL posted by Mulla Munafiq's facebook account in any of the two CDs P.25/1 and P.25/2. To which the answer of PW-12 was "I cannot show the blasphemous post Teen Sawal, posted by Mulla Munafiq facebook account in any of the two CDs P.25/1 and P.25/2". This is an obliging concession but again it hardly lends favour to the accused as each post is primary evidence (Article 73 of QSO 1984) per se admissible in evidence. Even otherwise, everything is legible from this post P.22 that it was issued by the facebook account of Mulla Munafiq on the facebook page of the accused "So Called Liberals of Pakistan" on 10th February and the same was *liked, applauded and approved* by Junaid Hafeez. This

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attract section 295-C PPC because a direct imputation insinuation and innuendo have been committed by the accused.

83. Related to recoveries made by JIT on 16.03.2013 from the facebook/email account of the accused consisting 35 posts Exh.PF/1-35, friend's list of accused Exh.PG/1-118 showing 1397 friends email data of the accused and the book titled "progressive Muslims" Exh.PH/1-344 without touching the genuineness or otherwise on all these recoveries, the learned counsel for the accused asked only one question regarding the presence of all members of JIT. To which the answer of PW-12 was "*some of the members of JIT were present on 16.03.2013 at the time of investigation of the case, however, I cannot tell exactly their number*". But it lends no support to the defence for; firstly answer is obscure as it does not lead to any definite conclusion because it has not provided the details of absentees and their ranks, secondly mandatory requirements for the investigation of cases u/s 295-C PPC is envisaged in section 156-A Cr.PC, "*No police officer below the rank of Superintendent of Police shall investigate the offence against any person alleged to have been committed by him u/s 295-C of Pakistan Penal Code.*" Only this provision is mandatory. JIT was constituted vide CPO Multan order No.14922 dated 13.03.2013, so, in view of the obscure answer by PW-12 regarding the question of member of JIT being absent on 16.03.2013, does not demonstrate that any single gazetted officer (as per mandatory provision of 156-A Cr.PC) was not present in that session of investigation. Keeping in view the said facts it does not at all vitiate the proceedings of JIT during that session.

84. P.26 is the administrator page of the "So Called Liberals of Pakistan". "So Called Liberals of Pakistan" was created by accused Junaid Hafeez. This fact has been proved by the evidence. Accused was the sole administrator and creator of his group otherwise several posts, in absence of his

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knowledge were impossible, like; (a) In February 2013, accused shared invitation of the seminar "Building Bridges Through Literature" (Exh.PF/33), (b) On February 21, accused shared the paper of M.A. English (Exh.PF/31), (c) On February 27 the accused thanked his students of BS English 6th semester for successfully organizing an even (Exh.PF/27), (d) His colleague Sana Ghafoor and Tooba Anjum Hashmi etc. commented on the posts (Exh.PF/4), Exh.PF/5), Exh.PF/11), (Exh.PF/21) and (Exh.PF/18) and liked them as so many others had liked and commented.

85. The point regarding his group "So Called Liberals of Pakistan" as secret was raised. As per prosecution evidence, the accused used to change status of his group as open group and secret group as per his own in different times.

86. The evidence of all the prosecution witnesses remained consistent and corroborative. Certain discrepancies arose in prosecution evidence and certain questions regarding technicalities were put to the prosecution witnesses by the learned defence counsel but these discrepancies and technicalities did not shake the veracity of the prosecution evidence. Superior courts time and again have held "*Approach of the court should always be dynamic and while doing justice, the technicalities should not be given much weight and the case should always be decided keeping in view the facts bearing effects on merits of the case*" (2005 P. Cr. LJ 667) reported as "*Muhammad Hanif and others vs The State and others*". It was further held in 2014 P Cr. LJ 1405 reported as "*Waleed Kalhoro and others vs The State*" "*No reason existed to disbelieve prosecution evidence, while defence plea was discarded being improbable and an afterthought--- Technicalities of procedural nature, lapses on the part of Investigating Officer, and minor contradictions should be overlooked to curb such heinous crimes*".

87. This fact is noteworthy that with the challan description of all the documents have also been given and it has been mentioned that statements of all the witnesses u/s 161 Cr.PC (29 Qitat) have been mentioned. In the written complaint, date 10.02.2013 is not mentioned.

88. The learned defence counsel raised the objection that defective investigation was conducted by the police officials. But this version does not find favour keeping in view the prosecution evidence. Reliance is placed on 2013 YLR 548 reported as "Amjad Ali and another vs The State and another" "*Defect in investigation---Defect in the investigation was not a valid ground for acquittal of accused---Case should not be decided on technicalities; but on merits*". I am further fortified by PLD 2014 Peshawar 69 reported as "Naseebullah vs The State" "*When conscience of the court was satisfied regarding commission of offence, then the technicalities and minor contradictions, which crept in with the passage of time, could easily be ignored*".

89. The matter in hand is delicate in nature, sensitive in terms and serious in consequence. The grace and honour of the Holy Prophet Muhammad (P.B.U.H) is not only well entrenched in various verses of Holy Quran but in other divinely testaments. It would be appropriate to quote a few examples about the greatness of the Holy Prophet (P.B.U.H) from Holy Quran;--

"In Surah "Al-Najm" verse Nos. 1 to 4 it is ordained that
"By the Star. When it set, your companion is neither gone astray nor deluded. He does not speak of his own desire; it is but a Revelation which is sent down to him"

In Surah "Al-Inshirah" it is ordained that "*(O Prophet!) have We not opened up your breast for you? And removed from you the heavy burden that was weighing down your back, and exalted your renown for you. So, the fact is that along with every hardship there is also ease. Indeed, with every hardship there is also ease! Hence, when you are free, devote yourself to the labor of worship, and turn all your attention to your Lord*"

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In Surah Al-Ahzab in Verse Nos. 56 to 58 it is ordained that

"Indeed, Allah confers blessing upon the Prophet, and His angels [ask him to do so] O you who have believed, as [Allah to confer] blessing upon Him and ask [Allah to grant him] peace. Allah has cursed in this world and in the Hereafter those who cause trouble to Allah and His Messenger, and has prepared for them a disgraceful punishment. And those who cause trouble to the believing men and women for no fault of theirs, have indeed borne on their head the burden of a grave slander and a manifest sin"

In Surah "Al-Hujrat Verse Nos. 1 to 3" it is ordained that
"O you who have believed, do not go in advance of Allah and His Messenger, and fear Allah: Allah is All Hearing, All-Knowing"

"O you who have believed, do not raise your voices above the Prophet's voice, nor speak to him loud as you speak loud to one another lest all your works be rendered void, while you do not know. Those who lower their voices in the presence of the Messenger of God, are, in fact, those whose hearts Allah has disposed to piety. For them in forgiveness and a great reward"

In Verses Nos. 12 and 13 of Surah-e-Anfal it is ordained that;-

And remember when your Lord was inspiring the angels with this: "I am with you: so keep the Believers steadfast. I am now going to fill the hearts of the disbelievers with awe: so smite their necks and beat every joint of their bodies. This is because they have opposed Allah and His Messenger; whoso opposes Allah and His Messenger, surely Allah is very severe for him in retribution".

(Translation by Zafar Iqbal Ansari)

"Allah's Messenger said Narrated Abu Huraira:
"By Him in Whose Hands my life is, none of you will have faith till he loves me more than his father and his children
 (Sahih Al-Bukhari, Volum 1, Book No.2, Hadith No.13)

90. The above mentioned verses of the Holy Quran and sayings of Prophet (P.B.U.H.) reveals that it is the verdict of the Allah Almighty that in no case, the case of the person who gives any sort of complaint to the Holy Prophet Muhammad (P.B.U.H.) is to be condoned. The prophet-hood

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of Holy Prophet Muhammad (P.B.U.H.) was entrenched in the Heavens and all the other great prophets aspired to have been included in the group of followers of the Holy Prophet Muhammad (P.B.U.H.). To respect and love him more than any person(s) on the global face is the requirement of Faith.

91. The Hon'ble Federal Shariat Court in case titled as Muhammad Ismail Qureshi v. Pakistan, reported as "PLD 1991 Federal Shariat Court 10" which is binding upon this Court in terms of Article 203-GG of the Constitution of Islamic Republic of Pakistan, 1973, observed;--

"The Holy Qur'an, as a glorification of the Holy Prophet, (P.B.U.H.) prohibited even the slightest cause of annoyance and declared that marriage with the wives of the Prophet after his death is prohibited for the believers so as to avoid not being means of the contempt of the Prophet. Holy Quran says:--

"O ye who believe! Enter not the dwellings of the Prophet for a meal without waiting for the proper time, unless permission be granted you. But if ye are invited enter and when your meal is ended, then disperse. Linger not for conversation. Lo! that would cause annoyance to the Prophet, and he would be shy of (asking) you (to go); but Allah is not shy of the truth. And when ye ask of them (the wives of the Prophet) anything, ask it of them from behind a curtain. That is purer of your hearts and for their hearts. And it is not for you to cause annoyance to the messenger of Allah, nor that ye should, ever marry his wives after him. Lo! that in Allah's sight would be an enormity. (33:53)."

The Holy Prophet (P.B.U.H.) is the best interpreter of the above-noted verses of the Holy Qur'an and it is also proved by his Sunnah that his contemner is liable to the penalty of death. Reference may be made to the following Ahadith:-

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(i) It has been related on the authority of Hazrat Ali (R.A) that Holy Prophet (P.B.U.H.) said: "Kill the person who abuses a Prophet and whip by stripes the one who abuses my companions." (Al-Shifa, Qazi, Ayaz Vol.11, page 194).

(ii) It has been related on the authority of Ibn Abbas that a blind person in the period of Holy Prophet (P.B.U.H.) had a female slave who used to abuse the Holy Prophet (P.B.U.H.). This blind person bade her to abstain from it and warned her not to do so but she didn't care. One night when she was as usual abusing the Holy Prophet (P.B.U.H.), this blind person took a knife and attacked her belly and killed her. Next morning when the case of murder of this woman was referred to the Holy Prophet (P.B.U.H.), he collected the people and said, "who has done this job. Stand and confess because of my right on him for what he has done." On this the blind person stood and came rolling the people before the Holy Prophet (P.B.U.H.) and said, "O Prophet, I have killed this slave woman because she abused you. I have constantly forbade her but she didn't care for that. I have two beautiful sons from her and she was my very good companion, but yesterday when she started abusing you, I took my knife and attacked on her belly and killed her." The Holy Prophet (P.B.U.H.) said, "O people! Be witnesses that the blood of this woman is vain. (Abu Daud. Vol.II, pages 355-357).

(iii) It has been related on the authority of Hazrat Ali that a Jew woman used to abuse the Holy Prophet (P.B.U.H.) and thus a person killed her. The Holy Prophet (P.B.U.H.) declared her blood as vain (ibid).

(iv) It has been related on the authority of Abu Barzah who said, "I was sitting with Abu Bakar when he became furious at a person." I said to him, "O! Caliph of the Prophet of Allah. "Order me to kill him". On this he

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became normal and stood up and went inside and called me and said, "What did you say? I said, "Order me to kill him."

He said, "Had I ordered you, would you have killed him?" I said, "Yes." He said, "No," I swear by Allah that no one other than the Holy Prophet (P.B.U.H.) is in the position that his contemner be killed." (ibid).
 (v) It has been related on the authority of Jabir Ibn Abdullah that Holy Prophet (P.B.U.H.) said, "who will help me against Kaab bin Ashraf. He has indeed teased Allah and His Prophet." On this Muhammad Ibn Maslamah stood and said, "O Prophet of Allah! Do you want me to kill him." Prophet said, "Yes". Then he went along with Abbas Ibn Hiber and Ibad Ibn Bishar and killed him. (Bukhari, Vol.II, page 88).
 (vi) It has been related on the authority of Bara Ibn Azib who said that Holy Prophet sent some persons of Ansar under the headship of Abdullah Ibn Atik to a jew named Abu Rafia who used to tease the Holy Prophet (P.B.U.H.) and they killed him. (Assarimul Maslul by Ibn Taimiyyah, page 152).

(vii) It has been related on the authority of Umair Ibn Urpayyah that he had a 'mushrikah' sister who teased him when he met the Holy Prophet (P.B.U.H.) and used to abuse the Holy Prophet (P.B.U.H.). At last one day he killed her with his sword. Her sons cried and said, "We know her murderers who killed our mother and the parents of these people are mushrik', (infidels)." When Umair thought that her sons may not murder wrong persons, he came to the Holy Prophet (P.B.U.H.) and informed him of the whole situation. The Prophet said to him, "Have you killed your sister?" He said, "Yes." Prophet said, "Why" He said that she was harming me in your relation. The Prophet called her sons and asked about the murderers. They showed other persons as murderers. Then Prophet informed them and declared her death as vain. (Majmauz Zawaid wa Manbaul Fawaid, Vol.V, page 260).

(viii) It has been narrated that after the conquest of Makka, the Holy Prophet, after giving general pardon, ordered killing of Ibn Khatal and his sheslaves who used to compose defamatory poems about the Holy Prophet. (Al-Shifa by Qazi Ayaz, Vol. II, page 284 Urdu

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Translation).


- (ix) It has been narrated by Qazi Ayaz in Shifa that a person abused the Holy Prophet (P.B.U.H.). The Prophet said to Sahaba "Who will kill this person." On this Khalid Ibn Walid said, "I will kill him." The Prophet ordered him and he killed him (ibid).
- (x) It has been narrated that a person came to the Holy Prophet and said, "Oh Prophet! My father abused you and I couldn't bear it thus killed him." The Holy Prophet (P.B.U.H.) confirmed his action."(ibid), page 285).
- (xi) It has also been related that a woman who belonged to Bani Khatmah tribe used to abuse the Holy Prophet (P.B.U.H.). The Holy Prophet (P.B.U.H.) said to his companions, "who will take revenge from this, abusive woman." A person of her tribe took the responsibility and killed her. He then came to the Holy Prophet who said "In this tribe the two goats will not quarrel and the people will live in unity and integrity." (ibid), page 286).

Abdur Razaq in his Musannaf has related the following Traditions about the contempt of the Holy Prophet(P.B.U.H.) and its punishment:--

(i) Hadith No.9704: It has been related on the authority of Ikrimah that a person abused the Holy Prophet (P.B.U.H.). The Holy Prophet (P.B.U.H.) said, "who will help me against my (this) enemy." Zubair said, "I". Then he (Zubair) fought with him and killed him. The Holy Prophet (P.B.U.H.) gave him this goods.

(ii) Hadith No.9705: It has been related on the authority of Urwah Ibn Muhammad (who relates from a companion of the Prophet) that a woman used to abuse the Holy Prophet (P.B.U.H.). The Holy Prophet (P.B.U.H.) said, "who will help me against my (this) enemy." On this Khalid Ibn Walid went after her and killed her.

(iii) Hadith No.9706: It has been related on the authority of Abdur Razaq who relates from his father that when Ayub Ibn Yahya went to Adnan, a man was referred to him who had abused the Holy Prophet (P.B.U.H.). He consulted (the Ulama) in this matter. Abdur Rahman Ibn Yazid Sanani advised him to kill him and he killed him. Abdur Rahman had related to him a hadith in this regard that he had met Umar and had got a great knowledge from him. Ayub also referred this action to

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Abdul Malik (or Walid Ibn Abdul Malik). He replied him appreciating his action.

(iv) Hadith No.9707: It has been related on the authority of Saeed Ibn Jubair that a person falsified the Holy Prophet (P.B.U.H.). The Prophet sent Ali and Zubair and said to them, "kill him when you find him."

(v) Hadith No.9708: It has been related on the authority of Ibn Taimi who relates from his father that Hazrat Ali ordered the person who blamed (abused) the Holy Prophet (P.B.U.H.) be killed. (Musannaf Abdur Razaq, Vol.V, pages 377-378). It is pertinent to mention here that Holy Prophet (P.B.U.H.) had pardoned some of his contemners but the Jurists concur that Prophet himself had the right to pardon his contemners but the Ummah has no right to pardon his contemners. (Assarumul Maslul, Ibn Taimiyyah, pages 222- 223).

Ibn Taimiyyah writes, "Abu Sulaiman Khattabi said, "When the contemner of the Holy Prophet (P.B.U.H.) is a Muslim then his punishment is death and there is no difference of the opinion among the Muslims about this matter in my knowledge." (Assarimul Maslul, page 4). Qazi Ayaz writes, "Ummah is unanimous on the point that the Punishment of a Muslim who abuses the Holy Prophet (P.B.U.H.) or degrades him is death. (Al-Shifa, Vol.II, page 211).

Qazi Ayaz further writes, "Every one who abuses Holy Prophet (P.B.U.H.), points out any defect in him, his lineage, his religion or in any of his qualities, or makes allusion with him or resembles him with another thing as his insult, disrespect, degradation, disregard or his defect, he is contemner and he will be killed, and there is consensus of the ulema and Jurists on this point from the period of Sahaba till this time. (Al Shifa By Qazi Ayaz, Vol.II, page 214).

Abu Bakar Jassas Hanafi writes, "There is no difference of opinion among the Muslims that a Muslim who maligns or insults the Holy Prophet (P.B.U.H.) intentionally becomes apostate liable for death. (Ahkamul Quran Vol.III, page 106). It will be useful to note one Hadith here:-
 "It has been related on the authority of Abdullah Ibn Abbas that Prophet (P.B.U.H.) said, "Kill the person who

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changes his religion (Islatri)." (Bukhari, Vol.II, page 123).

It has been related by Qazi Ayaz that Haroonur Rashid asked Imam Malik about the punishment of the contemner of the Prophet and told him that some Jurists of Iraq had suggested the punishment of whipping him stripes. Imam Malik became furious on that and said, "O Amir ul Mumainin! how the Ummah has the right to exist when her Prophet is abused. So kill the person who abuses the Prophet and whip stripes to one who abuses the companions of the Prophet." (Al-Shifa, Vol.II, page 215).

Ibn Taimiyyah, while relating the opinions of the Jurists in this connection, writes, "Abu Bakar Farsi Shafie has related that there is consensus of opinion among the Muslims that the punishment of contemner of the Prophet is death, if he is Muslim." (Assarimul Maslul, page 3). The above discussion leaves no manner of doubt that according to Holy Qur'an as interpreted by the Holy Prophet (P.B.U.H.) and the practice ensuing thereafter in the Ummah; the penalty for the contempt of the Holy Prophet (P.B.U.H.) is death and nothing else.

Allama Ibn Taimiyyah, while explaining the significance of the contempt writes. "It means to curse the Prophet, prays for any difficulty for him, or refers to him such a thing which does not behove with his position or uses any insulting, false and unreasonable words or imputes ignorance to him or blames him with any human weakness etc." (Aasarinul Maslul, Ibn Taimiyyah, page 526). Ibn Taimiyyah, while concluding the discussion about the scope and what constitutes the offence of the contempt of the Prophet (P.B.U.H.) writes, "Sometimes a word in a situation may amount to injury and insult while such a word may not amount to injury and insult on another occasion. This shows that the interpretation of the words which bear different meanings and senses changes with the change of circumstances and occasions. And when (insult, contempt) has neither been defined in Shariah nor in dictionary, the custom and usage will be relied upon in determining, its interpretation. So what is considered

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contempt and insult in the custom and usage that will be considered contempt and insult in Shariah as well and vice versa. (Assarimul Maslul, Ibn Taimiyyah, page 540)".

(P L D 2015 Islamabad 85)

92. As discussed supra, the prosecution has proved the charge against the accused u/s 295-C PPC. The accused had been committing the offence consistently, constantly and candidly at each occasion and moment. The acts of blasphemy attributed to the accused was willful on purpose and voluntary. He had become so dare devil that he spared no occasion, be it class room, public gathering such a seminar or social media such as facebook etc. for defiling the sacred name of Holy Prophet Muhammad (PBUH)

93. Now I advert to second charge of defiling the Holy Qur'an u/s 295-B PPC.

"The Holy Qur'an being a sacred book necessarily is to be given full honour and high place both in body and mind. The word "defile" would include both animate and inanimate objects and is not restricted in meaning to acts that would make an object of faith, only unclean as a material object but extends to act done in relation to all objects of faith, visible or invisible, rendering such objects ritually impure. It is to be noted in this context that physical respect of the Holy Qur'an and spiritual feelings with its teachings cannot be separated from each other. Spiritual respect is a matter of understanding of an individual with reference to his knowledge and wisdom which is not common, but to show physical respect and honour to the Holy Qur'an is a legal, religious and moral duty of a person. Spiritual respect and honour is matter of an individual relating to his thinking whereas physical honour and respect is a matter of his action visible" (1994 MLD 15)

An act of defiling or desecrating if done consciously and deliberately with or without the intention to damage and destroy the honour, respect and greatness in the eye of public in general or with the purpose to satisfy one's own feelings


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shall be a willful act bringing the case within the purview of S. 295-B, PPC. (1994 MLD 15).

94. As per PW-7 Rana Akbar Tabish, he recorded his protest openly to all the members of face book page Department of English BZU where Junaid Hafeez did not only remove the members who supported his point but also further insulted and humiliated Islam and its fundamental principles by calling Quran plagiarism and saying verses of Holy Quran compared with spitting out.

95. As per Arslan Khalil PW-10, accused Junaid Hafeez and Dr. Shirin Zubair used to say that they Holy Qur'an is not the Holy Book and the same is just a myth. The accused Junaid Hafeez further used to say that the Holy Quran was written by Holy Prophet (PBUH) himself and same is not a Divine Book. These witnesses also complained about such derogatory remarks of the accused to Dr. Hakoomat Ali (PW-11). Accused was called by Dr. Hakoomat Ali in his house where Dr. Shakeel was also present. These witnesses repeated the derogatory remarks used by the accused regarding Holy Qur'an and the accused replied that every person has a right of freedom of expression and he expressed his views by using the said right.

96. Muhammad Rafique CW-1 also corroborated that the accused was in habit of sharing such type of view on social media, facebook etc. They restricted him not to indulge in such type of activates but he did not pay heed to them. They referred the references from Holy Quran and Ahadith of Rasool (PBUH) but he restricted them in harsh words (آیات مت بکو) not to quote the Quran and Ahadith before him. The accused termed that Qur'an was derived from Mesopotamian folk stories. As per Qur'anic verse, this was attitude of non-muslims regarding Holy Qur'an that they used to term Qur'an as old stories.


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وإذا قيل لهم ماذا أنزل ربكم قالوا أساطير الأولين

(When it is said to them “What has your Lord sent down?
 They say “It is nothing but the tales of the ancient people”.

This oral direct evidence has corroborated the prosecution case on this point against the accused. This fact is noteworthy that in the Holy Qur’an, this Holy Verse is available

وقال الرسول يُرب ان قومى اتخذوا هذا القرآن مهجورا

97. Dr. Maurice Bucaille in his book “The Bible, the Quran, and Science” wrote regarding the veracity of Holy Quran “*Those who seek among modern data for poof of the veracity of the Holy Scriptures will find a magnificent illustration of the verses of the Quran dealing with the Pharoah’s body by visiting the Royal Mummies Room of the Egyptian Museum. Cairo!*”.

98. Dr. Maurice Bucaille further wrote “*It is shown that the sun moves in an orbit, but no indication is given as to what this orbit might be in relation to the Earth. At the time of the Qur’anic Revelation, it was thought that the Sun moved while Earth stood still. This was the system of geocentrism that had held away since the time of Ptolemy, second century B.C, and was to continue to do so until Copernicus in the sixteenth century Learned counsel for the appellant. Although people supported this concept at the time of Muhammad, it does not appear anywhere in the Qur’an, either here or elsewhere*”.

99. The oral direct evidence of the supra cited prosecution witnesses have proved the charge against the accused for defiling the Holy Qur’an. To have faith on the Holy Qur’an that it was revealed by Almighty Allah on His Prophet Muhammad (PBUH) is the fundamental belief to become a Muslim. Allam Muhammad Iqbal has rightly said:-

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گرتو میں خواہی مسلمان زینستن
 نیست ممکن جز بہ قرآن زینستن

100. I advert to the first charge u/s 295-A PPC. Section 295-A PPC is attracted against the person who deliberately and maliciously insults or attempts to insults the religion or the religious beliefs of a person or class of persons. The accused must act with the intention to insult the religion of any class of person with the knowledge that any class of person is likely to consider such destruction, damage or defilement as insult to their religion. In order to bring a matter u/s 295-A PPC, it is not mere matter of this discourse or the written expression but also the member of it which has to be looked into. The expressions should be such as are bound to be regarded by any reasonable man as grossly offences and provocative and maliciously and deliberately intended to outrage the feelings of any class of citizens. In order to establish malice as contemplated by Section 295-A PPC, it is not necessary for the prosecution to prove that the accused bore ill will or enmity against the specific person. If the injurious act was done voluntarily, without lawful excuse, malice may be presumed.

101. Rana Akbar Tabish PW-7 student of MA English deposed that on 13.03.2013, it was morning time. He alongwith his friend Muhammad Rafique Baloch proceeded towards English department, students had gathered in front of notice board in English department. A pamphlet carrying three questions was pasted on notice board.

تین سوال

مسلمان کہتے ہیں کہ 'محسن انسانیت' نے اپنے منہ بولے بیٹے کی بیوی (زینب) سے شادی اس لئے کی کہ وہ یہ مثال قائم کر کے عرب سے 'منہ بولے رشتوں' کا رواج ختم کرنا تھا۔ پہلا سوال: تو پھر زینب کے خاوند کو اپنا منہ بولا بیٹا بنایا ہی کیوں؟ دوسرا سوال: زینب کے پر کشش جسم پر نظر پڑنے کے بعد ہی عرب سے 'منہ بولے رشتوں' کا رواج ختم کرنے کا خیال کیوں آیا؟ تیسرا سوال: اگر عرب سے منہ بولے رشتوں کا رواج ختم کرنے کا ارادہ مبارک فرمایا تو اپنی بیویوں کو مسلمانوں کی مائیں قرار دے کر ان بے چاریوں کو اپنی موت

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کے بعد کیوں کی شادی کی اجازت نہیں دی؟ یہ بھی تو 'امنہ بولا رشتہ' تھا جو 'محسن انسانیت
 نے بنایا؟ ملاں منافق، رحمت اللہ علیہ

102. The page pasted at notice board was from the group So Called Liberal of Pakistan solely administered and governed by accused Junaid Hafeez. Many students have already complained about his blasphemous actions and activities. During cross examination, he deposed that he was not member of facebook page namely So Called Liberal of Pakistan. Volunteered, he was mutual friend of Junaid Hafeez. So that whatever he pasted or shared could be seen in the news feet. He submitted application Exh.PA before university administration which bore his signature.

103. Shahid Kaleem PW-8 attended the seminar "Building Bridge" where accused Junaid Hafeez started his speech by saying "*In the name of Allah, who is always absent, without any leave, whose omnipotent absence, is always taken for this omnipotent presence*".

104. Muhammad Sharif PW-9 also attended the said seminar "Building Bridge" and he corroborated PW-8 on the point that accused started his speech with the words "*In the name of Allah, who is always absent, without any leave and whose omnipotent absence, is always taken for this omnipotent presence*".

105. Muhammad Arslan Khalil PW-10 deposed that accused Junaid Hafeez used to discuss gender of GOD in open class. Accused Junaid Hafeez used to defile the Holy Personalities i.e. Uma-Hatt-ul-Momneen by saying that they are just character, they neither existed in reality nor they had such like character as the same alleged by the Muslims. He further used to say that as the Holy Book was written by Muhammad (PBUH) himself hence the accused called God as "HE". The accused Junaid Hafeez further alleged that as the word "HE" is used for GOD, so in Islam woman have no rights and they are a gender with low status. He attended different seminars held in BZ university which were organized and

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presided by Shirin Zubair and compared by Junaid Hafeez. In the said seminars, he himself witnessed that accused Junaid Hafeez used to say *"In the name of Allah who doesn't has any existence in this World, and we are obeying him"*. The accused further used to defile and disrespect the Holy Personalities in the said seminars and also used derogatory words about Islam. All the said derogatory acts/remarks of accused Junaid Hafeez were witnessed by his friend Dilshad, Qarif Sharif. The complaint was also made to Prof. Dr. Hakoomat Ali (PW-11) where accused was invited. The supra witnesses reiterated derogatory remarks of the accused used against the Holy Personalities and Allah Almighty. The accused replied and defended himself that it was his freedom of expression. The Constitution of Islamic Republic of Pakistan does not accept this stance. As per Article 71 of The Qanun-e-Shahadat, 1984, oral evidence must be direct in all cases. PW-8, PW-9 and PW-10 are the eye witnesses who attended the seminar where accused used/uttered derogatory remarks against Allah Almighty, insulted religious beliefs of Muslims.

106. On the timeline of the accused facebook group So Called Liberals of Pakistan, the posts given below PF/6 is available which is the documentary proof of accused insulting the religious beliefs of the Muslims.

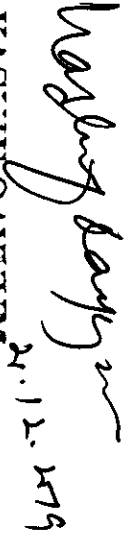
Quran has made Women "A Sex Toy" (Sura Baqara: 239

"HALALA *Another shameless Islamic Teaching and Ritual.*

The term 'Halala' is when a man has irrevocably divorced his wife, and they (or some people) intentionally plan and arrange for another person to temporarily marry the (divorced) wife, and have Sex with her for one Night or One week Or one Month so that the wife can again become legal again for the first husband"

Why God Never Received a PHD

"He has only one major publication and it's in Old Hebrew.

KASTIHA QAYYUM
 Addl. District & Sessions Judge
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 21.12.2019


His work has no references and it was not published in a peer reviewed journal.

Academic scholars constantly question the book's source and authorship.

He often threatens to smile those who support any of his colleague's work

He created the world ages ago, but his recent work was never as impressive.

The scientific community has had a hard time replicating his result.

He never applied to the ethics board for permission to use human subjects.

When his experiment went away he tried to cover it up by drowning his subjects.

He expelled his first two students for trying to learn on their own.

He rarely came to class and just told students to read the book.

Many students swear he had his son teach the class.

His office hours are infrequent and are held on a mountain top in the desert.

Although he only gave 10 assignments, most of his students still fail".

جب غزالی، اقبال اور کئی دوسرے مذہبی دانشور خدا کے وجود کے ثبوت اور اس کی تشریح و توضیح کے لئے صفحوں کے صفحے سیاہ کرتے ہیں تو ان شعوری طور پر وہ یہ بات اسٹیبلش کر رہے ہوتے ہیں کہ خدا اپنے وجود کی ماہیت اور غایت کا اعلان کرنے میں ناکام رہا ہے

107. The nutshell of the supra discussion is that accused used/uttered derogatory remarks against Allah Almighty, Holy Personalities and insulted religious beliefs of Muslims. So charge against the accused u/s 295-A PPC is proved beyond any shadow of doubt.

108. The first version of the accused and his defence are divergent. In his first version, in reply to a question, he replied that no one could become a member of said group as he was the Admin of said group So Called Liberals of Pakistan. Besides other questions a question pertaining to Teen Sawal was also put to him. In reply he said that it was correct that Teen Sawal were posted on his page/group from Mulla Munafiq and he felt sorry for that whereas in his defence version he mainly contended that a conspiracy was hatched against him as he was candidate for permanent seat

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of lecturer. His second defence was that conspiracy was hatched against him and Dr. Shirin Zubair because Dr. Shirin Zubair was about to contest the election of Syndicate and she was to become V.C. of the university. The defence plea that IP address was not traced is of no help of the accused as the IP address is only traced when a person or his location cannot be found. It is the obligation of the accused to prove the plea taken by him in his defence in terms of Article 119, 120, 121 of QSO, 1984. The accused has not proved these pleas.

109. Exh.PG/1 to 118, Exh.PF/1 to 35, P.12 to P.24, P.26 CDs P.25/1 and P.25/2, Exh.PQ, Mark-A, Exh.PR, Exh.PS, Exh.PT, Exh.PU, Exh.PV, Exh.PW/1, Exh.PW/2, Exh.PW/3, Exh.PW/4, Exh.PX were exhibited under objection and the objection was raised by the learned defence counsel. Likewise, certain other documents i.e. Mark-DU, Mark-DV, Mark-DW, Mark-DX, Mark-DY, Mark-DZ, Mark-DAA, Mark-DBB, Mark-DCC, Mark-DEE, Mark-DFF/1, Mark-DFF/2, Mark-DFF/3, Mark-DFF/4, Mark-DFF/5, Mark-DFF/6, Mark-DGG/1, Mark-DGG/2, Mark-DGG/3, Mark-DGG/4 were exhibited under objection and the objection was raised by the learned DDPP.

110. As per Article 18 of Qanun-e-Shahadat Order, 1984, "*evidence may be given in any suit or proceedings of the existence or non-existence of every fact in issue and of such other facts as are hereinafter declared to be relevant and of no others*". So, the supra documents have the relevancy with the instant case and they either pertain to fact in issue or relevant facts. So, the objections are overruled.

111. The facts narrated in the case laws, referred by the learned defence counsel are distinguishable to that of the instant case.

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112. It is the most serious case because the Holy Prophet Muhammad (PBUH) was not only the Prophet sent for Muslims but for the whole mankind, the Qur'an is a Holy Book and source of guidance and salvation for the whole mankind. Accused has not only committed a heinous offence against the whole humanity but also tried to create a mischief in the society.

113. In view of the discussion made above, I have come to the conclusion that prosecution has proved his case beyond any shadow of doubt, therefore, I hold Junaid Hafeez accused guilty u/s 295-A, 295-B and 295-C PPC convict and sentence him as under:-

u/s 295-A PPC Ten years rigorous imprisonment and fine of Rs.100,000/- (one hundred thousand), in default whereof, he would undergo further imprisonment for six months

u/s 295-B PPC Imprisonment for life

u/s 295-C PPC Death and fine of Rs.5,00,000/- (five hundred thousand), in default whereof to undergo further imprisonment for six months and he shall be hanged by neck till his death subject to its confirmation by the Hon'ble High Court.

All the sentences shall run consecutively and the accused would not be entitled to the benefit of section 382-B Cr.PC because in case of blasphemer, this court has got no circumstance for taking lenient view and it is also not permitted in Islam. A reference u/s 374 Cr.PC be also submitted to the Hon'ble High Court for confirmation of death sentence awarded to the accused.

114. The personal belongings i.e. his clothes, markers, glue stick, white sticking tape which do not belong to the case, be handed over to the accused.

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 Multan.
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 u/s 295-A, 295-B & 295-C PPC, PS Alpa, District Multan

115. A copy of this judgment has been given to the accused free of charge and he was also explained that he could prefer an appeal within seven days. A copy of this judgment be also sent to District Public Prosecutor, Multan. File be consigned to the record room after its due compilation.

Announced:
 21.12.2019
 "Munir Steno"

Kashif Qayyum
Kashif Qayyum 21.12.2019
 Additional Sessions Judge
 Multan
 Camp at New Central Jail, Multan

Certified that this judgment consists of 77 pages. Every page has been dictated, corrected where necessary and signed by me.

Announced:
 21.12.2019
 "Munir Steno"

Kashif Qayyum
Kashif Qayyum 21.12.2019
 Additional Sessions Judge
 Multan
 Camp at New Central Jail, Multan

