

SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

Present:

Justice Malik Shahzad Ahmad Khan

Justice Shakeel Ahmad

Crl.M.Appeal.38/2025

Jamshaid Ahmed Dasti

...Appellant

Versus

The State through Prosecutor General Punjab,
Lahore and another

...Respondent

For the Appellant : Mr. Dil Muhammad Khan Alizai, ASC.

For the State : Mirza Abid Majeed D.P & Pb.

Date of Hearing : 13.10.2026

ORDER

Proviso to Rule 8 of Order XXIV of the Supreme Court Rules, 2025, being relevant in the circumstances, is reproduced below:

“Provided that unless surrender is first made before the Court to an order of imprisonment, as above, the petition shall not be entertained”

It is clear from the above that if a convict surrenders before the Court, then the Court may entertain his/ her petition/application/appeal without his surrender before the police/ jail authorities; therefore, it is held that under the amended Supreme Court Rules, 2025, it is for the Court to decide that as to whether the surrender of the petitioner/ applicant/ appellant before the Court is sufficient or he has to be sent to the jail in compliance of the orders/ judgments of his imprisonment. It is further clarified that in future such petitions/ applications/ appeals filed by the convicts against their convictions shall be numbered and directly placed before the Court.

2. In view of the above, this Crl. Misc. Appeal is allowed and the office objection dated 18.11.2025 is overruled. The office is directed to number the main petition and fix it before the Court on 15.10.2026.

3. It is further directed that on the request/noting of the petitioner(s)/ appellant(s), their AORs or their learned counsel in such like cases, the office shall fix the case before the Court on the same day or on any date noted by the petitioner(s)/ appellant(s), their learned counsel or AOR, alongwith office objection(s), if any.

4. Insofar as the present case is concerned, the learned counsel for the appellant submits that the appellant is a member of the National Assembly and he apprehends serious danger of his arrest. He further submits that the appellant wants to surrender before this Court; therefore, protective pre-arrest bail may be granted to the appellant to enable him to approach this Court. In the light of above, the appellant is granted protective bail till 15.10.2026 to enable him to approach this Court. He shall not be arrested till the above-mentioned date. Adjourned to 15.10.2026.

Islamabad, the
13th October, 2026
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