

SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Present:

Justice Shahid Waheed
Justice Naeem Akhter Afghan
Justice Ishtiaq Ibrahim

Crl.P.L.A.1200/2026 AND Crl.P.L.A.1208/2026

1. Crl.P.L.A.1200/2026 Zeeshan Majeed Bhatti v.
(Against order dated 07.04.2026 The State through D.A.G
passed by Islamabad High Islamabad & another
Court, Islamabad in Crl. Misc.
No.450-B/2026)
2. Crl.P.L.A.1208/2026 Zeeshan Majeed Bhatti v.
(Against order dated 07.04.2026 The State through D.A.G
passed by Islamabad High Islamabad & another
Court, Islamabad in Crl. Misc.
No.449-B/2026)

For the Petitioner(s) : Mr. Sawal Nazir Khan, ASC

State : Raja Muhammad Shafqat Abbasi,
Deputy Attorney General for
Pakistan (**DAG**)
Junaid SI FIA CCC Islamabad

Date of Hearing : 17.09.2026

ORDER

Naeem Akhter Afghan, J:

Crl. MA No.987 AND 989 of 2026: For the sufficient/cogent reasons mentioned in the applications for condonation of 35 days delay in filing Crl.P.L.A.1200 and 1208/2026, the same are accepted and the delay is condoned.

Crl.P.L.A.1200 AND 1208/2026: After refusal of post-arrest bail on medical grounds by the trial court and Islamabad High Court, the petitioner (being an under trial prisoner) has filed the instant petitions for grant of post-arrest bail on medical grounds in FIR No.17/2024 registered with Police Station (**PS**) FIA Corporate Crime Circle (**CCC**) Islamabad on 22.10.2024 under sections 406, 409, 419, 420, 467, 468, 471, 477-A, 34, 109 PPC read with 5(2)47 PCA and in FIR No.19/2024 registered with PS FIA CCC Islamabad on 02.12.2024 under sections 34, 109, 409, 419, 420, 467, 468, 471, 477-A, PPC read with 5(2)47 PCA.

3. After hearing learned counsel for the petitioner and learned DAG, we have perused the available record and have gone through the medical reports dated 04.04.2026 and 27.08.2026 submitted by the Medical Officer (**MO**) Central Jail Rawalpindi. The report of the MO Central Jail Rawalpindi dated 27.08.2026 reads as follows:

"It is submitted that the Under Trial Prisoner Zeeshan Majeed s/o Abdul Majeed, about 43 years old male has history of Hypertension (HTN), Atypical chest pain and DM (Diabetes Mellitus). He was examined by visiting consultant Associate Prof. of Medicine Dr. Arslan Ahmad from Holy Family Hospital, Rawalpindi. The said consultant advised noted that his Blood pressure remains high routinely. The said consultant advised medication and cardiac consultation. He was then examined by visiting consultant Cardiologist Dr. Muhammad Usman Javed from Rawalpindi Institute of Cardiology, Rawalpindi. The said Consultant advised ECG which shows ischemic changes. The said Consultant advised CT Coronary Angiography. He was shifted to Pakistan Institute of Medical Sciences (PIMS) Islamabad, where he was examined by Assistant Prof. of Cardiology Dr Fasih Ullah Khan. The said consultant advised medications and plan for Coronary Angio +/- PCI. He was then again shifted to Pakistan Institute of Medical Sciences Islamabad for coronary angiography where he was examined by Associate Prof. of Cardiology (Consultant Interventional Cardiologist) Dr. Mehboob Ur Rehman. The said consultant advised fresh ECHO & ETT. His ECHO was done on the same day but ETT could not done due to High Blood Pressure (BP) which was 170/120mmHg. The consultant also advised ETT alongwith BP charting. His BP charting shows high blood pressure on routine basis. He was examined by visiting Consultant Medical Specialist Dr. Shahid Farooq from Rawalpindi Teaching Hospital (DHQ) Rawalpindi on the orders of Honourable Islamabad High Court Islamabad. The said consultant noted on prescription that he has history of Hypertension (HTN), for last 03 years with active complaint of headache. He also advised to repeat 2D ECHO alongwith USG Renal Doppler. His BP was 180/120mmHg after providing him with Tab. Capoten 25mg, but his BP remained high. The said consultant also advised strict BP monitoring alongwith repeat Cardiac consultation. He was then examined by visiting consultant cardiologist

Dr. Shah Jihan from Pakistan Institute of Medical Sciences (PIMS), Islamabad. The said consultant noted that he is a known case of DM (Diabetes Mellitus), HTN (Hypertension), IHD. The said consultant noted that he has active complaint of chest pain on exertion. On examination his BP 190/120mmHg. The said consultant advised CT Angiography.

It is respectfully submitted that the present ailments of Under-Trial Prisoner Zeeshan Majeed Bhatti cannot be fully treated within the medical facilities available at Central Jail Hospital Rawalpindi. The prisoner requires referral to a tertiary care cardiac hospital for specialized evaluation, optimization of blood pressure, completion of cardiac investigations, and further management as advised by Consultant Cardiologists.”

4. The reports dated 04.04.2026 and 27.08.2026 of the MO Central Jail Rawalpindi reveal that the petitioner is suffering from serious ailments. The petitioner cannot have treatment of his choice in jail hospital. The ailments of the petitioner require specialized treatment and monitoring which is not possible for the jail authorities. Continuous detention of the petitioner in jail without specialized treatment is likely to affect his capacity and same may prove hazardous to his life.

5. In the case of “*Banaras v. The State*” **(1978 SCMR 191)**, while granting post-arrest bail to accused Banaras suffering from idiopathic epilepsy, it was held as follows by this Court:

“After hearing the learned counsel for the parties, we are of the opinion that the appellant is suffering from a serious disease and he cannot have treatment of his choice in the Jail Hospital. Besides fits occur in the disease from which the appellant is suffering, and it will be difficult for the Jail authorities to look after him.”

In the case of “*Malik Muhammad Yousafullah Khan v. The State*” **(PLD 1995 SC 58)**, while granting post-arrest bail to accused Malik Muhammad Yousafullah Khan for treatment of firearm injury on his right forearm (radial nerve injury), it was held as follows by this Court:

“The correct criteria for grant of bail to an accused in a non-bailable case, on medical ground, in our view, would be that the sickness or ailment with which the accused is suffering is such that it cannot be properly treated within the premises of jail and that some specialised treatment is needed and his continued detention in Jail is likely to affect his capacity or is hazardous to his life.”

In the case of *“Zakhim Khan Masood v. The State” (1998 SCMR 1065)*, while granting post-arrest bail to accused Zakhim Khan Masood suffering from Ischaemic Heart Disease, it was held as follows by this Court:

“It has been observed by the doctor in the above report that the ailment with which the petitioner is suffering, is likely to have hazardous effects on his life because stress and strain may aggravate his disease. The petitioner is, undoubtedly, sick and as such, needs treatment in conducive conditions free from any kind of pressure. In custody, it cannot be said that the petitioner shall have full peace of mind. His recovery from ailment shall, surely, be slow if he remains in detention. We are, therefore, satisfied to observe that the petitioner’s life may seriously be in danger if he is not released on bail.”

In the case of *“Mian Manzoor Ahmad Watto v. The State” (2000 SCMR 107)*, while granting post-arrest bail to accused Mian Manzoor Ahmad Watto (in three different cases/FIRs) having Ischaemic Heart Disease, having Angioplasty and Atherectomy in 1993 and 1994 respectively and suffering from cervical spondylosis, it was held as follows by this Court:

“Since we have reached the conclusion after considering the medical report received from A.F.I.C. on the condition of the appellant that his continued detention in the jail is hazardous to his life and that the specialized treatment needed by him, cannot be provided within the jail premises, we are inclined to admit the appellant to bail in all the above three cases.”

6. In view of the principles laid down by this Court in the above referred cases, in view of the reports submitted by Medical Officer Central Jail Rawalpindi and for the reasons mentioned in Para-4 supra, both the petitions are

converted into appeals and same are accepted. The petitioner is granted post-arrest bail on medical grounds under sections 406, 409, 419, 420, 467, 468, 471, 477-A, 34, 109 PPC read with 5(2)47 PCA in FIR No.17/2024 PS FIA CCC Islamabad and under sections 409, 419, 420, 467, 468, 471, 477-A, 34, 109 PPC read with 5(2)47 PCA in FIR No.19/2024 PS FIA CCC Islamabad subject to his furnishing separate surety bonds in both cases in the sum of Rs.5,00,000/- each with PR bonds of the like amount each to the satisfaction of the trial court.

Judge

Judge

Judge

Islamabad
17.09.2026
APPROVED FOR REPORTING
Rashid + Muhammad Zain LC/*