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THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Yahya Afridi, CJ
Mr. Justice Shakeel Ahmad
Mr. Justice Ishtiaq Ibrahim

J.P 326 of 2022 & CrI. P.L.A 1165 of 2022

(against the Judgment dated 08.06.2022
passed by Hon'ble Lahore High Court,
Rawalpindi in CrI.A. 1030/ 2018, CrI.A. No.
1031/2018 & Capital Sentence Reference
No. 7-T/2018)

Amoon Ayub (in J.P. 326/2022)
Qaiser Ayub (in CrI.P.L.A 1165/2022)

...Petitioner(s)

VERSUS

The State etc.

...Respondent(s)

For the Petitioner : Mr. Abdul Hameed Khan Rana, ASC (both)
Mr. Rifaqat Islam Awan, ASC (in J.P. 326/2022)
(at State Expense)

For Complainant : Mr. Kamran Murtaza, Sr. ASC
Mr. Ghulam Mustafa Ch. ASC
Malik Tariq Mehmood, AHC
(with special permission)
Mr. Muhammad Saeed, Complainant In-person

For the State : Mirza Abid Majeed, DPG Punjab

Date of hearing : 06.07.2026

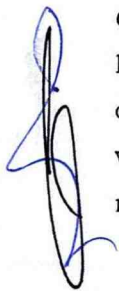
JUDGMENT

ISHTIAQ IBRAHIM, J.- The Petitioners namely Qaiser Ayub and Amoon Ayub were tried by the learned Additional Sessions Judge, Talagang ("Trial Court"), in FIR No. 105, dated 09.06.2011, registered under Sections 295-C of the Pakistan Penal Code ("PPC") at Police Station City Talagang. Vide judgment dated 13.12.2018, the learned trial court convicted both petitioners under Section 295-C PPC and sentenced them to death, along with a fine of Rs. 1,00,000/- (Rupees one hundred thousand) each, or in default thereof, to undergo six months' Simple Imprisonment (S.I.) each. Aggrieved therewith, the petitioners assailed their conviction and sentence before the learned Lahore High Court where the judgement passed by the learned Trial Court was upheld. Now the Petitioners Qaiser Ayub and Amoon Ayub through the instant petitions brought before us seeks to assail the judgment of the learned High Court.

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2. The chain of events giving rise to the instant case, as narrated by Muhammad Saeed-PW-6/complainant, commenced in August 2010, when the complainant/PW-6, a resident of Tehsil Talagang, stumbled upon highly derogatory and sacrilegious material uploaded on a public blog hosted at the web address www.ucopak.wordpress.com. Upon inspecting the specific web page hosting this offensive material, the complainant/PW-6 observed that the author had published complete personal identification and contact details directly on the page including names of the petitioners, their phone numbers, landline number, email IDs, and office address along with name of an organization namely United Christians Organization Pakistan (UCOPAK), linked to the primary domain [www.ucopak.org]. Disturbed by the nature of the content, complainant/PW-6 immediately reported the matter to Police Station City Talagang through an application (Ex.PA) along with printed snapshots of the blasphemous web pages and documents. Due to an insouciant approach regarding technical jurisdiction over internet-based offences, formal First Information Report ("FIR") was not lodged and the police referred the complainant to the Cyber Crime Wing of the Federal Investigation Agency ("FIA") who conducted a preliminary inquiry upon the complainant's application, during which PTCL records officially verified that landline number 042-5091181 was registered in the name of the petitioner Amoon Ayub, and the domain www.ucopak.org was registered under the ownership of petitioner Qaiser Ayub. However, because the Cyber Crime Wing at that time lacked statutory jurisdiction to independently prosecute capital blasphemy charges under PPC, the matter was referred back to the police and after a lapse of approximately ten months, FIR No. 105 was formally registered on 09.06.2011 (Ex.PB) under Sections 295-C against the petitioners. When police tried to apprehend the petitioners, it was found that both of them have absconded. After sustained efforts, petitioner Qaiser Ayub was arrested on 16.11.2014. Upon being interrogated while in police custody on 16.11.2014, the petitioner Qaiser Ayub made a voluntary disclosure and led the police team to his office, from where he effected the recovery of a substantial cache of computer hardware and electronic media. The recovered items were taken into possession by SP Jabbar Hussain vide recovery memo Exh.PF, which included:

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i) CPU (Desktop) Dell of black colour P-8	ii) CPU Acer (Tower) P-9
iii) CPU Tower-Intel inside P-10	iv) Four Hard Disks P-11/1-4
v) no CDs P-12/1-110	vi) PTCL Device of White Colour P-13
vii) Wi-Fi Device of Wi-tribe Red Colour P-14	viii) Two External Devices P-15/1-2
ix) Wi-Fi ATxT Device P-16	x) One MP3 Player P-17
xi) One Telephone Set P-18	xii) One Laptop (Lenovo) along with charger P-19
xiii) LCD (Optima) of black colour P-20	xiv) Two Keyboards of Dell P-21/1-2
xv) One Old Mouse P-22	xvi) One New Mouse P-23

Subsequently, on 18.04.2015, the co-petitioner Amoon Ayub was arrested. At the time of his personal search, a Samsung mobile phone along with a SIM card (P-24) was recovered and secured via recovery memo Exh.PG. During interrogation while in police custody, Amoon Ayub also made a disclosure on 22.04.2015 and led the police to the residence of his father-in-law situated in Maryam Colony, Lahore, from where he pointed out and recovered a Dell Laptop (P-25), which was taken into police possession vide recovery memo Exh.PH. The seized hardwares were sent for digital forensic analysis to the Cyber Crime Wing, Federal Investigation Agency (FIA), Islamabad where the examination was conducted by Mehmood-ul-Hassan, Deputy Director FIA (PW-7), who submitted his detailed Forensic Analysis Report (Exh.PK), alongside technical reports (Exh.PN/1-22).

3. The forensic extraction of the Acer CPU (P-9) and Lenovo Laptop (P-19), recovered from petitioner Qaiser Ayub included a massive volume of explicit blasphemous files (Exh.PK/8 to Exh.PK/72) extracted directly from the internal hard drives. The report also (Exh.PK/32 and Exh.PK/34) revealed active login credentials and administrative access logs showing that the website www.ucopak.org was accessed and managed using Qaiser Ayub's primary email addresses (contact@ucopak.org and qaiser@ucopak.org). A domain registration order form dated

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02.06.2009 (Exh.PK/170), along with supporting records (Exh.PK/169 and Exh.PK/171), confirmed that petitioner Qaiser Ayub had personally purchased and registered the domain www.ucopak.org. The Lenovo laptop (P-19) yielded extensive personal data belonging to petitioner Qaiser Ayub, including international e-tickets (Exh.PK/85 to Exh.PK/92), hotel reservations in the United States (Exh.PK/94), US visa application forms (Exh.PK/95 to Exh.PK/97), bank statements (Exh.PK/98 to Exh.PK/104), Western Union receipts (Exh.PK/105 to Exh.PK/107), and private email correspondence (Exh.PK/113 to Exh.PK/130). Similarly, the forensic analysis of the Dell Laptop (P-25), recovered from petitioner Amoon Ayub, generated Technical Report Exh.PN/1 to Exh.PN/22 which shows offensive and blasphemous material (Exh.PN/8),(Exh.P-9, Exh.P-11, Exh.P-12),(Exh.P-10), (Exh.PN/22). The analysis report further (Exh.PS/1-9) established that the blog URL[www.ucopak.wordpress.com](<https://www.ucopak.wordpress.com>) was created and accessed via an IP address backed by PTCL landline connection 042-5091181. Official PTCL subscription logs produced by SP Jabbar Hussain (PW-8) confirmed that this landline connection was registered under the personal name and residential address of Amoon Ayub. It was further demonstrated that the WordPress blog ([www.ucopak.wordpress.com] (<https://www.ucopak.wordpress.com>)) carried the exact personal contact details, landline numbers, mobile numbers, and email accounts of both petitioners as the creators and administrators of the site. When confronted with this overwhelming digital evidence and forensic audit both petitioners failed to offer any plausible explanation as to how their personal hardware, landline connection, domain registration records, and private documents were embedded with the blasphemous content. After completion of the proceedings the trial court convicted both petitioners to death along with a fine of Rs. 1,00,000/- each, or in default thereof, to undergo six months S.I. which was upheld by the high court.

4. Arguments heard, record perused.

5. Before adverting to the merits of the case, we would refer to section 295-C PPC, under which the petitioners have been convicted and sentenced, so as to know the essentials ingredients which constitute the offence under section 295-C PPC and the punishment provided for the same. Section 295-C of PPC is reproduced below:

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295-C.Use of derogatory remarks, etc. in respect of the Holy Prophet:

Whoever by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine.

A plain reading of this provision shows that the Legislature intentionally drafted the law with extraordinary statutory breadth to ensure that no creative, veiled, or technologically disguised form of blasphemy escapes criminal liability. It encompasses not merely direct spoken or written words and visible representations (such as sacrilegious portraits, caricatures, or digital graphics), but also imputations (direct allegations attributing unseemly conduct), innuendos (coded or indirect language carrying a secondary, profane meaning), and insinuations (subtle hints or veiled slurs designed to covertly undermine sacred personages), the statute leaves no safe harbor for perpetrators. The statutory inclusion of the phrase "directly or indirectly" is an all-encompassing legal net, signifying that the law looks beyond technical phrasing or linguistic cleverness; whether an individual directly publishes a profane statement or indirectly through veiled suggestions, every such expressive modality constitutes a fully consummated offence under Section 295-C PPC once the underlying act (*actus reus*) and profane intent (*mens rea*) are established.

6. Now coming towards the merits of the case, upon a meticulous review of the record it appears that the complainant, Muhammad Saeed (PW-6), is a permanent resident of Tehsil Talagang, whereas the petitioners were residing in Lahore. The parties were total strangers prior to the occurrence, with no past acquaintance or history of inter se enmity. The petitioners have failed to bring on record any material to show why a complainant residing over three hundred kilometers away would harbor any mala fide or motive to falsely involve them in an offence carrying capital punishment. Furthermore, regarding the afflux of approximately ten months in the formal registration of the FIR (Exh.PB), we are firmly of the view that such delay is of no adverse consequence to the prosecution case. The record clearly demonstrates that upon discovering the blasphemous posts in August 2010, the complainant did not sleep over and immediately approached the local police station with a written application. The subsequent delay



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occurred solely because the territorial police, uncertain of its jurisdiction over internet-based offenses, shuttled the complainant between local station house officers, police administrative heads, and the Cyber Crime Wing of the FIA. The FIA conducted a pre-requisite technical investigation before referring the matter back for formal registration of the crime report. Because this procedural delay is fully explained rather than any deliberation or fabrication by the complainant, it carries no material importance.

7. Now, we will first discuss the case to the extent of Petitioner Qaiser Ayub. The technical analysis report (Exh.PS/1-9) and the forensic report(Exh.PK) reveal that the blog URL [www.ucopak.wordpress.com] (<https://www.ucopak.wordpress.com>) hosted explicit blasphemous portraits and articles. The petitioner's contention that the WordPress platform was an independent third-party site created without his authorization was busted as the specific web page containing the sacrilegious content prominently displayed the full administrative profile of the petitioner including his name, email IDs, office address, and phone numbers. Upon analysis this alleged Wordpress platform was found directly tied to the primary domain www.ucopak.org, registered under the organization United Christians Organization Pakistan (UCOPAK). The forensic analysis of the Lenovo Laptop (P-19) recovered at the instance of petitioner Qaiser Ayub yielded the original domain registration order form (Exh.PK/169-171), establishing beyond shadow of doubt that petitioner Qaiser Ayub personally purchased and owned the domain www.ucopak.org as far back as 02.06.2009. Because WordPress operates as a public publishing platform requiring a registered administrator email account, the creation of [www.ucopak.wordpress.com] (<https://www.ucopak.wordpress.com>) using the primary domain's official credentials (contact@ucopak.org) shows that the blog operated as an auxiliary publishing outlet under the umbrella of the primary domain www.ucopak.org. Consequently, the defence plea asserting an absence of nexus between the petitioner Qaiser Ayub and the WordPress web page is wholly devoid of force.

8. We have also given our serious consideration to the evidence extracted from the seized hardware. Pursuant to the disclosure and pointation of petitioner Qaiser Ayub while in police custody on 16.11.2014, number of computer devices and gadgets were

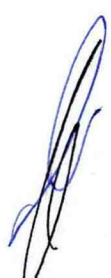


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recovered on his pointation through recovery memo Exh.PF, including an Acer CPU (P-9) and a Lenovo Laptop (P-19). Both these electronic devices were sealed and transmitted to the Cyber Crime Wing, FIA, Islamabad, for digital forensic analysis. The Forensic Report (Exh.PK) prepared by Mehmood-ul-Hassan, Deputy Director FIA (PW-7), revealed that the internal hard drives contained a vast repository of explicit blasphemous portraits and sacrilegious articles (Exh.PK/8 to Exh.PK/72) and that the exact blasphemous articles, images, and distorted text published on the blog [www.ucopak.wordpress.com] (<https://www.ucopak.wordpress.com>) including Exh.PK/9, Exh.PK/11 to Exh.PK/29, Exh.PK/33 to Exh.PK/38, Exh.PK/41 to Exh.PK/44, and Exh.PK/70 to Exh.PK/72 were also stored inside these very devices. The petitioner's plea that the devices with blasphemous material were planted on him stands completely demolished upon in the light of the forensic examination report of the same hardware. The digital forensic audit of the Lenovo Laptop (P-19) yielded an extensive collection of the petitioner's private and highly confidential personal documents, including his international e-tickets (Exh.PK/85 to Exh.PK/92), hotel reservations in the United States (Exh.PK/94), US visa application forms (Exh.PK/95 to Exh.PK/97), bank statements, Western Union money transfer receipts (Exh.PK/10 to Exh.PK/107), and private email correspondence (Exh.PK/108 to Exh.PK/130). It passes human comprehension how can anyone possibly plant or manufacture such an extensive, intimate repository of genuine personal records, international travel credentials, and financial transactions belonging to the petitioner and his family. The presence of this undisputed personal data inside the exact same drive containing the blasphemous files creates an unbroken, unassailable chain of ownership. It conclusively proves that the recovered devices were the personal property and under the exclusive custody of the petitioner Qaiser Ayub, which in turn irrevocably links him to the creation, possession, and online distribution of the blasphemous material.

9. Additionally, while perusing the record we came across emails recovered from personal email accounts of the petitioner Qaiser Ayub which revealed active correspondence and electronic communications with various individuals and entities across the globe involved in disseminating sacrilegious content. This evidence portrays that the petitioner has a systematic pattern of behavior and


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a deliberate ideological inclination toward generating and propagating blasphemous material. When viewed in conjunction with the recovered digital, hardware and online publications, there is no lingering doubt regarding the petitioner's conscious involvement, malicious intent, and active role in the commission of the charged offense.

10. Now coming towards the role of petitioner Amoon Ayub. We have given our anxious consideration to the evidentiary material available on record against the petitioner Amoon Ayub. The prosecution case against him primarily rests upon three pieces of evidence including (i) the PTCL landline connection registered in his name, (ii) the tenancy of the office premises held in his name, and (iii) the recovery of the Dell Laptop (P-25) from the residence of his father-in-law. First, as regards the PTCL landline connection and the rented office premises, admittedly Petitioner Amoon Ayub is the brother of petitioner Qaiser Ayub and it is a matter of common social reality in our society that utility connections, internet subscriptions, and lease agreements are frequently registered in the name of one family member for administrative convenience, while being freely utilized by all members of the household or joint business venture. The mere fact that the landline broadband connection or the rent agreement of office was registered in Amoon Ayub's name cannot, by itself, serve as conclusive proof that he personally created or uploaded the sacrilegious material. To hold an individual criminally liable for a capital offence solely because a shared utility or lease agreement stands in his name would be a dangerous extrapolation unwarranted in criminal jurisprudence. A person cannot be held vicariously responsible for the nefarious acts of another family member simply on account of holding the legal title to a shared facility like PTCL landline registration or rental office premises from where devices containing incriminating evidence is seized. Turning to the recovery of the Dell Laptop from the house of his father-in-law, the credibility of this recovery is significantly clouded by the testimony of the prosecution's own witness, Mehboob Hussain ASI (PW-4), who specifically deposed during cross-examination that the front of the laptop was empty rightnow, leaving an ambiguity as to the structural state of the laptop at the time of its seizure and whether the internal drive was intact or modified during custody. This material infirmity renders the recovery proceedings shady and doubtful. Even if the said recovery is taken at face value, in joint

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family setups and among real brothers, it is exceedingly common for siblings to share or borrow electronic devices with each other. The fact of petitioner Amoon Ayub having his brother's laptop without possessing actual knowledge (mens rea) of the blasphemous content stored therein cannot be ruled out. Because the quality of evidence against the petitioner Amoon Ayub is weak, it is far below the rigorous evidentiary standard required to sustain his conviction and no other evidence has been brought on record to prove the nexus of petitioner Amoon in commission of offence with Petitioner Qaiser Ayub. Extending the benefit of doubt to him, we hold that the case against petitioner Amoon Ayub is not sustained.

11. In the light of above discussion, we find no legal infirmity, misreading, or non-reading of material evidence in the concurrent findings of conviction and sentences recorded against petitioner Qaiser Ayub by the courts below. Consequently, CrI.P.L.A 1165/2022 is dismissed and leave is refused. The conviction and sentences awarded to petitioner Qaiser Ayub under Section 295-C PPC, are hereby upheld. Whereas J.P. 326/2022 is converted into an appeal and is allowed. The convictions and sentences awarded to appellant Amoon Ayub by the trial court and confirmed by the High Court are hereby set aside. He is acquitted of all the charges and shall be released from jail forthwith, if not required to be detained in connection with any other case.

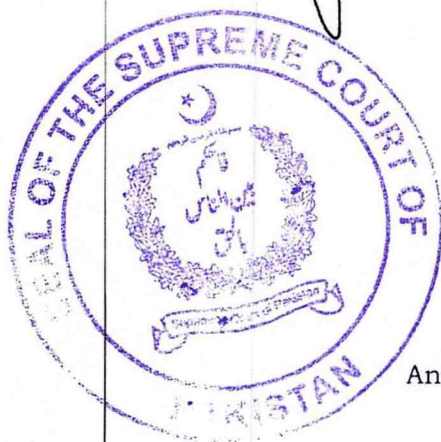
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Announced on 7 Oct 26 in Open Court at Islamabad

Sd/-J

Not Approved for Reporting

Muhammad Siraj, SPS/ Tayyaba Munir, Law Clerk

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