

# IHC Forms JIT to Recover Missing Minor Esha Fatima

In W.P. No. 2664 of 2026, the Islamabad High Court formed a DIG-led JIT to trace Esha Fatima and required concrete progress reports on every hearing.

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## What the Islamabad High Court ordered

The Islamabad High Court has constituted a Joint Investigation Team to trace and recover Mst. Esha Fatima, the minor daughter of petitioner Abid Hussain. The order was passed on 1 September 2026 in *Abid Hussain v. Federation of Pakistan, etc.*, W.P. 2664-2026, by Justice Khadim Hussain Soomro.

The Court placed the Deputy Inspector General of ICT Police, Islamabad, at the head of the JIT. It directed the team to investigate independently, thoroughly and expeditiously, use all lawful investigative avenues, submit a first comprehensive progress report within two weeks from receipt of the order, and continue until the missing girl is traced and recovered, subject to further orders.

The next hearing was fixed for 23 September 2026 for submission of the progress report and further proceedings.

## Background recorded in the order

The order records that Esha Fatima had been missing for seven months. An FIR had been registered and the police had made repeated efforts, but she had not been traced or recovered.

Counsel for the petitioner submitted that the investigation had produced no tangible result and that the length of the disappearance required coordinated work by officers possessing investigative, intelligence and modern technological expertise.

The Court accepted that the nature and sensitivity of the matter, the time already elapsed and the State's constitutional obligation to protect life, liberty and dignity required a coordinated and effective investigation by a JIT.

## Who will serve on the JIT

The Court directed that the JIT be headed by the DIG, ICT Police, Islamabad. Its membership consists of:

- the DIG, ICT Police, Islamabad;

- the SSP Investigation;
- an FIA representative, preferably from the Anti-Human Trafficking or another appropriate investigation unit;
- a representative of the Intelligence Bureau;
- a representative of any other agency considered necessary by the head of the JIT; and
- a female police officer of appropriate rank.

With the concurrence of the competent authority, the head of the JIT may co-opt an officer or representative of any federal or provincial agency whose assistance is required. The Court directed every concerned department and agency to provide full cooperation, information, records, technical assistance and personnel.

## **The Court's 23 directions to the investigation team**

The order contains 23 terms of reference. Read together, they create a structured investigation rather than a general instruction to make further efforts.

### **Reconstructing the disappearance**

The JIT must establish the date, time, place and exact circumstances in which the girl went missing. It must determine her last known whereabouts and movements, identify the persons who were in contact with her immediately before and after the disappearance, and examine all relevant family members, friends, acquaintances, witnesses, suspects and other persons with relevant knowledge.

The team must independently examine every nominated or suspected person and is not confined to the version recorded in the FIR. Every credible lead provided by the family, witnesses, informants or another source must be verified and the result recorded.

### **Technical, digital and financial evidence**

The JIT has been directed to obtain and analyse legally available mobile-phone data, including call-detail records, IMEI information and location data. It may conduct geo-fencing or location analysis where legally permissible and necessary.

It must examine available CCTV footage from the place of disappearance and later locations identified during the investigation. The order specifically refers to roads, markets, transport terminals, educational institutions, residences, hotels, hospitals, toll plazas and other relevant places.

The team must also examine relevant telephone numbers, social-media accounts, electronic communications and other digital footprints in accordance with law. Where relevant and legally permissible, it may follow financial and transactional leads that could reveal the movement or whereabouts of the girl or any person suspected of facilitating her disappearance.

## **Abduction, trafficking and movement beyond Islamabad**

The JIT must investigate the possibilities of abduction, kidnapping, illegal confinement, trafficking, exploitation or another offence. If evidence supports criminal involvement, the responsible persons are to be identified and proceeded against in accordance with law.

The team must determine whether the girl was moved outside Islamabad and, if so, coordinate immediately with the police and authorities of the relevant district or province. If the investigation indicates that she may have been taken outside Pakistan, the JIT must take lawful measures through the competent federal and immigration authorities. It may examine entry, exit, travel and immigration records where the investigation warrants that step.

## **Recovery measures and protection after recovery**

Searches and raids must be based on credible information and conducted strictly in accordance with law. The order therefore combines urgency with an express legality requirement.

If Esha Fatima is recovered, the JIT must protect her safety and dignity and arrange an immediate medical examination and any psychological assessment or counselling considered necessary. Consequential legal action must be taken against any person found involved in an offence, but only in accordance with law.

## **Failed leads cannot end the investigation**

One of the most important directions is that the investigation must not become stagnant merely because initial leads have failed. The JIT must explore alternative investigative, technical and intelligence-based avenues.

This direction addresses a recurring weakness in prolonged missing-person investigations: repetition of the same unproductive steps without a documented change in strategy. The order requires the team to identify what has been tried, what result was obtained and what different step will follow.

## **The Court rejected vague progress reports**

The head of the JIT must convene meetings regularly, preferably at least once every fortnight. Proper minutes must record the investigative work assigned to each member and the progress achieved.

On every hearing date, the JIT must submit a detailed report identifying the steps taken since the previous report, persons examined, locations searched, technical data analysed, leads received and verified, and the next proposed steps.

The Court expressly directed that the report must not rely on vague statements such as efforts are being made. It must disclose concrete investigative measures and their results. If the JIT encounters a material impediment or needs assistance from a federal or provincial department, it must inform the Court immediately.

The first comprehensive report is due within two weeks from the date the head of the JIT receives the order. That wording is important: the two-week period runs from receipt of the order, not necessarily from 1 September 2026.

## Why the order is legally significant

The order transforms a single-agency investigation into a supervised, multi-agency process with named responsibility, measurable tasks and repeated reporting. It links the recovery effort to the State's constitutional duty to protect life, liberty and dignity, while repeatedly requiring that technical surveillance, searches, raids, data collection and consequential action remain within the law.

The JIT's breadth is also significant. Its mandate covers conventional witness examination, crime-scene reconstruction, mobile and location evidence, CCTV, social media, financial trails, trafficking indicators, inter-provincial coordination, immigration records and post-recovery care.

Equally important is accountability. The DIG heading the team is responsible for coordination. Meetings must be minuted, tasks must be assigned, results must be stated, and institutional obstacles must be brought back to the Court. Judicial supervision therefore concerns not only whether an investigation exists, but whether identifiable investigative work is actually performed.

## What the order does not decide

This is an interim procedural and investigative order in a pending constitutional petition. It is not a final judgment determining criminal guilt, civil liability or the truth of any allegation against a named person.

The order does not hold that every missing-child case automatically requires a JIT. The Court acted on the facts recorded in this petition, including the seven-month period and the absence of a tangible investigative result.

It does not authorize unlawful surveillance, detention, searches or raids. Several terms of reference expressly limit action to what is lawful or legally permissible.

It also does not record that the girl has been recovered. The JIT must continue its efforts until she is traced and recovered, subject to further orders of the Court.

## Counsel appearance and authorship disclosure

The order records the appearance of Shahbaz Shah, Advocate High Court, for the petitioner. Shahbaz Shah is also the author of this article. This disclosure is made so that readers can distinguish the court's directions from the author's explanation of their legal and practical significance.

Mr. M. Taimur Janjua and Ms. Mamoonah Iftikhar appeared as State Counsel, along with Khuram, Inspector and SHO, and Zamir ul Hassan, Sub-Inspector and Investigating Officer.

## Practical implications for the next hearing

The progress report for 23 September 2026 should enable the Court to compare the investigation against each term of reference. A useful report will identify concrete actions, results, failed leads, new leads, inter-agency requests and the next investigative steps rather than repeat a general assurance.

For the petitioner's side, the order creates a clear framework against which compliance can be assessed. For the agencies, it allocates responsibility and provides authority for coordination. For the Court, it creates a documented record from which delay, inactivity, duplication or institutional obstruction can be identified.

## Order source and verification note

This article is based on the supplied seven-page order in *Abid Hussain v. Federation of Pakistan, etc.*, W.P. 2664-2026, passed by the Islamabad High Court on 1 September 2026. The case title, case number, date, appearances, composition of the JIT, all 23 terms of reference, reporting deadline and next date were checked against that copy.

The downloadable order is a copy supplied for publication. The article does not describe it as a certified copy and does not add facts that are absent from the order. This analysis is for legal research and general information. The complete court record and any later order should be checked before reliance in proceedings.

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## Primary source

Islamabad High Court, *Abid Hussain v. Federation of Pakistan, etc.*, W.P. 2664-2026, order dated 1 September 2026, Justice Khadim Hussain Soomro.

The corresponding article page at [shahbazshahlaw.com](https://shahbazshahlaw.com) provides the supplied seven-page order for viewing and download.

General legal information only. Verify the complete court record and any later order before relying on this analysis in proceedings.