

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CP No. D- 1911 of 2025

[Zohaib Ahmed v. Federation of Pakistan & Others]

BEFORE:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE RIAZAT ALI SAHAR

Petitioner: Through, Mr. Muhammad Sachal R. Awan, Advocate
Mr. Ghulam Abbas Sangi, Asst. Attorney General, along
with Inspector Sadam Lashari FIA,

Date of hearing:
& Decision: 18.11.2024

ORDER

ADNAN-UL-KARIM MEMON, J - The petitioner has prayed as under:-

- a. Declare FIR No. 08/2025 as illegal, unconstitutional, and void.
- b. Quash FIRs 02/2025 and 08/2025 entirely for violating Article 13 and Section 403 CrPC.
- c. Restrain Respondents from taking any coercive action pursuant to the impugned FIRs.
- d. Grant any other relief deemed appropriate.

2. The case of the petitioner is that FIA registered FIR No. 03/2024 at FIA Mirpurkhas against him and others. However, the trial is ongoing and charges have been framed. FIA subsequently registered another FIR No. 02/2025 at FIA Circle Sukkur, alleging anti-money laundering offenses against the Petitioner. He added that yet another FIR No. 08/2025 was registered at FIA Circle Hyderabad, repeating the same allegations as FIRs 03/2024 and 02/2025, merely changing the nomenclature to “anti-money laundering.” Petitioner submitted that the allegations in FIR Nos. 02/2025 and 08/2025 are substantially identical to FIR 03/2024, involving the same facts, circumstances and accused persons. The Petitioner submits that the registration of FIR Nos. 02/2025 and 08/2025 is unlawful, mala fide and in violation of Article 13 of the Constitution (double jeopardy). Multiple FIRs on the same facts constitute double jeopardy under Article 13 of the Constitution and are barred under Section 403 Cr.P.C. The repeated registration of FIRs with identical

allegations amounts to harassment and violates Articles 4, 9, and 14 of the Constitution. He submitted that the FIA has misused its authority by initiating redundant FIRs despite an ongoing trial in FIR 03/2024.

3. Learned Assistants Attorney General submitted that the claim of the petitioner is misconceived. He argued that the enquiry establishes the Petitioner's financial linkage with the proceeds of crime. He received Rs. 2,100,000 via cheque from co-accused Safeer Ahmed forming part of Rs. 11,372,426 linked to predicate offences. This transaction shows layering and integration of illicit funds; therefore, his role is clearly established; that FIR No. 08/2025 is based on fresh financial evidence and distinct transactions discovered during the investigation. It is not a duplication of earlier FIRs. He argued that, under the Anti-Money Laundering Act 2010, each act of money laundering constitutes a separate offense. The Petitioner is nominated as a facilitator based on financial trails. Allegations of double jeopardy are premature as no trial or punishment has been repeated. He submitted that the Investigation is being conducted lawfully and transparently. The Petitioner has been given and will be given full opportunity to respond and submit evidence. He argued that the petition may be dismissed and the Petitioner be directed to join the investigation and respond to the allegations.

4. In view of the submissions made by both sides and keeping in mind the settled principle laid down by the Supreme Court in *Sughra Bibi v. The State* (PLD 2018 SC 595) that the investigating agency is bound to conduct a fair, transparent, impartial and independent investigation free from external influence, therefore, the petition is **disposed of** with direction to the Director General, FIA to ensure that a fair, impartial investigation is conducted in all connected FIRs, strictly in accordance with law and the guidelines enunciated by the Supreme Court. The DG FIA shall further ensure that the investigation is completed without harassment, bias or *mala fide*, and shall submit the final investigation report before the trial court, which shall pass appropriate orders in accordance with law. The Petitioner is directed to fully cooperate with the investigation, and the Investigating Agency shall adhere to due process and afford the Petitioner all protections guaranteed under the Constitution and the law.

JUDGE

JUDGE