

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
C.P No. D-70 of 2026

Fresh case

1. For order on Misc. No.249/2026
2. For order on office objection No.2 & 3.
3. For order on Misc. No.250/2026
4. For order on Misc. No.251/2026
5. For hearing of main case

07.01.2026.

Mr. Faisal Ahmed Memon, Advocate for the Petitioner.

YOUSSUF ALI SAYEED, J.- The Petition is directed against the impending release of an animated motion picture film titled “David”, said to be based on the life of the Prophet of that name, as recognized by the respective texts held sacred by followers of the three main monotheistic faiths, with it being alleged on the basis of its theatrical trailer that the portrayal of his life is inconsistent with Islamic teachings, hence would deeply hurt the religious sentiments of Muslims, and the imposition of a ban being sought accordingly.

At the very outset, it falls to be considered that in C.P No. D-7170 of 2022, where a ban had been sought on a similar plane in respect of a motion picture titled “Joyland”, portraying a relationship between married man and a transgender women, that Petition had been dismissed with it *inter alia* being observed and held by a learned Divisional Bench as follows:-

“7. Moreover, in our view, where a cinematic work has passed through the censors, who have examined its content and cleared it for release with an appropriate certification, an individual cannot be allowed to trump that decision through a Court proceeding based on his conception of morality. Indeed, it is not the function of the Court under Article 199 to make a moral judgment so as to curtail the freedom of speech and expression of a filmmaker, as safeguarded under Article 19 of the Constitution, which provides that:

“Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence.”

8. On the contrary, the default position of the Court under Article 199 ought to be that of fully safeguarding the fundamental right by giving as expansive an interpretation to Article 19 as possible, and in the event of a restriction being imposed by the Board or any other authority that may be competent in that regard, testing the reasonableness of that restriction stringently, so as to ensure that the same is “reasonable” in the strictest conceivable sense. As such, in the absence of any restriction imposed by the concerned quarter, whether that be the Board or Provincial Government, it does not fall to the Court to morally police the public by making a determination of what should or should not be viewed and to take on the function of itself devising and imposing a restriction. Suffice it to say that unnecessary censorship suffocates a society and stifles its creativity and growth.

9. Looking to the matter at hand, we are confident that Islam, being the great global religion that it is, is strong enough to withstand a cinematic work portraying a purely fictional account of a relationship humanising a transgender character, and are equally sanguine that our society is not so weak as to crumble as a consequence”

In view of the foregoing, whilst granting the application for urgency, we hereby find the Petition to be misconceived, hence dismiss the same in *limine* along with the pending miscellaneous applications.

JUDGE

JUDGE