

**The procedural discrepancies found in criminal justice
system of Pakistan and role of police in investigation**



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Research Project for the Degree of LL.B.

SUPERVISOR'S APPROVAL

I hereby, forward this work done by

Nouman Ahmed and Junaid Ahmed Qureshi

to the Research Committee for final evaluation.

Name of Supervisor: Sir Jahanzeb Butt

Supervisor's Signature: _____

7 May, 2018

Department of Law

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Research Project for the Degree of LL.B.

DECLARATION OF ETHICAL CONDUCT IN RESEARCH

We, as students of Bahria University, hereby declare that firstly, we have abided by the research ethics while writing this research project.

Secondly, we have not committed any acts that may discredit or damage the credibility of our research. These include, but are not limited to: falsification, distortion of research findings, or plagiarism.

Thirdly, we have subjected this work to plagiarism check before submitting the research project.

Date: 7 May, 2018

Degree: LL.B.

Department: Law

Name of Supervisor: Jahanzeb Butt

Name and Signature of Students:

Nouman Ahmed _____, and Junaid Ahmed _____.

PLAGIARISM REPORT

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Without Allah's and His beloved Prophet's (ﷺ) help, this could not have been possible.

Alhamdulillah

We express our gratitude to our families, friends, chamber fellows of Khan Law Associates; to our supervisor Sir Jahanzeb Butt who has guided and helped us, We extend a special note of gratitude to our esteemed teacher of the Code of Criminal Procedure Ma'am Nusrat Yasmin. We would also like to acknowledge the undeniable contribution of Sir Tahir Mehmood Abbasi, and different practicing Advocates, who were always there to help us in our thesis work. It is pertinent to mention that the faults within this research project shall not discredit these enlightened and highly esteemed names, they are solely ours to claim.

We hope and pray that our efforts have produced something valuable. (Ameen)

DEDICATION

Dedicated to our founder of the Nation, Barrister Quaid-e-Azam Muhammad Ali Jinnah and our Parents who has stood by our side in each and every phase of life, due to which here we are, completed this Research Project, We also dedicate our work to Law Department of Bahria University Islamabad Campus And our batch. This research project would not have been completed without our teachers, parents, seniors, juniors, Chamber fellows of Khan Law Associates.and other advocate.

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List of Abbreviations

ASI	Asistant Sub-inspector
BOM	Bombay, India
CrPc	Criminal Procedure Code/ The Code of Criminal Procedure
DSP	Deputy Supredient of Police
FIR	First Information Report
I.G	Inspector General
PPC	Pakistan PenalCode
P.S	Police Station
PCrIj	Pakistan Criminal Law Journal
PLJ	Pakistan Law Journal
PLD	All Pakistan Law Decision
QSO	Qanun-e-shahadat Ordinance
Sec	Section
SCMR	Supreme Court of Monthly Review
S.I	Sub- Inspector
SHO	Station House Officer
NAG	Nagra
YLR	Yearly Law Reporter

ABSTRACTS

The following research project is related to the discrepancies which are found in criminal justice system of Pakistan and role of our police in investigation. The police department is least trusted government institutions in Pakistan, which is lacking the system of accountability inundated by corruption at the highest levels. Unfortunately investigation in Pakistan is not conducted properly and thoroughly and is responsible for collapse in criminal justice system. Integrity of investigation is very critical for admissibility of evidence in court of law. Major defects in Criminal investigation in Pakistan are Lack of proper knowledge of prescribed procedures to conduct investigation, investigation is a failure in our country due to lack of knowledge, proper training, poor work ethics, bribery and development of skills. In the following research different legal regimes have been discussed where independent corroboration is insisted upon and how to cope with these issues .It is also pertinent to mention that under criminal justice system an arrest of accused during investigation, not necessary. Even on case of the most heinous offences the police was under no statutory obligation to necessarily and straightaway arrest an accused person during an investigation as long as he was joining the investigation and was cooperation the same. Decision by the honorable Supreme court, Hence under different legal regimes and theories it is established that police have limited authorities but still in practice there is something else happening and defeating the purpose of justice.