

The case of three Ahmadis on death row in a frivolous case of blasphemy

Brief statement and status of the case

A contrived case was registered against four Ahmadis, Mr. Khalil Ahmad, Ghulam Ahmad, Ihsan Ahmad and Mubashir Ahmad of Bhoiwal, District Sheikhupura under PPCs 295-A, 337-2 and 427 on May 13, 2014 in Police Station Sharaqpur, District Sheikhupura, Punjab. Essentially they were accused of tearing away an anti-Ahmadi pamphlet. Of these, Mr. Khalil Ahmad was then murdered two days later on May 16, 2014 by a madrassah student, while in police custody. The remaining three accused were arrested on July 18, 2014. Months later the deadly clause PPC 295-C was added to their charge-sheet by suggestion of a high court judge. A sessions judge sentenced them to death on October 11, 2017. Appeal against this judgment has been made to the Lahore High Court, who has not found time in a year to hear the plea.

Essential details

Above named four Ahmadis were charged under a blasphemy law PPC 295-A. According to the details, the four allegedly protested against an objectionable pamphlet and then tore it down at a local shop in their village, approximately 70 kilometers from Lahore.

A village Panchait intervened and the issue was settled. Later on, some mullas organized a demonstration and blocked the Lahore-Sharaqpur road for several hours to agitate and reignite the issue. They demanded exemplary punishment for the Ahmadis. They dispersed after senior police officials assured them of action against the accused.

The Ahmadis of the village felt very vulnerable after the incident and most of the families fled from their homes for fear of attack by extremists. Meanwhile, the police registered a case against four Ahmadis, Mr. Mubashir Ahmad, Mr. Ghulam Ahmad, Mr. Khalil Ahmad and Mr. Ihsan Ahmad under clauses PPCs 295-A, 337-C and 427. The police launched raids and detained some other Ahmadis as well.

Mr. Khalil Ahmad was arrested by the police on this fake blasphemy charge and was in police lock-up. A youth entered the police station and shot him dead.

The police arrested the killer. Mr. Khalil Ahmad was 65 years old. He left behind a widow, two sons and two daughters.

Mr. Saleemuddin the spokesman of Jamaat Ahmadiyya expressed great grief over the incident and condemned it squarely. Blasphemy laws have become a tool

with religious extremists who use them extensively to settle personal scores, he said. Had an impartial inquiry been held prior to registration of the case, it would have become clear that people were being agitated over a baseless petty squabble. Subsequent to the detention of the accused, it was the responsibility of the police to protect him; they were careless, and a precious life was lost. Mr. Saleemuddin said.

The Jamaat Ahmadiyya spokesman demanded an impartial inquiry in this incident of murder in police custody. The killer and the planners of this incident should be punished severely in accordance with law, he said.

As the authorities knew that the Ahmadis were essentially innocent of any crime and one of them had already been murdered for no reason, they granted bail to the remaining three accused. However, it did not take long for the guilt feeling and the sense of sympathy to wear out, and two months later the police arrested the other three Ahmadis to placate the mulla.

The authorities then teamed up with clerics to persecute severely the three held Ahmadis. The accused were not granted bail at any level-even the Supreme Court.

The mullas went to the high court with a plea to not grant the bail and upgrade the charge, as if 10-year imprisonment under PPC 295-A would not be enough punishment for tearing a hostile pamphlet. The 'pious' LHC judge indicated that the bail can be denied only if the charge is upgraded. This view of the high court was taken as a signal by the District Prosecutor to add lethal PPC 295-C to the charge sheet. This was done on August 23, 2014, more than three months after the incident.

A session judge of the trial court sentenced the three accused to death on October 11, 2017.

This case exposes the role of the administration, the police and the judiciary to misuse the blasphemy law against vulnerable individuals and communities. A great wrong has been committed. Law has been unjustly commandeered to serve the extremists' agenda. The accused have already been in prison for over four years. They are at risk of their lives. If not provided succor, they would rot in prison for years for allegedly tearing a hostile pamphlet. Surely the Pakistani state would not like to be blamed of tyranny and such atrocity against one of its religious minorities.

It will be in the national interest if the authorities could request the high court to hold an early hearing of the case and revisit the case **to assess if there has been a miscarriage of justice.**

October 10, 2018