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KEYWORDS	ABSTRACT
Qisas and Diyat; compoundable offences; economic coercion; criminal justice reform; Pakistan Penal Code; murder jurisprudence	The Islamization of Pakistan's criminal justice system rendered murder a compoundable offence, permitting legal heirs to pardon offenders or accept diyat (blood money) in exchange for acquittal. While rooted in Islamic principles of reconciliation, this framework has evolved into a mechanism through which economic and social power disparities systematically distort substantive justice. This article examines the intersection of coercion, economic inequality, and legal compromise in Pakistani murder jurisprudence through a critical analysis of two emblematic cases: <i>Shahrukh Jatui v. The State</i> (the Shahzeb Khan murder) and <i>State v. Natasha Danish</i> (the Karsaz Road accident). Drawing upon judicial records, legal commentary, and criminological theory, the article demonstrates how the compoundability of murder, combined with procedural vulnerabilities and socio-economic asymmetries, enables wealthy offenders to effectively commodify human life while subjecting economically disadvantaged victims' families to coercive pressures that vitiate the voluntariness of compromise. The article argues for legislative reform to render premeditated murder non-compoundable and for judicial mechanisms to scrutinise the authenticity and voluntariness of compromises in homicide cases.
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Introduction

The administration of criminal justice in Pakistan occupies an uneasy terrain where Islamic legal traditions, colonial-era procedural codes, and contemporary socio-economic realities intersect and frequently collide. Nowhere is this tension more pronounced than in the treatment of homicide

offences, where the Islamization of criminal law under General Zia-ul-Haq's regime rendered murder a compoundable offence — a development that, while theologically defensible, has produced profoundly inequitable outcomes in practice. The provision permitting legal heirs to pardon offenders or accept financial compensation, rooted in the Quranic concepts of *Qisas* (retribution) and *Diyat* (blood money), was intended to facilitate reconciliation and social harmony. Yet in contemporary Pakistan, this framework has been weaponised by economically powerful offenders to evade accountability, while impoverished victims' families face coercive pressures that render their consent to compromise legally and morally suspect.

The Supreme Court's 2022 acquittal of Shahrukh Jatoi — scion of a powerful business dynasty — in the murder of 20-year-old Shahzeb Khan (*Shahrukh Jatoi v. The State*, 2022), and the 2024 acquittal of Natasha Danish — wife of a prominent Karachi businessman — in the Karsaz Road deaths of Imran Arif and his daughter Amna (*State v. Natasha Danish*, 2024), exemplify the systemic pathologies afflicting Pakistan's compromise jurisprudence. In both cases, legal heirs purportedly pardoned the accused, and public discourse and judicial commentary alike raised troubling questions about the voluntariness of these compromises and the role of economic coercion (The Express Tribune, 2022b). These cases are not anomalies but rather symptomatic manifestations of a deeper structural crisis: the transformation of Islamic principles of reconciliation into instruments of elite impunity.

This article undertakes a critical examination of compromise in Pakistani murder cases, with particular attention to the influence of economic disparity and coercion on the compromise process. Part 2 outlines the legal framework governing compromise in homicide offences, tracing its Islamization origins and subsequent judicial interpretation. Part 3 presents a detailed analysis of the Shahrukh Jatoi and Natasha Danish cases, situating them within broader patterns of elite impunity. Part 4 examines the mechanisms through which economic coercion operates in the compromise process, drawing upon doctrinal analysis and socio-legal theory. Part 5 discusses pathways to legislative, judicial, institutional, and social reform; Part 6 consolidates this discussion into a concrete set of recommendations; and Part 7 concludes with reflections on the relationship between law, power, and justice in Pakistan's criminal justice system.

The Legal Framework: Islamization and the Compoundability of Murder

The Qisas and Diyat Ordinance and the Criminal Procedure Code

The compoundability of murder in Pakistani law derives from the Qisas and Diyat Ordinance 1990, promulgated as part of the broader Islamization of Pakistan's criminal justice system. Prior to this ordinance, murder was a non-compoundable offence under the Pakistan Penal Code 1860 (PPC), reflecting the colonial-era distinction between public wrongs (offences against the state) and private wrongs. The Ordinance fundamentally altered this conceptual framework by recognising homicide as an offence against the individual victim and their legal heirs (*walis*), rather than primarily against the state.

Under the current legal framework, Section 302 of the PPC prescribes the punishment for *qatl-i-amd* (premeditated murder), which may include death, life imprisonment, or imprisonment for a term extending to twenty-five years. However, Section 309 of the PPC provides that the *wali* (legal heir) of the victim may forgive the offender at any stage, either with or without the acceptance of *diyat*. Section 310 further elaborates that where the *wali* has accepted *diyat*, the court may reduce the sentence or acquit the accused. The Criminal Procedure Code 1898 (CrPC), through Section 345, codifies the procedural mechanism for compromise, permitting the compounding of certain offences with the court's approval.

The Supreme Court of Pakistan has consistently affirmed that murder is a compoundable offence under this framework. This position has been reiterated in decisions such as *Sanobar Khan v. The State* (2018) and *Hikmatullah v. The State* (2007), and, more recently, a Peshawar High Court order accepting a compromise in a spousal homicide case (Dawn, 2025). [Author's note: the citation for *MPA Jam Owais and Others v. The State* in the source materials records a District and Sessions Court order, not a Supreme Court judgment; please verify the correct forum and reporter citation before this authority is relied upon, as the surrounding sentence currently implies apex-court standing.]

The Theological Rationale and Its Limitations

The Islamic justification for compromise in homicide cases rests upon Quranic injunctions that emphasise forgiveness and reconciliation. Surah Al-Baqarah (2:178) prescribes *Qisas* as the foundational principle while acknowledging the possibility of forgiveness: "But if the offender is pardoned by his brother [the victim's heir], then follow it with fairness and pay the blood money to him in a handsome manner." This theological framework envisions compromise as a voluntary act of grace by the victim's family, not as a transaction coerced by economic power imbalances.

However, commentary following the Shahrukh Jatoti acquittal characterised the proceedings as a "sham" when divorced from their underlying ethical foundations [Author's note: please supply the precise source and date for this attribution to Abdul Moiz Jafferri so that a reference entry can be added]. The Quranic vision of forgiveness presupposes genuine voluntariness, economic independence, and the absence of coercion — conditions rarely satisfied in cases where economically powerful offenders face impoverished victims' families. The gap between Islamic ideals and Pakistani practice has become a chasm, with *diyat* and compromise functioning less as mechanisms of restorative justice and more as instruments of elite impunity.

The Anti-Terrorism Act Exception

An important exception to the compoundability of murder arises under the Anti-Terrorism Act 1997 (ATA). Section 7 of the ATA prescribes enhanced penalties for terrorism-related offences, including murder committed with terrorist intent. Critically, offences under the ATA are non-compoundable, meaning that compromise between parties cannot result in acquittal. This

exception has become a site of intense litigation, as prosecutors have sought to invoke ATA provisions in high-profile murder cases to prevent compromise-based acquittals.

The Shahruxh Jatoi case exemplifies this dynamic. An Anti-Terrorism Court (ATC) initially awarded the death penalty to Jatoi and co-accused Siraj Talpur under Section 7(a) of the ATA, reflecting the prosecution's view that the murder — committed in a public place and causing widespread public alarm — constituted terrorism. On appeal, however, the Supreme Court held that there was "no element of terrorism" in the case, characterising it instead as the outcome of a "personal egoistic approach" (The Express Tribune, 2022b). This determination rendered the offence compoundable, paving the way for acquittal based on the family's purported pardon.

The ATA exception thus functions as a fragile barrier against compromise-based impunity, one that can be circumvented through judicial determination that a particular homicide lacks terrorist intent. As Justice Project Pakistan (2020) has documented, the invocation of ATA provisions in murder cases has been inconsistent and often influenced by the socio-economic status of the accused.

Case Studies: Shahruxh Jatoi and Natasha Danish

Shahruxh Jatoi v. The State: The Murder of Shahzeb Khan

The Shahzeb Khan murder case stands as perhaps the most emblematic instance of compromise-based impunity in Pakistani legal history. On the night of December 25, 2012, 20-year-old Shahzeb Khan, son of Deputy Superintendent of Police Aurangzeb Khan, was shot dead in Karachi's Defence Housing Authority (DHA) neighbourhood. The murder followed a confrontation in which Shahzeb had reportedly intervened after Shahruxh Jatoi's servant, Ghulam Murtaza Lashari, made an indecent remark about Shahzeb's sister. Shahruxh Jatoi, son of businessman Sikandar Jatoi, along with accomplices Siraj Talpur, Sajjad Talpur, and Lashari, was charged with premeditated murder.

The case followed a trajectory that reveals the multiple vulnerabilities within Pakistan's compromise framework. Initially, Jatoi fled the country and had to be brought back to Pakistan on court orders. In June 2013, an ATC awarded the death penalty to Jatoi and Siraj Talpur for murder, while Sajjad Talpur and Lashari received life sentences. On appeal, the Sindh High Court commuted the death sentences to life imprisonment in 2019.

The pivotal development occurred when the victim's parents and two sisters announced a pardon for Shahruxh and the three other convicts "in the name of Allah," reportedly without accepting blood money (The Express Tribune, 2022b). The ATC judge subsequently confirmed the compromise as genuine on the basis of the legal heirs' statements. However, as a Dawn editorial noted, the victim's mother had previously stated publicly, "we can't live our lives in fear," a remark that the editorial read as suggesting pressure on the family to reach a compromise (Dawn, 2022).

In October 2022, the Supreme Court acquitted Jatoi and all co-accused. The detailed judgment, authored by Justice Sayyed Mazahar Ali Akbar Nagvi in Criminal Appeals Nos. 400, 401 and 402 of 2019, held that the ATA provisions were inapplicable because the case lacked terrorist intent, characterising the murder as the outcome of a "personal egoistic approach" with "no design or purpose of destabilising the government" (*Shahrukh Jatoi v. The State*, 2022; The Express Tribune, 2022b). While legally defensible on the terrorism question, the judgment left unexamined the more troubling issue of whether the compromise itself was genuinely voluntary or the product of coercion and economic pressure.

Public reaction was swift and critical. One prominent lawyer and activist observed that "the rich and powerful exploit provision of compromise in our legal system to get away with [the] murder of the weak and poor," while another commentator drew a starker contrast, noting that ordinary citizens receive severe sentences on lesser charges while "hideous murderers" go free, and that the state "acts strong against the weak and weak against the strong" (The Express Tribune, 2022a). The case became a touchstone for critiques of Pakistan's two-tier justice system, where economic power functions as a de facto immunity from accountability.

State v. Natasha Danish: The Karsaz Road Deaths

The Natasha Danish case, while factually distinct from the Jatoi matter, illuminates similar pathologies within Pakistan's compromise jurisprudence. On August 19, 2024, a speeding Toyota Land Cruiser driven by Natasha Danish — wife of a prominent Karachi businessman — struck multiple motorcycles and another vehicle on Karsaz Road. The collision killed 60-year-old Imran Arif and his 22-year-old daughter Amna, and injured several others.

The case was initially registered under Section 320 of the PPC (culpable homicide by rash or negligent driving). Medical reports subsequently indicated that Danish had been under the influence of methamphetamine at the time of the accident, and a separate case was registered under the Prohibition (Enforcement of Hadd) Order for drug use. Despite the evidence of intoxication — which might ordinarily support a more serious charge — the prosecution proceeded on the lesser charge of unintentional murder (*qatl bil khata*), later treated by the trial court as the compoundable offence of *qatl-bis-sabab* under Section 322 of the PPC.

On September 6, 2024, a sessions court granted Danish bail after the victims' family stated it had pardoned her. On October 31, 2024, the district and sessions court formally acquitted her after the parties submitted a compromise application under Section 345 of the CrPC (Dawn, 2024). Contemporary press reporting is not uniform on the financial terms of the settlement: while court proceedings and defence counsel described the pardon as extended "in the name of Allah," other reporting has suggested that a substantial sum was in fact paid to the deceased's family under the diyat settlement. [Author's note: this discrepancy is material to the article's central argument and should be resolved and sourced before publication, as it bears directly on the "pardon without blood money" thesis developed in Section 4.2.]

The circumstances surrounding the compromise nonetheless raise familiar concerns about economic coercion. The victims — a 60-year-old father and his young daughter — came from modest economic circumstances, while the accused was the wife of a prominent businessman with access to substantial resources. As one commentator observed, the case exemplified "the selective use of Islamic law for powerful people in Pakistan," in which laws are "applied selectively to the advantage of powerful individuals" while ordinary litigants find the same laws "utilised to discredit the weak" (Dialogue Pakistan, 2024). The case prompted widespread public criticism of the perceived unequal treatment of the poor within Pakistan's justice system.

Comparative Analysis: Patterns of Elite Impunity

The Jatoi and Danish cases, while differing in their factual particulars, exhibit a common pattern that illuminates the structural dimensions of compromise-based impunity.

First, both cases involved offenders from economically and socially privileged backgrounds confronting victims from modest circumstances. In Jatoi's case, the accused was the son of a businessman; in Danish's case, the accused was the wife of a prominent businessman. This economic asymmetry is not incidental but central to the compromise dynamic, as wealth provides the resources — both financial and social — necessary to secure a favourable compromise.

Second, both compromises were publicly framed as concluded without financial consideration, a fact that the courts and, in Jatoi's case, the ATC judge's report cited as evidence of genuine forgiveness. Yet the absence (or asserted absence) of financial consideration may itself be indicative of coercion, as economically vulnerable families may be induced to forgo, or to conceal the receipt of, compensation in exchange for the cessation of harassment, threats, or other forms of pressure.

Third, both cases involved procedural developments that facilitated compromise-based acquittal. In Jatoi's case, the Supreme Court's determination that the ATA was inapplicable removed the primary legal barrier to compromise. In Danish's case, the prosecution's decision to proceed on the lesser, compoundable charge rather than a more serious offence made compromise legally available despite evidence of intoxicated driving.

Fourth, both cases generated significant public criticism, with civil society actors and legal commentators condemning the outcomes as manifestations of a justice system perceived to act firmly against the weak and leniently toward the powerful (The Express Tribune, 2022a; Dialogue Pakistan, 2024).

Economic Coercion and the Erosion of Voluntary Consent

The Concept of Coercion in Compromise Jurisprudence

The validity of a compromise in Pakistani criminal law depends upon its voluntariness; compromises procured through coercion or undue influence cannot be sustained. However, Pakistani

jurisprudence has developed a comparatively narrow conception of coercion that fails to account for the subtle and indirect pressures that economic disparity generates.

Traditional notions of coercion in contract and criminal law emphasise overt threats, physical duress, or fraudulent inducement. Yet the coercion experienced by economically disadvantaged victims' families in murder cases is often more diffuse: the implicit threat of prolonged litigation, the exhaustion of financial resources, the psychological toll of confronting powerful adversaries, and social pressure from community elders who may be aligned with the offender's interests. These forms of pressure, while no less coercive in their effect, rarely satisfy the formal legal standard for vitiating consent.

Mechanisms of Economic Coercion

The compromise process in Pakistani murder cases unfolds within a context of profound economic asymmetry that systematically disadvantages victims' families. Several mechanisms operate to coerce or induce consent.

Financial exhaustion: The Pakistani legal system is notoriously slow and expensive. Victims' families, particularly those from impoverished backgrounds, may lack the resources to sustain prolonged litigation. The prospect of years of court appearances, legal fees, and lost income can pressure families to accept compromise as a pragmatic necessity rather than a voluntary choice.

Social and communal pressure: In many Pakistani communities, particularly in rural areas, disputes are mediated through traditional *jirga* systems that may be influenced by the economic and social power of offenders' families. Community elders, local politicians, and religious figures may pressure victims' families to accept compromise in the name of social harmony, often masking coercion as reconciliation.

Threats and intimidation: In more extreme cases, victims' families may face direct threats of violence or other forms of intimidation from accused persons seeking to obstruct the judicial process. [Author's note: the specific press report(s) documenting such threats, including the Kasur police case referenced in the original draft, should be identified and cited here; none of the reference entries in the current draft corresponds to this claim.]

The "pardon without blood money" paradox: Perhaps the most insidious mechanism is the phenomenon of families pardoning offenders without accepting blood money — a gesture ostensibly reflecting genuine forgiveness but one that may in some instances reflect the family's assessment that accepting financial compensation would expose them to accusations of selling justice, or the family's reluctance to disclose that compensation was in fact received. As the Shahrukh Jatoti and Natasha Danish cases illustrate, such "selfless" pardons may reflect a family's vulnerability to pressure and reputational calculation rather than an autonomous moral choice untouched by economic considerations.

Judicial Responses to Coercion Allegations

Pakistani courts have demonstrated limited capacity to scrutinise allegations of coercion in compromise cases. The procedural framework for compromise verification — typically requiring the trial court to record the statements of legal heirs — is not, on its own, well suited to detecting subtle forms of economic pressure. Courts generally accept the facial validity of compromise documents without independently investigating the circumstances under which they were procured.

In the *Shahrukh Jatoi* case, the ATC judge's report confirmed the compromise as genuine on the basis of the legal heirs' sworn statements, without any recorded inquiry into potential coercion. The Supreme Court's subsequent acquittal similarly did not engage with the coercion question, focusing instead on the technical issue of ATA applicability (*Shahrukh Jatoi v. The State*, 2022). This pattern reflects a broader reluctance on the part of the courts to interrogate the socio-economic dynamics that shape compromise outcomes.

Theoretical Perspectives: Law, Power, and Economic Inequality

The dynamics of compromise in Pakistani murder cases can be illuminated through several theoretical lenses. From a critical legal studies perspective, the compoundability of murder functions as a legal mechanism that reinforces existing power structures by enabling economic elites to convert their wealth into immunity from criminal accountability. The formal equality of the compromise process — the requirement that all parties voluntarily consent — masks the substantive inequality that renders consent coercive.

From a socio-legal perspective, the compromise framework represents a form of juridified class power, in which economic disparities are translated into legal outcomes through procedural mechanisms that appear neutral on their face. The requirement that legal heirs "voluntarily" pardon offenders, while formally non-discriminatory, produces systematically discriminatory outcomes because voluntariness is itself shaped by economic circumstances.

From a restorative justice perspective, the Pakistani compromise framework represents a distorted appropriation of Islamic principles. While *Qisas* and *Diyat* envision reconciliation between equals, the Pakistani framework operates in a context of profound inequality that subverts the ethical foundations of Islamic criminal justice. The result is not restorative justice but what might be termed extractive justice — a process through which economic elites extract impunity from vulnerable victims' families.

Pathways to Reform

Legislative Reform: Rendering Premeditated Murder Non-Compoundable

The most direct reform would be legislative amendment to render premeditated murder (*qatl-i-amd*) non-compoundable, aligning Pakistani law with the majority of common law jurisdictions in which murder remains a non-compoundable offence against the state. Commentators have argued that it is high time parliament amended the laws relating to compromise in murder cases (Pakistan Today, 2022).

However, any such reform must navigate the theological sensitivities surrounding Islamic criminal law. A complete prohibition on compromise in homicide cases would conflict with Quranic injunctions that explicitly permit forgiveness. A more nuanced approach would distinguish between different categories of homicide: premeditated murder (*qatl-i-amd*) could be rendered non-compoundable, while unintentional homicide (*qatl-i-khata*) and culpable homicide not amounting to murder could retain compoundability. This distinction would preserve the Islamic principle of forgiveness in less serious cases while preventing compromise-based impunity in the most egregious homicides.

Judicial Reform: Enhanced Scrutiny of Compromises

Even without legislative change, courts could develop more rigorous standards for scrutinising compromises in homicide cases. Several mechanisms warrant consideration.

Inquiry into economic circumstances: Courts should be required to inquire into the economic circumstances of both parties to assess whether the compromise may have been procured through economic coercion. Where there is a significant disparity in economic resources, the court should require additional evidence of voluntariness.

Independent verification: Compromise verification should involve more than the perfunctory recording of legal heirs' statements. Courts should be empowered to appoint independent officers to interview legal heirs outside the presence of the accused or their representatives, ensuring that statements are free from intimidation.

Requirement of independent legal advice: Legal heirs should be required to obtain independent legal advice before entering into a compromise, with the court verifying that such advice was provided.

Presumption against compromise in certain cases: A rebuttable presumption could be established that compromises in cases involving significant economic disparity are procured through coercion, placing the burden on the accused to demonstrate genuine voluntariness.

Institutional Reform: Strengthening Prosecutorial Independence

The role of the prosecution in compromise cases requires critical examination. In both the Jatoi and Danish cases, prosecutors either acquiesced in or facilitated compromise-based outcomes. The subsequent decision of the federal government to pursue a review petition in the Jatoi case suggests at least a partial official recognition of the difficulties attending the outcome. [Author's note: the specific source for the quoted phrases "in the interest of justice" and reference to the Attorney-General's view not having been taken into account should be confirmed and added to the reference list.]

Strengthening prosecutorial independence and requiring prosecutors to resist compromise applications where there is evidence of coercion, or where the public interest militates against compromise, would help restore the state's role as guardian of public justice.

Social Reform: Addressing Underlying Inequalities

Ultimately, the compromise problem reflects broader patterns of economic inequality and social injustice in Pakistani society. As long as vast disparities in wealth and power persist, legal reforms alone cannot eliminate the coercive dynamics that compromise jurisprudence enables. Legal reform can nevertheless serve as a catalyst for broader social change by signalling that human life cannot be commodified through economic power.

Recommendations

Building on the doctrinal, comparative, and theoretical analysis in Part 5, the following recommendations are advanced as a consolidated, action-oriented programme of reform. They are addressed, respectively, to the legislature, the superior judiciary, prosecutorial authorities, and the executive.

- 1. Legislative amendment of Sections 302, 309 and 310 PPC:** to render premeditated murder (*qatl-i-amd*) non-compoundable, while preserving compoundability for *qatl-i-khata* and lesser forms of culpable homicide, so that the Islamic principle of forgiveness is retained where the risk of coercive misuse is lowest.
- 2. Mandatory judicial inquiry into economic disparity:** Trial courts should be statutorily required, before accepting any compromise under Section 345 CrPC in a homicide matter, to record findings on the relative economic circumstances of the accused and the legal heirs, and to call for additional evidence of voluntariness wherever a significant disparity is found.
- 3. Independent verification of legal heirs' consent:** Courts should be empowered to direct an independent officer — such as a court-appointed social welfare officer or reader — to record the statements of legal heirs separately and outside the presence of the accused, their family, or their counsel.

- 4. Mandatory independent legal advice:** No compromise in a homicide case should be accepted unless the court is satisfied that the legal heirs received independent legal advice, distinct from any counsel engaged or funded by the accused's side.
- 5. A rebuttable presumption against voluntariness in cases of gross economic disparity:** placing the evidentiary burden on the accused to affirmatively demonstrate that the compromise was free of coercion, inducement, or concealed consideration.
- 6. Strengthened prosecutorial independence:** The Prosecutor-General's office should issue binding guidelines requiring public prosecutors to record reasoned objections to compromise applications wherever the public interest, evidence of coercion, or the gravity of the offence militates against acceptance, rather than acquiescing as a matter of course.
- 7. Witness and victim-family protection during compromise negotiations:** Investigative and prosecutorial agencies should extend protective measures to complainant families during the pendency of compromise negotiations, given the documented risk of threats and intimidation aimed at securing settlement.
- 8. Medium-term investment in access to justice:** Legal aid, expedited trial mechanisms, and victim-compensation schemes should be strengthened so that impoverished families are not driven toward compromise by the sheer cost and duration of adversarial litigation.

Taken together, these recommendations are designed to operate cumulatively: legislative reform addresses the most serious category of homicide directly, while the judicial and institutional measures provide a working safeguard for the broader range of compoundable offences that will, of necessity, remain within the compromise framework.

Conclusion

The Shahrukh Jatoi and Natasha Danish cases reveal the profound pathologies afflicting Pakistan's compromise jurisprudence. What originated as a theologically grounded mechanism for reconciliation has been transformed, in a significant class of cases, into an instrument that can enable economically powerful offenders to evade accountability for homicide while subjecting vulnerable victims' families to pressures that may vitiate the voluntariness of consent.

The compoundability of murder, combined with procedural vulnerabilities and socio-economic asymmetries, has created a legal framework in which human life risks being effectively commodified. As one editorial observed, "in Pakistan, while convicts from poor families are sent to the gallows, the rich and powerful accused of committing crimes get off scot-free, simply by gaming the system" (Dawn, 2022).

Addressing this crisis requires a multi-faceted approach encompassing legislative reform, judicial innovation, and broader social change. Rendering premeditated murder non-compoundable,

developing rigorous judicial scrutiny of compromise applications, strengthening prosecutorial independence, and addressing underlying economic inequalities are all necessary components of meaningful reform. Without such changes, Pakistan's compromise jurisprudence risks functioning, in the cases most exposed to public scrutiny, as a mechanism through which economic power translates into immunity from justice — an outcome in tension with both Islamic principles of equitable reconciliation and the constitutional promise of equal protection under law.

The Quranic vision of forgiveness and reconciliation is noble, but it presupposes conditions of genuine voluntariness and economic independence that are not always present in contemporary Pakistani practice. To honour that vision, Pakistani law should ensure that compromise is a genuine act of grace by free and equal citizens, not a transaction shaped by economic power. The path to such a legal order lies not in abandoning Islamic principles but in realising them more fully, through a justice system that protects the vulnerable from the powerful and resists the commodification of human life through wealth.

Table of Cases

1. Hikmatullah and 2 Others v. The State, 2007 SCMR 610 (Pak.).
2. MPA Jam Owais and Others v. The State (2023) (Dist. & Sess. Ct., Malir) (unreported). [Forum/citation to be confirmed by author — see note in Section 2.1.]
3. Naseem Akhtar v. The State, PLD 2022 SC 123.
4. Sanobar Khan v. The State, 2018 PCr.LJ Note 181 (Pak.).
5. Shahruxh Jatoi v. The State, Criminal Appeals Nos. 400, 401 & 402 of 2019 (Supreme Court of Pakistan, Oct. 18, 2022) (unreported).
6. State v. Natasha Danish, Criminal Case (District & Sessions Court, Karachi, Oct. 31, 2024) (unreported).

Table of Legislation

1. Anti-Terrorism Act 1997 (Pakistan).
2. Criminal Procedure Code 1898 (Pakistan).
3. Pakistan Penal Code 1860 (Pakistan).
4. Qisas and Diyat Ordinance 1990 (Pakistan).

References (APA 7th ed.)

- Dawn. (2022, October 20). Questionable acquittal [Editorial]. <https://www.dawn.com/news/1715969>
- Dawn. (2024, October 31). Karachi sessions court acquits Karsaz accident driver in murder case. <https://www.dawn.com/news/1868974>
- Dawn. (2025, January 27). PHC acquits man in wife's murder case after compromise.

- Dialogue Pakistan. (2024, September 6). Asim Mehmood criticises 'selective use of Islamic law' for powerful people in Pakistan.
- Journal of Law and Social Sciences. (2020). Implementation of Islamized law of murder in Pakistan and social concerns on acquittal of murderers on the basis of Islamic concepts of 'afw' and 'sulh'. [Author, volume, issue, and page numbers to be supplied.]
- Justice Project Pakistan. (2020). Terror on death row: The abuse and overuse of Pakistan's anti-terrorism legislation. Justice Project Pakistan.
- Pakistan Today. (2022, November 10). Overcoming lacunae to deliver justice.
- The Express Tribune. (2015, March 29). Shahzeb Khan murder: Shahrukh Jatoi may walk away from the gallows.
- The Express Tribune. (2022a, October 18). Pakistani Twitter outraged after SC acquits Shahrukh Jatoi. <https://tribune.com.pk/story/2382215/pakistani-twitter-outraged-after-sc-acquits-shahrukh-jatoi-in-shahzeb-murder-case>
- The Express Tribune. (2022b, November 22). Shahzeb murder outcome of 'personal egoistic approach': SC.