

POLICING, LAW, AND JUSTICE: A CRIMINOLOGICAL ANALYSIS OF MURDER AND RIOTING THROUGH A FAISALABAD FIR CASE STUDY

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Abstract

This study explores the intersection of law, policing, and justice by analyzing the legal dimensions of murder and rioting in Pakistan through a qualitative case study of a First Information Report (FIR) registered in Faisalabad. It addresses three key questions: (1) How does the FIR frame the charges of murder and rioting? (2) What legal provisions of the Pakistan Penal Code (PPC) are invoked? and (3) What procedural and legal challenges emerge during investigation and prosecution? Despite extensive doctrinal work on murder and rioting offences, a significant gap exists in Pakistani criminological literature connecting statutory provisions with field-level practices, including FIR drafting, police investigation, forensic limitations, and witness protection deficits. To bridge this gap, the study employs a combined doctrinal and document-analysis approach, integrating statutory law, judicial precedents, and secondary literature with the examined FIR. Thematic coding identifies how the charges are framed, comparative analysis evaluates congruence with statutory and judicial standards, and doctrinal interpretation examines whether laws are properly applied or misused. Findings reveal that the FIR correctly invokes Sections 302, 148, and 149 of the PPC, establishing both individual and collective liability; however, difficulties persist in proving collective intent and distinguishing the roles of accused persons. While overall legal alignment is observed, investigative shortcomings—particularly in forensic application and evidence collection—undermine procedural justice. The study concludes that ensuring prosecutorial effectiveness and fairness in complex group-violence cases requires not only doctrinal clarity but also strengthening police investigative capacity, evidentiary rigor, and witness protection systems to enhance justice outcomes within Pakistan's criminal justice framework.

Key Words: Murder, Rioting, FIR, PPC, Doctrine Legal Analysis, Group-violence, Criminal Justice, Policing, Law.

Introduction

The First Information Report (FIR) is now a primary element of the criminal justice system which is the initial phase and procedure of investigation after an incident of cognizable or non-cognizable offense has been reported. The FIR is a legal document, as a result of which the alleged criminal

activity is formally identified and documented by the law enforcement agencies, which defines the pattern of future investigation and prosecution. This process has an important role in the police, making sure that written requirements are met, especially the assertiveness on the time, date, location and nature of the event reported, but also making sure that legal mandates are met, especially in delicate situations that concern women (Khattar 2023). Specifically, the Station House Officer (SHO) takes the leading role in the control of registration of FIRs, control over the work performed in regards to evidence-gathering, and overall compliance with the statutory requirements, which underlies the importance of procedural accuracy and responsibility within the law enforcement.

Murder as a legal category, as well as a social phenomenon, remains an object of critical study in the areas of criminology, law or sociology. The need to study investigative practices, legal statutes, and cultural and social discourses of murder in order to comprehend the complexities has been emphasized by scholars and practitioners long enough. Jones, Grieve, and Milne (2008) suggest that a review on major crime investigations and especially on murder cases enhance the elimination of miscarriages of justice and enhancement of accountability in policing practices. To supplement this, in his textual study of murder cases, Farran (1992) demonstrates the intersection of gendered narratives of murder especially the manner in which women defendants use the issue of domestic violence in provocation pleas alongside legal and media discourses in influencing the outcome and perceptions of justice. Taking the lens a step further, D'Cruze, Walklate and Pegg (2013) place murder in more profound socio-historical settings, discussing the impact of race, gender and cultural memory as a factor that drives reaction to high-profile cases. The combination of these studies provides a picture that the study and explanation of murder can never stay apart of the practices within the institution, stories of society, and culture and this is where multidisciplinary method of research and change of the justice system in murder cases is required.

Mob justice is a serious problem to the criminal justice system of Pakistan, especially because in most instances, the acts of mob justice are violent crowd activities that include lynching. It derails the rule of law as a person or groups may go around the legal system to be dealt with, which in most cases leads to a gruesome victimization of alleged offenders without being heard. Malik, Waseem, Khan, and Hussain (2021) analyze the trends and effects of mob justice and mention that it has a disastrous effect on the justice system and the society in general. The authors examine the major cases such as the Sialkot lynching, murder of Mashal Khan, and the Kot Radha Kishan case in which socio-cultural anger, mistrust of legal institutions, and the ineffective mechanisms of their enforcement contribute to this. Mob violence has also been placed in the context of the Pakistan Penal Code (1860) and specifically on the provisions of unlawful assembly, conspiracy, rioting, and homicide, which something has been done in the study, and thus there are gaps between law in books and law in practice. In the end, the mob justice phenomenon indicates a dire necessity to institute reforms in the institution, vigorous law enforcement reactions, and community-based measures that could regain the public in the rule of law.

Research Questions

The following are the research questions of this study:

1. How does the FIR registered in Faisalabad frame the charges of murder and rioting,
2. What legal provisions of the Pakistan Penal Code are invoked in this case?
3. What procedural and legal implication challenges emerge in the investigation and prosecution of murder and rioting offences, as evidenced by the Faisalabad FIR case study?

Literature Review

According to Charan, and Naidu (2023), the evidentiary role of FIRs are not substantive evidence but aid in corroboration. They stresses how timing, content, and filing procedures affect case outcomes. They also identifies issues like coercion, misinformation, and procedural lapses. They recommend reforms to strengthen FIR credibility in investigations.

Khan and Iqbal (2019) explores how death became the normal punishment for murder under colonial law. It shows that this rule continued in Pakistan even after the Qisas and Diyat laws. The article highlights contradictions between Islamic ta'zīr punishments and colonial practices. It concludes that reforms are needed to resolve this legal paradox.

Furthermore, section 148 PPC addresses rioting with deadly weapons, aiming to deter collective violence and ensure public order. Scholars note its colonial origin in the Indian Penal Code but highlight its continued importance in Pakistan (Shahid, 2018). Courts have emphasized strict punishment to control mob violence. However, critics point out frequent misuse and selective application in practice.

Malik, Waseem, Khan, and Hussain (2024), critically examines mob justice in Pakistan, highlighting its increasing prevalence and devastating social impact. It reviews high-profile cases such as Kot Radha Kishan, Mishaal's murder, and the Sialkot lynching to illustrate systemic failures in law enforcement. The authors analyze relevant Pakistan Penal Code provisions on unlawful assembly, rioting, and murder, stressing legal inadequacies. The article underscores the urgent need for stronger legal reforms and policy interventions to curb mob violence.

Aljbour and AlQudah (2024), discuss the complexity of the liability of company board members in the civil, criminal, and disciplinary systems. It highlights the issue of corporate governance and accountability in providing responsible management. The authors believe that exemption clauses are unacceptable and point out such circumstances when liability can be avoided, i.e. force majeure or third-party blame. The study helps to comprehend the concept of corporate oversight and board responsibility in the comparative legal framework.

As Begum (2023) notes, FIR is a crucial document in the opening of investigations related to cognizable crimes. The paper notes its evidencing presence in the South Asian nations and its part in documenting the necessary details on offenses. It emphasizes the role of the FIR in transparency on police procedures.

Rai and Iqbal (2019), examine Section 302 of the Pakistan Penal Code that is an attempt to punish a murderer by death penalty or life imprisonment. They examine the historic and juristical basis of the death penalty in the subcontinent. It also brings controversies on the issue of proportionality, justice and that of death as a punishment to murder cases as normal.

Research Gap

There remains a notable gap in Pakistan's literature when it comes to linking doctrinal descriptions of offences (e.g., murder and rioting under the Pakistan Penal Code) with empirical, case-level analyses that trace how FIR drafting, police investigation practices, forensic limitations, witness protection deficits, and prosecutorial preparedness interact to shape case outcomes. While the

statutory framework for murder and rioting is well documented (Pakistan, 2017), studies of investigation and pre-trial practice highlight pervasive delays, weak forensic capacity, and poorly implemented witness-protection measures that undermine the quality of criminal cases generally (Lohani & Abbas, 2021; RSIL, 2021). Separate doctrinal and empirical work has also pointed to gaps in prosecutorial readiness and coordination with investigative agencies (Ejaz et al., 2024). Although recent analyses critique the Witness Protection Act and its patchy implementation (Zaman, 2024), there is little empirical work applying these critiques to a single FIR to show how failures in witness safety, evidence collection, and charge framing concretely affect prosecutions of murder and rioting. Consequently, a focused case study of an FIR from Faisalabad can fill this gap by (a) showing how charges are framed against the PPC provisions, (b) documenting procedural weaknesses in the investigation and pre-trial phase, and (c) tracing how those weaknesses influence prosecutorial strategy and case outcomes — producing actionable recommendations for law, practice, and reform.

Research Methodology

This study employs a qualitative case study design. The case study focuses on a specific First Information Report (FIR) from Faisalabad charging murder and rioting, to explore how legal provisions are invoked, how charges are framed, and what procedural and legal challenges arise in investigation and prosecution. Case study design is appropriate for understanding complex legal phenomena in depth within their real-life context (Abbas, Sipra, Falak, & Khan, 2024).

Legal / Doctrinal and Document-Analysis Approach

The methodology combines *doctrinal legal analysis* and *document analysis* (Shah, & Mahmood, 2023)). Doctrinal analysis will be used to interpret statute law (e.g. sections of the Pakistan Penal Code (PPC), Criminal Procedure Code (CrPC)), case law, judicial precedents, and legal commentary relevant to murder and rioting offences. Document analysis will examine the FIR itself, and secondary sources such as reports, law journal articles, and policy documents.

This mixed approach mirrors methods used in Pakistani legal scholarship investigating evidentiary value of FIRs and forensic evidence (Lohani & Abbas, 2021; Mumtaz, Baig, Shafique, & Ahmed, 2023).

Data Sources

- **Primary legal documents:** the selected FIR from Faisalabad, along with any accessible police reports, charge sheets, court records.
- **Statutory law:** Pakistan Penal Code (1860), Criminal Procedure Code, Qanun-e-Shahadat (1984), and any amendments relevant.
- **Judicial precedents:** Court judgments involving murder and rioting, procedural decisions (e.g. regarding admissibility of evidence, investigation protocols).
- **Scholarly articles and reports:** works on investigative challenges, forensic science in Pakistan, access to justice via FIRs, witness protection, etc. For example, *Role of Forensic Evidence in Pre-Trial Investigation and Benefit of Doubt in Murder-Cases in Pakistan* (Lohani & Abbas, 2021) examines evidentiary value and related procedural implications.

Sampling Technique

In this study Purposive sampling is used. Selecting the specific FIR in Faisalabad because it contains allegations of both murder and rioting, involves charges under relevant sections of PPC, and is accessible (i.e. FIR No. 478/20, E Tag No. TKW-5/15/2020) for detailed document review. Also, sampling of judicial precedents and scholarly works will be purposive to those most relevant to the legal provisions, procedural obstacles, and case law in similar contexts.

Data Collection Procedures

1. Obtain the FIR document (i.e. FIR No. 478/20, E Tag No. TKW-5/15/2020), from police record / public-interest legal resources.
2. Collect relevant statutory texts (PPC, CrPC, etc.) and any recent amendments.
3. Review secondary literature, journal articles, reports concerning FIR registration issues, forensic evidence, procedural delays in Pakistan.

Data Analysis

- **Thematic coding:** The documents will be coded thematically around the research questions: Charge framing; Legal provisions invoked; Procedural & legal challenges.
- **Comparative analysis:** Compare how the FIR's framing and procedural steps align or diverge from statutory requirements and precedents.
- **Doctrinal legal interpretation:** Interpreting statutory texts, case law, and commentary to assess if legal provisions are being properly applied or misapplied.

Ethical Considerations

- Ensure confidentiality where needed—if sensitive personal or identifying information are present in FIRs, anonymize them.
- Use documents only with proper permission, or through public records / open court documents.
- Ensure that interpretation remains impartial and does not prejudice any pending litigation; acknowledge researcher bias risks and mitigate via triangulating sources.

Validity, Reliability, and Trustworthiness

- **Source triangulation:** Using multiple sources (FIR, court judgments, scholarly literature) to cross-verify findings.
- **Transparency:** Document clearly all sources, coding decisions, and legal interpretive steps.
- **Peer review:** Where possible, getting feedback from legal scholars or practitioners on interpretation of law and procedural norms.

Limitations

- Findings from a single case (Faisalabad FIR) may not generalize to all FIRs or jurisdictions across Pakistan.
- Possible gaps in documentation (some procedural steps may not be well recorded) and risk of bias in police or prosecutorial record-keeping.

Data Analysis

The analysis of the FIR registered in Faisalabad regarding the incident of murder and rioting is undertaken through three interlinked approaches: thematic coding, comparative analysis, and doctrinal legal interpretation.

1. Thematic Coding

The documents were coded thematically around the core research questions. Three major themes emerged:

- **Charge Framing:** The FIR frames the accused under Section 302 PPC (murder), Section 148 PPC (rioting with deadly weapons), and Section 149 PPC (common object liability). These charges highlight both the individual criminal liability (intentional killing) and collective responsibility (unlawful assembly).
- **Legal Provisions Invoked:** The FIR relies on statutory provisions addressing homicide and group liability. The application of Section 302 PPC establishes intentional homicide, while Sections 148 and 149 PPC emphasize unlawful assembly and shared criminal intent (Pakistan Penal Code, 1860).
- **Procedural & Legal Challenges:** The FIR demonstrates procedural strengths, such as clear specification of the offence, time of incident, complainant identity, and weapon use. However, potential challenges remain regarding proving collective intent (Section 149 PPC) and the degree of participation of each accused (PLD 2009 SC 527).

2. Comparative Analysis

When compared with statutory requirements and judicial precedents:

- **Alignment:** The FIR aligns with statutory provisions in identifying murder (302 PPC) and rioting with deadly weapons (148 PPC). The inclusion of Section 149 PPC is consistent with precedent that any member of an unlawful assembly can be held equally liable for the offence committed in prosecution of the common object (PLD 2003 SC 704).
- **Divergence:** At the FIR stage, there is limited differentiation between primary actors (those who fired) and secondary participants (those present in the assembly). Precedents stress the importance of establishing individual roles, which may pose challenges during trial if evidence of active participation is insufficient (2020 SCMR 171).

3. Doctrinal Legal Interpretation

- **Section 302 PPC:** Jurisprudence affirms that intentional homicide requires proof of mens rea and actus reus. The FIR records both elements, citing personal enmity and use of firearms, thus supporting the application of Section 302 PPC (PLD 2005 SC 343).
- **Section 148 PPC:** Courts have consistently interpreted armed rioting as a serious aggravating factor. The FIR's reference to firearms substantiates this charge (2019 YLR 2338).
- **Section 149 PPC:** The doctrine of common object has been expansively applied by Pakistani courts, but it requires careful judicial scrutiny to avoid unjustly implicating passive bystanders (PLD 2011 SC 554). In this case, the FIR imputes collective liability without yet distinguishing levels of involvement, which raises questions for later evidentiary assessment.

Discussion

The present FIR (478/20, E-Tag No. TKW-5/15/2020) reflects the complex interplay between individual liability and collective responsibility in Pakistan's criminal justice system. While Section 302 PPC rightly addresses intentional homicide, its combination with Sections 148 and 149 PPC illustrates the judicial tendency to extend liability to entire assemblies in cases of group violence. Courts have repeatedly held that collective liability under Section 149 PPC cannot be applied mechanically, and the prosecution must establish a shared unlawful object with sufficient evidentiary backing (PLD 2003 SC 704; PLD 2011 SC 554). This raises concerns about over-inclusion, as passive bystanders may risk being wrongfully implicated (2020 SCMR 171). At the same time, Pakistani jurisprudence underscores that where armed assemblies are formed with a common intent, every participant can be held equally culpable, regardless of whether they directly executed the fatal act (PLD 2005 SC 343; 2019 YLR 2338). Thus, the FIR under discussion demonstrates both the appropriateness of invoking murder and rioting provisions, and the procedural challenge of differentiating the degree of participation among co-accused—a recurring theme in homicide and rioting cases in Pakistan.

Recommendations

The results of the current research support the fact that the reforms are necessary to go beyond the statutory clarity to practicalism since effective justice is the goal of various crimes including murder and rioting.

To start with, there is a need to reform the law to tighten the enforcement of the Sections 148 and 149 of the Pakistan Penal Code that have been extensively abused to accuse the multiple accused without adequate evidence of common motive. Wrongful implication could be reduced by having clearer statutory guidelines or interpreting interpretative frameworks approved by judicial authority.

Second, there are the practices of policing that need to be reinforced by incorporation of forensic science in the investigation of homicide and rioting cases. The routine use of eyewitness testimony without the ability to be supported by other forensic evidence deprives prosecutors of their credibility and creates acquittals. This could be enhanced by funding the forensic laboratories and requiring casing procedures in the murder related FIRs.

Third, prosecutor performance depends on formal training in cases formulation, evidence presentation, and implementation of the provisions of collective liability. Prosecutor training would decrease the possibility of poor indictments and misjudgment of law.

Lastly, witness and family safety of victims is another area that has been overlooked; a lack of strong witness protection processes will continue to act as an obstacle to justice, as they are threatened and withdrawn as witnesses. It is necessary to institutionalize a legislated program of witness protection which is best practice in other jurisdictions. All these measures will be able to strengthen the legal, procedural, and investigative frameworks of the criminal justice system and achieve a positive impact on impunity and ensure that the legal provisions of murder and rioting are applicable accordingly.

Conclusion

This research paper underscores the fact that the manner in which murder and rioting complaints are framed in FIRs does not only indicate what statutory provisions stipulate based on the Pakistan Penal Code but also illustrates how the criminal justice system has inherent limitations in the investigation and prosecution. Although the case under analysis proves the right application of the Sections 302, 148, and 149 of PPC, insufficiency in forensic capacity, the lack of evidence strictness, and the abuse of collective liability provisions undermine the quest of justice. The results imply that a legal framework cannot work effectively without the proper backing of law enforcement due to sound practices of investigation and prosecution coupled with institutional safeguards like witness protection. Enhancement of these dimensions would not only increase the credibility of the criminal justice procedure, but it also plays a role in curbing impunity in acts of violent collective crime.

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