Scenario 268

AL-QADIR TRUST CASE

BACKGROUND

Origin of the case:

In the first week of June 2022, the Abdul Qadir Trust Case against former premier Imran Khan resurfaced after an alleged audio leak, purportedly of a telephone conversation between Malik Riaz and his daughter, wherein the two could be heard talking about the supposed demands of Farah Khan aka Gogi — a friend of Imran Khan's wife Bushra Bibi — against some alleged favours from the previous government of Imran Khan. The woman, believed to be Riaz's daughter, told her father that Farah had told her that the (former) first lady had asked her not to accept a three-karat diamond ring and demanded a five-karat one.

Subsequently, Malik Riaz had denied his role in any political matters, and in a tweet claimed that the leaked audio clip attributed to him and his daughter was *'fabricated'*.

A week later, the then-federal interior minister Rana Sanaullah accused Imran Khan and his wife of accepting hundreds of kanals of land for protecting Malik Riaz's real estate firm in a money laundering case. As per his media conference dated 14th June 2022:

> *"Bahria Town had **'illegally transferred'** Rs: 50bn to a Pakistani national in the UK. The transfer was identified by the UK's National Crime Agency [NCA], which subsequently informed the then PTI government of the crime.*
>
> *Bahria Town had donated hundreds of acres of land to Al-Qadir Trust, with the agreement bearing signatures of the real estate developer's donors and Bushra Khan — the wife of former premier Imran. The non-profit organisation had only two trustees: Imran Khan*

and Bushra Bibi. The minister added that another 240 kanals were transferred to Farah Shehzadi".

Next day, the federal cabinet constituted a committee to probe into Imran Khan and his wife Bushra's alleged involvement in the case.

To balance the political scores and to squeeze the noose around real estate tycoon Malik Riaz and close aides to former premier Imran Khan, the National Accountability Bureau [NAB] asked Malik Riaz and other beneficiaries to appear before it on 1st December 2022 under section 19 of the National Accountability Ordinance-1999. The inquiry into allegations of misuse of authority, financial gains and criminal breach of trust had revealed that Ali Riaz Malik and others entered into an out-of-court settlement agreement with Britain's National Crime Agency [NCA] for repatriation of funds to the government of Pakistan.

However, no one turned up to attend the said enquiry – BUT the case had to proceed to its logical end – thus, the investigations went on.

HERE's THE FULL PICTURE:

A Pakistani property tycoon, namely Malik Riaz, had assets in Britain worth £190 million which were seized by the National Crime Agency (NCA) of the United Kingdom (UK) during the PTI's rule (2018-22). The assets could be transferred to the Pakistani government, according to the NCA. The agreement with the real estate tycoon was regarded as a civil matter and did not indicate guilt.

On 3rd December 2019, the then Prime Minister Imran Khan received approval from his cabinet for the settlement of the said proceedings with the UK's NCA without revealing the specifics of the private accord between Mr Khan and Malik Riaz. According to the arrangement, the money was to be sent into the Supreme Court of Pakistan on the property tycoon's behalf.

In the weeks that followed the decision, Islamabad saw the founding of the Al-Qadir Trust. Members of the trust were named as PTI leaders Zulfi Bukhari, Babar Awan, Bushra Bibi, and her close friend Farah Khan. Later, Bukhari and Awan opted out as the trustees. That trust was then left registered in the name of Khan, Bushra Bibi and Farah; daily **The News** dated 23rd May 2023 is referred.

The land tycoon allegedly presented massive lands for the construction of an educational institution in exchange for legal protection of his stacked monies he had at stake with the UK's NCA.

> **[Al-Qadir Trust** *(officially Al-Qadir University Project Trust) was **a non-profit organization founded in 1996** by Imran Khan. The trust worked to provide poverty relief and promote education and healthcare; as per local administration records.*
>
> *The trust was established to provide relief to the poor and needy in Pakistan. The trust's first project was to build a school in the village of Mianwali. The school was named after Khan's father. The trust has since expanded its activities to include a variety of other projects, such as providing food and shelter to the homeless, providing financial assistance to students, and running hospitals and clinics.*]

On 5th December 2019; it was announced at a press conference in Islamabad that £140m had been repatriated to Pakistan - into the Supreme Court's account. When asked how the money could be transferred to the SC account, the PTI's mouthpiece deflected the question saying that the government, NCA and Mr Riaz had signed a *"deed of confidentiality"* which prevented him from elaborating on the matter. Referring to **daily PAKISTAN TODAY** dated 9th May 2023:

> *"UK's National Crime Agency fines Malik Riaz £140 million & that amount is sent back to Pakistan. **However, that money is given to SC as part of Malik Riaz's settlement over the Bahria Town scandal case.** Federal cabinet of Imran Khan on Dec 2, 2019, had allowed this to be done - Faisal Vawda confirmed this & (cabinet) members were asked to sign documents & funds landed in SC account in NBP as opposed to the GOP's main account. A total of Rs: 460 billion was to be paid by Malik Riaz & this amount was (being settled as) part of that."*

After coming to power, the incumbent PDM government accused former premier Imran Khan and his wife Bushra Bibi of accepting billions in cash and hundreds of kanals of land from Bahria Town in return for the help that Khan's government gave to Malik Riaz during his investigation by the NCA. Bahria Town had entered an agreement and gave a 458-kanal land with an on-paper value of Rs: 530 million to the trust owned by Imran Khan and Bushra Bibi. The land was donated to Al-Qadir Trust, and the agreement bore signatures of the real estate's donors and Bushra Bibi.

On 26th December 2019; PM Imran Khan got registered a Trust for Al Qadir University Project. Malik Riaz later became a donor for this.

> [Earlier, **on 5th May 2019:** The foundation stone for Al-Qadir University in Sohawa, District Jhelum (Pakistan), was laid by then-Prime Minister Imran Khan, as part of the Al-Qadir Trust's initiative to blend Islamic education with science and technology. Purpose was to offer education in Sufism, Science, and Technology, focusing on spiritual and intellectual development. The Premier Khan had held that: *'It has been named after Abdul Qadir Jilani, who linked science and spirituality. We consider spirituality a super science; it needs research, which will be conducted here. We will run it on Namal University's model. This varsity is not being established through government funds but through private fundraising'.*]

The PDM government, when they took over the reins of the government after April 2022's no-confidence-vote, had built up this case urging that it caused a loss of 190 million pounds to the national exchequer. As per media reports (GEO News), the charges against Khan and the others showed that the accused allegedly adjusted Rs: 50 billion — 190 million pounds for his own and PTI's benefits. The PTI leaders in the case were also accused of receiving ***undue benefit in the form of over 458 acres of land at Sohawa***, to establish Al Qadir project.

It was that piece of land which came under the scrutiny of the NAB. In the call-up notice served to Malik Riaz dated 24th November 2022, he was asked to appear with documentary evidence to record his statement regarding purchase of 458 Kanals 04 Marlas 58 square feet situated in Hadbast No. 77 at Mauza Barkala, Tehsil Sohawa of District Jhelum.

NAB required Malik Riaz to present a complete record regarding that land and also, he was asked to produce the deed through which M/s Bahria Town donated the above said land to Al-Qadir Trust along with revenue documents. Likewise, details of other property / donation transferred by him, any of his family members of M/s Bahria Town in favour of Al-Qadir Trust or any of its trustees, whether through sale / purchase, gift, donation or any other mode.

Later, after April 2022 when Mr Khan lost his premiership, the Al-Qadir Trust case became the subject of an investigation by the National Accountability Bureau (NAB), which focused on claims of the abuse of authority in the process of retrieving monies from the UK's NCA. After significant evidence surfaced, the investigation subsequently developed into a full-fledged case which implicated Imran Khan, Bushra Bibi, Barrister Shahzad Akbar, and the real estate tycoon as suspects. Allegations against them included accepting unauthorized advantages in the form of land for the construction of Al-Qadir University, modifying cash supplied by the NCA to the Pakistani government, and allegedly providing legal protection for the money of the property tycoon.

According to the statement released by the UK's NCA, the settlement included a UK property — ***1 Hyde Park Place, London, W2 2LH*** — valued at approximately £50 million and all of the funds landed in the frozen accounts of Malik Riaz.

The initial record of the NCA's move to probe indicated that the property and assets belonging to Malik Riaz in the UK first-time surfaced in December 2018, shortly after Imran Khan's PTI came to power. The crime agency in a press release dated 14th August 2019, stated:

> ***"The NCA has been granted freezing orders on eight bank accounts containing a total of more than £100 million, which is suspected to have derived from bribery and corruption in an overseas nation. Approximately £20m held by a linked individual was frozen following a hearing in December 2018."***
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> *Earlier that year, the Supreme Court of Pakistan had accepted Riaz's offer of Rs:460bn as settlement dues by his real estate firm, Bahria Town Ltd, after it was found to have illegally acquired thousands of acres of land on Karachi's outskirts in district Malir*.
>
> > [In March 2019, a three-judge Supreme Court bench headed by Justice Sheikh Azmat Saeed had accepted a Rs460 billion offer by Bahria Town to implement the court's judgment which held that the grant of land to the Malir Development Authority by the Sindh government, its exchange with the private land of the developer and anything done under the provisions of the Colonisation of Government Land Act, 1912 by the provincial government were illegal and of no legal existence; Daily **DAWN** dated 14th June 2022 is referred.]

Subsequently, the ***'recovered money'*** was transferred to the Supreme Court's accounts, instead of the Government of Pakistan's account. Special Assistant to the Prime Minister (SAPM) on Accountability Mirza Shahzad Akbar had claimed that: ***"…the Supreme Court is a part of the government. So if the money goes to the apex court, it means that the money comes to the state."***

The SAPM had also refused to entertain or address cogent questions regarding the origin of the money and how it had come to be stashed away abroad, citing that: ***"….confidentiality clauses between the parties are involved in the case, including the UK. We have inked a bond of confidentiality with the UK government and therefore we cannot talk about the details of the case,"*** he had told to the media.

However, following the press conference of Rana Sanaullah, the then federal interior minister, the NAB had firm belief that the £140m that was repatriated to Pakistan after Shahzad Akbar's intervention with the NCA on behalf of Malik Riaz went straight back into the bank account of that property tycoon. The true facts are still in clouds.

In the same media conference (of 14th June 2022), Rana Sanaullah claimed:

> *"Imran Khan's aide Shehzad Akbar had 'settled' the entire case, while the Rs: 50 billion-which belonged to the national treasury-was adjusted against Bahria Town's liability. Imran Khan had received a graft of Rs: 5 billion as 'his share' through Mr Akbar before the case was wrapped. Also, that Bahria Town, after its Rs: 50 billion was protected by the then PTI government, had allotted the above mentioned land to Al-Qadir Trust.*
>
> *Also, that another 240 Kanals were transferred to 'Farah Shehzadi' commonly known as Farah Gogi-a close friend of Bushra Bibi."*

THE NAB REFERENCE

The reference filed in the Accountability Court by NAB alleged that Imran Khan, who was in jail then, played a *'pivotal role in the illicit transfer of funds meant for the state of Pakistan into an account designated for the payment of land by Bahria Town, Karachi'.* It also claimed that despite being given multiple opportunities to justify and provide information, the accused deliberately, with mala-fide intention, refused to give information on one pretext or another. The NAB reference further said:

> *"Property tycoon Malik Riaz and his son Ahmed Ali Riaz, Mirza Shehzad Akbar, and Zulfi Bukhari are also among the suspects in this reference, but instead of joining the investigation and subsequent court proceedings, they absconded and were subsequently declared proclaimed offenders (POs).*

> *Farhat Shahzadi, a close friend of Imran's spouse, and Ziaul Mustafa Nasim, a legal expert for the PTI government's Assets Recovery Unit, are also declared POs. Subsequently, the properties of all six accused have been frozen.*
>
> *Furthermore, it is established through their responses that they have nothing in their defence to rebut the above-mentioned allegations. Thus, they all have committed an offence under the National Accountability Ordinance (NAO).*
>
> *…..that the investigation proceedings and findings so far established that accused persons in connivance with each other have committed the offence of corruption and corrupt practices as defined under the NAO."*

Shehzad Akbar, a former special assistant to PM Khan and Asset Recovery Unit chief, played a *"crucial role in the illegal design of the funds"* which were meant for the state. Riaz Malik, had *"actively aided, abetted and assisted and acted in conspiracy"* with the other respondents for the diversion of funds earmarked for the state. Bushra Bibi and Shahzadi also played a *"significant and crucial role in the illegal activities"*, the latter also a *"front-woman"* for Imran Khan and his wife; the reference said. The reference strongly urged that it was *"just and proper to proceed against the eight suspects as there was sufficient incriminating evidence"* available to justify the reference.

On 9th May 2023; the Rangers detained Imran Khan outside the Islamabad High Court, where he had gone to request bail in a number of cases brought against him, including the Al-Qadir Trust case. A development that triggered nationwide protests and riots. *Though 2 days later he was 'released' after the Supreme Court declared the arrest unlawful*.

> [*Imran Khan was facing a slew of cases since his ouster through No-Confidence-Vote against him on 10th April 2022. He rejected all the cases as political victimisation by the ruling alliance of PMLN and PPP. Till his arrest on that day, Khan was facing over 140 cases related to terrorism, blasphemy, murder, violence, inciting to violence.*]

On that day of first arrest, the media held that the NAB had issued notices to the PTI chief regarding the corruption cases against him and asked him to present himself and become a part of the investigation; but he did not do so. He challenged those notices in the high court and ultimately the high court said that the [legal] process in accordance with law cannot be stopped and he should become a part of the investigation and submit his response but despite that, he did not feel it appropriate to become a part of the investigation. Because of this NAB had to implement his arrest.

Referring to **AL-JAZEERA** dated 9th May 2023:

> *"Khan was arrested for an offence related to the Al-Qadir University Trust case. Last June, the new coalition government alleged that Khan and his wife obtained land worth billions of rupees for their trust from Malik Riaz, a major property tycoon of Pakistan, to build an educational institute.*
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> *The NAB has alleged that Khan's PTI government struck a deal with Riaz that caused a loss of more than $239m to the national exchequer, in a quid pro quid arrangement with the real estate tycoon.*
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> *In December 2019, Malik Riaz agreed to hand over assets, including properties worth $239m, to United Kingdom's National Crime Agency in an investigation related to 'dirty money'. (Till then) Khan and his government were not directly linked to the case."*

See the news in **daily PAKISTAN TODAY** of the even date:

> *"It finally happened. The almost year-long efforts to arrest former Prime Minister Imran Khan came to an end in the hustle bustle of a sweltering Tuesday afternoon outside the Islamabad High Court (IHC). Since being ousted from power, Khan has been hounded by law enforcement agencies over literally hundreds of different cases – (allegedly) instigated by the incumbent federal government and the military establishment which wishes to see him behind bars.*
>
> *But after multiple armed showdowns at his Zaman Park residence in Lahore and raids on his Bani Gala residence in Islamabad, what has Khan finally been taken into custody for - … it is over the Al-Qadir Trust Case currently being investigated by the National Accountability Bureau (NAB). But…. the case is perhaps one of the most clouded and murky webs from the Imran Khan administration and involves among other real estate tycoon, Malik Riaz…. and involves accusations of bribery, corruption, and kickbacks against the government of former Prime Minister Imran Khan."*

Only few people bothered to keep in mind the timing of the arrest (on 9th May 2023) which tells the whole story. Attempts to arrest Khan were on record since many months till then, but it finally happened only a day after the former premier Mr Khan named senior military officials blaming them for ousting him from power and for the assassination attempt on his life.

While Mr Khan was on his way to the IHC on that morning, Prime Minister Shehbaz Sharif and the ISPR both issued strongly worded statements condemning Khan's claims. While the cases against Khan, particularly the Al-Qadir Trust Case, deserved to be investigated in a free and fair manner; because in the long run, this could end up affecting the legitimacy of the investigation into the case itself.

The fact remained that subsequently property of 240 kanals in Bani Gala, initially given by Malik Riaz to Farah Gogi was allegedly registered in the trust's name. The PDM government of Shahbaz Sharif had previously provided details of the properties and had challenged the PTI chief to answer that: ***'Al-Qadir trust was made by you to hide this corruption and bribery' –*** but the reply never came up in denial.

In November 2023, Imran Khan, who was already imprisoned at the Adiala Jail Rawalpindi in the Cypher Case, was again arrested by the National Accountability Bureau (NAB) in the Al-Qadir Trust case. He remained in prison since then. ***The charge sheet*** of the court alleged that:

> *'Imran Khan and his wife obtained billions of rupees and land worth hundreds of kanals from a real estate firm for legalising Rs: 50 billion that was identified and returned to the country by the UK's NCA during the previous PTI government'.*

In February 2024, an accountability court indicted Imran and his wife in the case, shortly after the general elections. After several hearings into the case, all of which were conducted at the Adiala Jail, the court reserved its verdict on 18th December 2024, saying the verdict would be announced after 5 days. It was delayed for another two weeks due to court-vacations for winter. On 13th January 2025, the decision was again delayed for the third time. Previously, in a statement on PTI's X account, Imran was quoted as calling the Al-Qadir Trust case 'bogus' and without merit - But in Pakistan it's taken as routine statement.

IMRAN KHAN & THE 1st LADY SENTENCED

On 17th January 2025: The much-awaited verdict, delayed thrice previously, was announced by Judge Nasir Javed Rana at a makeshift courtroom at the Adiala Jail. *The PTI chairman was handed a 14-year jail term while his wife was sentenced to seven years in prison*. The court also imposed fines on Imran Khan and Bushra Bibi, amounting to Rs:1 million and Rs: 500,000 respectively. Referring to **THE FRIDAY TIMES** dated 17th January 2025, the details are numerated in next paragraphs.

- **The court also ordered the forfeiture of the property of the Al-Qadir University Project Trust to the Federal Government, as per Section 10(a) of the National Accountability Ordinance, 1999.**

The court issued a detailed 148-page judgment, separating the case of the co-accused, who were declared proclaimed offenders. These accused persons included former Chairman of the Asset Recovery Unit (ARU) Mirza Shahzad Akbar, CEO of Bahria Town (Pvt) Ltd Malik Riaz Hussain, former expert on International Criminal Laws (ARU) Zia ul Mustafa Nasim, former trustee of Al-Qadir Trust Syed Zulfiqar Abbas Bukhari, Malik Riaz's son Ahmed Ali Riaz, and trustee of Al-Qadir Trust Farhat Shahzadi aka Farah Gogi.

However, the court noted that: *"There may be certain minor discrepancies and contradictions in the prosecution evidence, which are natural in white-collar crime cases."* The judgment concluded that despite the defense's efforts, it failed to create any reasonable doubt that would undermine the prosecution's case.

The court stated that Imran Khan, while serving as Prime Minister, received illegal monetary benefits from co-accused Malik Riaz Hussain, Ahmed Ali Riaz, and Bahria Town (Pvt) Ltd. This was in the form of 458 Kanals, 4 Marlas, and 58 sq. ft. of land, ***under the pretext of a donation to a non-existent trust,*** namely the Al-Qadir University Project Trust. The court ruled that Imran Khan illegally obtained this benefit when neither the Al-Qadir University Project Trust nor the university existed.

The court further concluded that Khan, in connivance with the co-accused, facilitated the illegal transfer of £171.159 million (GBP) out of £190 million (GBP), intended for the state of Pakistan, into an account designated for the payment of land costs by Bahria Town Karachi. This, the court determined, constituted a gross misuse of authority.

The judgment also noted that co-accused Mirza Shahzad Akbar, in collusion with Imran Khan, dishonestly circulated a note on 02.12.2019, misrepresenting that funds frozen in the UK were to be surrendered to the Supreme Court of Pakistan, even though these funds were actually meant to settle Bahria Town's private liability.

The court found that during a cabinet meeting on 03.12.2019, Khan insisted on granting approval for paragraph 10 of the note, sealing the document without any prior circulation or discussion, in violation of the Rules of Business, 1973.

In exchange for these illegal favors to Malik Riaz, Ahmed Ali Riaz, and Bahria Town (Pvt) Ltd, Khan, under the guise of the Al-Qadir University Project Trust, which he founded and became the settlor of, dishonestly obtained significant monetary gains, property, and other advantages. These included a donation of approximately 458 Kanals of land, funds amounting to Rs:285 million, the construction of the university building worth Rs:284,032,000, and in-kind contributions to the Al-Qadir University Project Trust.

The court further determined that, in exchange for these favors, Khan illegally received 240 Kanals and 6 Marlas of land in Islamabad in July and October 2021 through Farhat Shehzadi (aka Farah Gogi), a front person for Khan and Bibi.

The prosecution also proved that Bushra Bibi, as a trustee of the Al-Qadir University Project Trust since its inception, played a significant role in these illegal activities. She acknowledged the receipt of property, pecuniary benefits, and other valuables from Malik Riaz Hussain through Bahria Town (Pvt) Ltd and assisted in the commission of crimes by signing the ***"Acknowledgement of Donation"*** deed on March 24, 2021. She was also a signatory to the joint account of the Al-Qadir University Project Trust, maintained at the HBL Civic Centre branch in Islamabad.

See the **BBC News** dated 17th January 2025:

> *"Former Pakistani prime minister Imran Khan has been sentenced to 14 years in prison over a corruption case, in the latest of a series of charges laid against him. It is the longest valid jail sentence the cricket star-turned-politician, who has been detained since August 2023, received.*
>
> *Khan and his wife Bushra Bibi were accused of receiving a parcel of land as a bribe from a real estate tycoon through the Al-Qadir Trust, which the couple had set up while he was in office. In exchange, investigators said, Khan used £190m ($232m) repatriated by the UK's National Crime Agency to pay the tycoon's court fines. Khan's PTI party argued that the land was donated to the trust for a spiritual education center and was not used for Khan's personal gain.*
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> *Friday's verdict comes after multiple delays as Khan's party held talks with the government. After his conviction on Friday, Khan told reporters*

in the courtroom that he would '<u>neither make any deal nor seek any relief</u>.' Khan's prison sentence of 14 years is the maximum that could be given in the case. He has also been fined more than £4,000.

His wife has been sentenced to seven years and fined more than £2,000. Bibi, who has been out on bail since last October (2024), was taken into custody in court after her sentence was announced.

In 2023, Khan was sentenced to three years in prison for not declaring money earned from selling gifts he had received while in office. Last year (2024), Khan received a 14-year jail sentence over the selling of state gifts, and another 10 years for leaking state secrets. Both those sentences were suspended months later.

Khan's prosecution has triggered large-scale protests by his supporters - which have been met with a crackdown from authorities. Thousands of protesters are arrested and many injured in clashes with the police."

<u>MEDIA ON AL-QADIR CASE</u>:

For those in positions of authority, such as government officials or political leaders, balanced human conduct becomes significant, as their decisions carry profound consequences for society and governance. Their actions are held to higher ethical and legal standards to ensure accountability and alignment with the ideals of social and natural justice, safeguarding welfare of the nation and its citizens. In fragile democratic systems like Pakistan's, this scrutiny is further intensified, as public officeholders bear the responsibility of translating collective trust into actions that reflect the people's will and constitutional mandates.

Within a democratic constitutional framework, governance and political legitimacy derives from the electorate's mandate. Political parties present manifestos outlining their vision, and voters elect representatives based on these commitments. This process mirrors the "doctrine of notice" in legal terms, where the legitimacy of a leader's actions depends on their adherence to promises made publicly, binding them to accountability – and so true (or should be true) in Pakistan. In Pakistan, this need for transparency and ethical governance to sustain the integrity of both public officeholders and respective institutions should have been highlighted for the public at large – but unfortunately the successive civil and military governments never bothered to adhere to such principles.

This can only be achieved through rigorous accountability, which not only mitigates conflicts of interest but also ensures that public officeholders remain aligned with their responsibility to serve the public. Such rigorous accountability expands the framework for identifying various forms of misconduct; for instance, white-collar crimes exemplify the ways public officeholders can misuse their authority. Therefore, strict accountability and a comprehensive examination of misconduct must be enforced in all fields of governance and without prejudice to any political party or class. An analyst Usama Ali Shah asked a very cogent question in this regard:

> *"A crucial question that needs to be addressed in the appellate forums—and one that Imran Khan's legal team must clarify—is whether strict accountability measures are consistently applied to public office holders in these cases";* **FRIDAY TIMES** dated 6th February 2025 is referred.

In Syed Usama's words: the judgment against Imran Khan in the Al-Qadir Trust case brought significant legal interpretations regarding public office and misconduct into focus. The case involved an alleged illegal favor valued at £190 million granted to property tycoon Malik Riaz and his family, in exchange for funding the Al-Qadir University Project Trust, which covered land, building construction, and furniture. The accountability judge expanded the '***interpretation of gratification'*** in this context, applying a broader understanding of its meaning to highlight the misconduct involved.

The defense argued at expanded definition of 'gratification' in the case: ***that Imran Khan, as Prime Minister, did not derive any personal or financial gain from the Al-Qadir University Project Trust***. The judge's ruling, however, emphasized the broader implications of leadership. The judge explicitly stated, '*Such trust based on even noble cause cannot be established on the basis of gratification. The term gratification is not to be calculated in terms of money or property only'*.

To substantiate his argument, the judge referred to several precedents set by higher courts in both India and Pakistan, alongside dictionary definitions and interpretations of Section 161 of the Pakistan Penal Code (PPC) and relevant provisions of the Accountability Ordinance, 1999. These references provided a comprehensive framework to support the expanded understanding of the term 'gratification.' The judge further posited that Imran Khan might have leveraged the educational trust's noble cause for political advantage, all while benefiting from £190 million — a sum tied to money laundering and legally required to be deposited into the Government of Pakistan's account. Instead, the amount was maliciously offset against a separate obligation involving Bahria Town, Karachi, as imposed by the Supreme Court in another case.

The judgment also emphasized that the concept of gratification was not confined to pecuniary terms but extended to notions such as passive bribery, recompense, or expressions of gratitude or pleasure. That broader interpretation did align with the explanation provided in Section 161 of the Pakistan Penal Code (PPC), which states that *'gratification is not restricted to monetary benefits or those measurable in financial terms'*. Similarly, the judge applied a comparable approach to the interpretation of **'serving personal interest'**, defining it as '*preferential treatment to someone by using one's official privilege--- which can reflect essence of conflict-of-interest situations*.'

Then a crucial question that whether strict accountability measures were consistently applied to public office holders in such cases. That implied that strict accountability measures could stem from expansive interpretations that had legitimised unethical practices in the past; most of the times the judicial definitions of 'gratification' were broadened to hide or pardon the corrupt practices; recent history of Pakistan is depleted with such scenarios.

Taking light from Rizwan Mudassir's analysis appeared on media pages of 18th January 2025, the fact remains that the Al Qadir Trust case generated significant controversy and uncertainty, primarily due to the circumstances surrounding the money repatriated from UK and its eventual use under the PTI government. While the conviction of Imran Khan and his wife, Bushra Bibi, was not a straightforward case. The way it was handled, coupled with unresolved issues and delays in delivering the verdict, left many question-marks in intelligentsia and Lawyers community at large.

Taking instance of repatriation of the seized money by UK's National Crime Agency (NCA) from property tycoon Malik Riaz, suspecting that it had been derived from corruption or bribery abroad, the PTI government, decided to divert those repatriated funds to settle outstanding payments owed by Riaz's company, Bahria Town, to the Supreme Court of Pakistan. *That strategy left the critics wondering how it was justifiable to use that money by the same property tycoon through the SC channel*. The move was not a legitimate settlement at all in any context.

Malik Riaz donated a large tract of land for the establishment of the AL-Qadir University, an educational institution, but the timing of these events, coupled with the involvement of Malik Riaz, and led many to believe that there was a potential conflict of interest. The critics speculated that Riaz's contribution to the university project was, in part, a response to the favorable decision to redirect the repatriated funds to the Supreme Court's accounts. *The link between the two events — the diversion of the NCA funds and the donation for AL-Qadir University — raised eyebrows for those who believed that Malik Riaz benefitted from the government's decision in return for his significant donation*; thus there were serious questions about the integrity of the two transactions.

As a result, Imran Khan and Bushra Bibi were convicted for corruption by the accountability court - the convictions were based on the argument that both were involved in corrupt practices, despite the lack of clear evidence showing that they directly benefited from the funds or the project. Mr Khan's supporters argued that the conviction was unjust, asserting that neither Khan nor his wife personally gained from the AL-Qadir Trust; as there was no direct material benefit to be derived from the land donation or the handling of the repatriated funds. ***The issue was not necessarily whether Khan directly gained material benefits, but whether he knowingly aligned himself with a person under investigation for corruption and allowed a questionable financial transaction to proceed under his government's purview***.

In AL-Qadir Trust case, the lack of transparency regarding the agreement between the PTI government and the NCA regarding the repatriated funds. Details of this arrangement were known only to Mirza Shahzad Akbar, the former special assistant to the prime minister on accountability. Akbar, however, remained absconding from the case, leaving a significant gap in the investigation. Without access to this crucial information, the court's findings and the conviction itself would, no doubt, rest on shaky legal ground. The absence of full disclosure of the agreement with the NCA raised serious questions about the integrity of the entire process.

No one else knew how was the settlement negotiated? What conditions were attached to the repatriation of the funds? And why, in the face of suspicions of corruption, was the money used in a dubious way. Such questions remained unanswered and, without clarity, they continued to cast doubt on the legitimacy of the actions taken by the PTI government – though could have taken in good faith. PTI had announced that they would appeal the decision in higher courts – the public were seen ready to see more headlines in the media – but again the transparency of the settlement with the NCA would need to be addressed.

Politically speaking, the case is not closed yet.

- *For Pakistan's legal system to maintain its credibility, it would need to address those unanswered questions and ensure full transparency in the investigation. The country's political and judicial institutions were seen at stake – AND the Al Qadir Trust case would likely to remain an unresolved chapter in Pakistan's contemporary politics.*

LATER LEGAL DEVELOPMENTS

Following their convictions, the couple filed appeals against their sentences. The IHC was seen focusing on hearing those main appeals along with related petitions from the defense.

Former prime minister Imran Khan and his spouse, Bushra Bibi, challenged in the Supreme Court the registrar's decision to return a set of petitions that contested the high court's refusal to suspend their sentences in the said Al-Qadir Trust Case. The couple had challenged their convictions in the Islamabad High Court (IHC) soon after they were sentenced. They had also filed pleas seeking suspension of their sentences, which were taken up in May 2025.

After the couple sought urgent fixation of their suspension pleas in April, the IHC rejected those in May, declaring them infructuous as the main appeals against the convictions were already fixed for hearing. In mid-July 2026 the IHC granted a final adjournment to Imran's counsel Sardar Latif Khosa, warning no further delay would be tolerated.

On 5th May 2026; the Islamabad High Court dismissed the petitions filed by Khan and Bushra Bibi seeking ***suspension of their jail terms***. A two-member bench led by Chief Justice Sarfraz Dogar declared the applications infructuous and fixed 7th May for hearing the appeals against their conviction. The 73-year-old leader has been in jail since 2023.

On 13th July 2026; Imran and Bushra challenged the decision of the SC registrar's office (of 29th June 2026) to return their pleas against the IHC's April 30 order. During that hearing, the IHC chief justice had emphasised that the best course would be an early disposal of the main appeal even as Imran's lawyer sought sentence suspension.

The SC registrar's office had returned the two separate petitions for not being 'entertainable', explaining that since the IHC passed the impugned order while exercising jurisdiction under Section 32 of the National Accountability

Ordinance (NAO) 1999, the remedy against such orders lies only before the Federal Constitutional Court (FCC) under Section 32-A of the NAO.

Subsequently, the couple challenged the registrar office's denial through a chamber appeal, filed through their lawyer, Barrister Salman Safdar, under Order V, Rule 3 of the Supreme Court Rules 2025. The chamber appeal contended that the registrar's office was primarily vested with administrative and procedural powers relating to the filing and processing of cases. Contending that:

> *"Such powers are limited to ensuring compliance with procedural requirements, including scrutiny of form, limitation, and other prescribed defects, and do not extend to adjudication of substantive or justiciable issues, the chamber appeal argued, adding the determination of maintainability, particularly where it involved interpretation of constitutional or statutory provisions, was a judicial function requiring the application of legal reasoning and consideration of rival submissions."*

Mr Khan's lawyer urged that '*such jurisdiction exclusively rests with the Supreme Court and cannot be exercised by the registrar in an administrative capacity'.*

Consequently, *'in view of the limited appellate remedy (only second appeal) provided under Section 32A of the NAO, 1999, and in the absence of any specific statutory remedy, the order dismissing the appellant's application for suspension of sentence under Section 426 of the CrPC was assailable before the Supreme Court of Pakistan under Article 185(3) of the Constitution*,' the chamber appeal of Mr Khan argued.

However, the Islamabad High Court (IHC) was actively hearing the main appeals of former Prime Minister Imran Khan and his wife Bushra Bibi against their convictions in the said Al-Qadir Trust Case.