

8. FAKE WITNESSES – WE, THE NATION OF LIARS

***Off course, we'll NOT CONCEDE that MOST of us
are LIARS but the WORLD has labelled us so –
AND it's true.***

THE **FACT REMAINS** that:

- IT'S HARD AND SHAMEFUL FACT THAT SINCE 7 DECADES, ***NOT A SINGLE GENUINE EYE-WITNESS*** HAS BEEN PRODUCED IN ANY COURT BY PROSECUTION AT ANY LEVEL IN ANY CRIMINAL CASE IN PAKISTAN.
- ALL WITNESSES ARE ***FABRICATED BY POLICE – OPENING A FLOODGATE OF CORRUPTION*** FOR THEM. BARGAINS START FROM THAT FIRST DAY.
- THOSE POLICE TOUTS ATTACHED WITH ALL POLICE STATIONS TAKE THEIR OWN PRICES FOR APPEARING IN COURTS AND TELLING LIES FOR OR AGAINST –
AND COURTS KNOW THEM.
- THE PUNISHMENTS, IF ANY, ARE GIVEN BY MUTUAL CONSIDERATIONS & UNWRITTEN AFGREEMENTS BETWEEN POLICE AND THE PRESIDING OFFICERS.
 - A MOCKERY OF JUSTICE EVERYONE KNOWS IN THE COUNTRY INCLUDING JUDGES OF HIGH & SUPREME COURTS, POLITICIANS, LAWYERS AND LAW MAKERS.

- ***Irony of fate in Pakistan is that most witnesses, who voluntarily get recorded their statements before the Magistrates under Sec 164 CrPC – turn back from their own statements, admissions and confessions during the regular TRIALS in the RESPECTIVE COURTS.***

"There is no official, consolidated national database or public statistical record tracking the exact cumulative number of people punished in Pakistan for perjury or **false / forged witnesses**"; <https://pakistanlawyer.com/support/article=755> is referred.

While exact numbers are unrecorded centrally, the crime is strictly legislated under the Pakistan Penal Code (of 1860) – ***exactly 166 years old law under which Pakistan is 'flying high' today.*** Legal experts and high courts note that direct prosecutions and convictions for perjury remain **ZERO** relative to the actual volume of false testimonies encountered during trials.

Apparent strict judicial policies—such as the 2019 zero-tolerance stance initiated by former CJP Asif Saeed Khosa—are there ***BUT till today, the prosecution figure is OFFICIALLY ZERO.***

WHY POLICE BRINGS FALSE & FABRICATED WITNESSES?

...Mainly because the ***genuine eye witnesses are NOT available to the Police anywhere in Pakistan.***

Genuine eyewitnesses are often unavailable or reluctant to come forward in Pakistan due to **severe threats to personal safety, deep distrust of the police, Lengthy judicial process, systemic delays, and weak legal protection** for those who testify. See the reasons in little detail:

- **Threats to Life:** Witnesses face extreme danger from violent criminals, gangs, or influential suspects. Testifying often invites retaliation against the witness or their family.
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- **Ineffective Protection:** Despite some provincial laws, practical witness protection programs lack proper funding, operational rules, and enforcement.
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- **Police Harassment:** Public perception of police misconduct or heavy-handed interrogation makes ordinary citizens avoid any association with investigations.
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- **Protracted Trials:** Court proceedings drag on for years with frequent adjournments, forcing witnesses to endure endless harassment, financial loss, and intimidation.
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- **Hostile Turnarounds:** Witnesses frequently turn hostile in court because they are eventually won over, pressured, or compromised before the trial concludes.
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- **Chance Witnesses:** Police often rely on fabricated or ***chance witnesses***—individuals claiming to be at the

scene by coincidence—whose presence courts *ultimately reject as unnatural and unverified*.

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- **Poor Forensics:** Heavy reliance on eyewitness testimony rather than modern scientific crime-scene processing places an undue burden on human witnesses to secure convictions.
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- Pakistani Police Files are always bulky, *containing almost 80% volume of WITNESSES' STATEMENTS U/S 161 of the CrPC*. These stereo-type statements are all forged & fabricated. Interestingly by law, ***Police cannot obtain SIGNATURE of the witnesses*** on their statements u/s 161 CrPC.

[Under Section 162 of the CrPC (1898), Pakistani police are explicitly prohibited from obtaining a witness's signature on a Sec 161 statement; Logic adopted is that this rule prevents police coercion, avoids treating preliminary notes as binding testimony.]

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- Moreover, **the Section 161 statement is not formal court evidence**. It is only an investigative memo used by police to build a case file. Under Section 162 CrPC, these unsigned records cannot be used to support a prosecution conviction.
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- When the trial in courts start, Police is required to give copies of all statements of witnesses of Crime Scene, Recovery memos, Arrest minutes, their timings about travelling in connection with investigations, permissions & records, Forensic Reports, medico-legal Docs in some cases, Police &

Judicial Remands etc to the accused persons individually and also to be placed before the Presiding Officers.

Then the pertinent question is:

What %age of convictions done in Pakistani courts on the basis of Police statements under 161 CrPC?

The ANSWER is DISAPPOINTING and HOPELESS:

'There is no official percentage or statistical data showing how many convictions in Pakistani courts are based on police statements under Sec 161 of the CrPC, because such 161 statements are not substantive (conclusive) pieces of evidence under Pakistani law’.

- **Not Substantive Evidence:** Under the CrPC of 1898, ***a statement recorded by a police officer during an investigation under Section 161 cannot be used as direct proof of a fact during a trial.***
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- **Used for Contradiction:** These statements are **mostly (and only) used by the defense** to challenge or contradict a witness when their testimony in court differs from what they told the police.
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- **Must Be re-stated in Court:** For a testimony to hold weight, **the witness must repeat their account live on the witness stand during the court trial** [*the things never went in appropriate sequence – Defense Lawyers pick the discrepancies – AND THE CASE GOES THUSS...*]

- **Low Overall Conviction Rate:** Pakistan's overall criminal conviction rate is historically low, generally estimated up to **8%** nationally depending on the province and year.

In DRUG CASES, conviction rate is only 2%; astonishing; see the official statistics for 2024.

- **Reliance vs. Reliability:** PILDAT, once noted in its report, that police investigations frequently rely heavily on initial paper narratives and witness diaries, courts legally reject convictions built solely on unverified or delayed police transcripts without direct in-court depositions and corroborating material.

**WHY NOT the LEGISLATION FOR USING
DIGITAL DATAS AND GADGETS – AS AN
AUTHENTIC EVIDENCE IN COURTS.**