

A CRITICAL EXAMINATION OF CROSS-VERSION FIRS AND THEIR IMPACT ON VICTIMS' RIGHTS IN PAKISTAN

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Abstract

This study critically interrogates the phenomenon of cross-version FIRs in Pakistan and exposes how a doctrine designed to safeguard fairness has evolved into a sophisticated weapon against victims. Anchored in the post–Sughra Bibi vs. The State (PLD 2018 SC 595) framework of “multiple versions, single investigation,” the paper argues that professional offenders strategically fabricate counter-narratives—often through self-inflicted, minor injuries—to manufacture “complexity,” trigger the “further inquiry” clause under Section 497 CrPC, and secure bail even in heinous offenses like murder under Section 302 PPC. Drawing on a detailed 2022 case study involving the author’s own family, the research demonstrates how staged cross-versions enable false parity between a fatal shooting and a minor injury, resulting in wrongful mass arrests, prolonged incarceration of innocent relatives, and a profound distortion of bail jurisprudence through the so-called rule of consistency. The study further reveals the crushing burden placed on Investigating Officers within a corruptible policing culture, where a single officer must reconcile mutually exclusive stories while functioning as a de facto quasi-judicial arbiter. Compounded by a near-total absence of accountability for false accusers—owing to the chronic non-enforcement of Sections 182 and 193 PPC—the system creates a high-reward, low-risk environment for malicious prosecution. The study concludes by proposing a reform agenda centered on a proportionality test in bail, automatic perjury proceedings for withdrawn false statements, time-bound scrutiny of counter-versions, and specialized investigative structures. Collectively, these reforms aim to restore the FIR to its original purpose: a gateway to truth, rather than a maze of tactical exploitation.

Keywords: Cross-Version FIR, Section 302 PPC, Further Inquiry, Sughra Bibi Case, Section 497 CrPC, Bail Jurisprudence, Malicious Prosecution, Pakistan Criminal Justice System.

1. Introduction

The First Information Report (FIR) stands as the most critical and foundational pillar of the criminal justice system in Pakistan (Mumtaz et al., 2024). Governed primarily by Section 154 of the Code of Criminal Procedure (CrPC), the FIR is the procedural ignition switch that sets the state’s investigative machinery in motion (Begum, 2023). In theory, it is a neutral document—a mere recording of the first information received regarding a cognizable offense. In practice, however, the FIR has evolved into a strategic weapon, a tool of leverage, and a site of intense legal and extra-legal contestation. Within the specific socio-legal context of Pakistan, the FIR is rarely just a report; it is a narrative constructed to define the parameters of a legal battle before a single piece of forensic evidence is collected. Among the various systemic challenges facing this process, none is more disruptive or more prone to calculated misuse than the phenomenon of “cross-versions.” These are situations where two parties involved in the same incident provide conflicting accounts, each alleging that the other was the primary aggressor. While the law aims to ensure that every version of an event is investigated to prevent the suppression of truth, this procedural safeguard has been perverted into a tactical maneuver used by professional offenders to neutralize serious accusations and paralyze the pursuit of justice.

The crisis of the cross-version system is rooted in the inherent tension between the need for an exhaustive investigation and the susceptibility of procedural law to be weaponized. In a perfect legal vacuum, the registration of a counter-version would serve as a check against one-sided narratives. However, in the reality of Pakistan’s adversarial system, a cross-version is frequently lodged not to seek justice, but to manufacture “complexity.” By lodging a counter-

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version—often involving minor or self-inflicted injuries under provisions like Section 337-F of the Pakistan Penal Code (PPC)—perpetrators of heinous crimes, such as murder under Section 302 PPC, effectively "muddy the waters" of the investigation (Khan & Shah, 2023a). This deliberate introduction of conflicting facts is designed to trigger specific judicial responses, most notably the "further inquiry" doctrine under Section 497(1) CrPC. Once a case is labeled as requiring further inquiry due to conflicting versions, the categorical distinction between a murderer and a victim begins to blur in the eyes of the law, leading to a state of procedural parity where both sides are treated with an artificial equality during the pre-trial phase.

This systemic disruption is not merely a theoretical concern; it has profound, devastating consequences for the victims of serious crimes and their families. When a professional offender stages an injury and nominates an entire family in a cross-version FIR, they are not just defending themselves—they are launching a counter-offensive. This maneuver exploits the "rule of consistency" in bail jurisprudence, where courts, hesitant to determine the primary aggressor at a preliminary stage, often grant bail to both parties or keep both in detention. In the case of heinous crimes, this allows the principal accused to leverage the minor nature of the cross-allegation to secure their own freedom. The result is a profound miscarriage of justice where the party facing a murder charge and the party facing a minor injury charge end up being processed through the same lens of "further inquiry." This procedural equivalence effectively rewards the party that can successfully fabricate a counter-narrative, turning the legal process itself into a tool of harassment and tactical exhaustion against the original aggrieved party. Furthermore, the cross-version system creates an insurmountable hurdle for the integrity of the investigation. In Pakistan, a single Investigating Officer (IO) is typically tasked with resolving these competing narratives (R. Ullah et al., 2025). This places the IO in an impossible position, as they are forced to act as a quasi-judicial arbiter of truth in an environment rife with corruption and political pressure. The parties involved are forced into a state of "transactional honesty," where they must simultaneously uphold the IO's professionalism regarding their own version while attacking the same officer's integrity regarding the counter-version. This inconsistency erodes the state's ability to present a coherent prosecution and provides the defense with ample opportunities to introduce "reasonable doubt" long before the trial even begins. The investigation, which should be a linear pursuit of truth, becomes a circular debate over a series of Section 161 statements, many of which are later disowned or withdrawn once their tactical purpose—such as securing bail or forcing a compromise—has been achieved.

The ultimate failure of the system lies in its inability to hold those who provide false statements accountable. The current legal landscape in Pakistan offers a high-reward, low-risk environment for those who weaponize the FIR. Complainants in cross-versions can nominate dozens of innocent family members, causing months of incarceration and immense psychological trauma, only to later "disown" their statements in court with no repercussions. The "legalized harassment" inherent in this cycle is a direct result of the judiciary's reluctance to invoke perjury or false information charges under Sections 182 and 193 of the PPC (Khoso, 2025a). When a complainant withdraws a statement after two years, claiming the police acted on their own, the court often accepts the denial to clear the docket, ignoring the fact that the legal process was used as a weapon for those two years. This lack of accountability ensures that the cross-version system remains a favorite tool for those who wish to obstruct the delivery of justice. This study seeks to analyze the legal framework governing these cross-versions, specifically in the wake of the landmark *Sughra Bibi vs. The State* (PLD 2018 SC 595) judgment, which abolished the concept of multiple FIRs in favor of a single investigation. While the *Sughra Bibi* ruling was a positive step toward reducing administrative complexity, it has inadvertently created new loopholes that offenders are now exploiting with precision

(Raza & Khan, 2023). Through a critical analysis of bail jurisprudence, police credibility, and the legal vacuum surrounding withdrawn statements, this research will demonstrate how the cross-version FIR has been transformed from a shield for the innocent into a sword for the professional offender. By examining the systemic disruptions caused by these procedural loopholes, this paper will argue for urgent reforms—including a "proportionality test" for bail and mandatory accountability for false accusers—to ensure that the FIR serves its original purpose: the pursuit of truth and the protection of the innocent. The structural flaws of the current system do not just represent a failure of the law; they represent a failure of the state's promise to protect its citizens. When the law becomes a playground for the clever and a prison for the innocent, the very foundations of the social contract are weakened. The personal narratives of those who have suffered under this system—including the specific 2022 case study analyzed in this paper—provide a window into the human cost of these legal abstractions. They reveal a world where a bullet to the leg can carry the same legal weight as a bullet to the heart, and where the truth is often the first casualty of a "cross-version." It is within this context of systemic vulnerability and tactical exploitation that this analysis is situated, aiming to provide a roadmap for restoring equilibrium to the criminal justice system of Pakistan (Haider, 2024).

It is essential to emphasize that the cross-version FIR is not an isolated procedural glitch; it is symptomatic of a deeper crisis in Pakistani legal culture. It reflects a system that has become so obsessed with "fair play" and "procedural symmetry" that it has lost sight of substantive justice. The following sections will delve into the jurisprudential evolution of this system, provide a critical analysis of its practical application through a detailed case study, and offer concrete recommendations for reform (Haider, Ali, et al., 2024); (Haider, Raza, et al., 2023a). The goal of this research is to strip away the procedural masks that allow offenders to hide behind "further inquiry" and to advocate for a justice system that is robust enough to distinguish between a genuine grievance and a calculated lie. Only by addressing these loopholes can the state ensure that the FIR remains what it was always intended to be: the first step on a clear path toward justice, rather than a gateway to a two-year-long legal maze.

2. The Jurisprudential Evolution of the Cross-Version FIR in Pakistan

The historical landscape of criminal procedure in Pakistan was long defined by a chaotic administrative redundancy regarding the registration of First Information Reports (FIRs). For decades, the legal system operated under a fragmented understanding of Section 154 of the Code of Criminal Procedure (CrPC), where it was commonplace—and often legally mandated by various High Court precedents—to register a "Second FIR" or "Counter FIR" whenever an accused party presented a version of events that differed fundamentally from the initial report lodged by the complainant (Prakash, 2007). This practice was rooted in the belief that every "cognizable offense" required its own set of investigative tracks to ensure that no party's grievance was suppressed. However, this led to a disastrous "multiplicity of proceedings" where the state frequently found itself in the absurd position of prosecuting two mutually exclusive sets of facts simultaneously. In practice, this meant two separate investigations, two different investigating officers (IOs) occasionally reaching diametrically opposed conclusions, and two distinct charge sheets (Challans) being submitted to the trial court for the "same transaction." This administrative sprawl created a "trial by exhaustion," where the focus shifted from the discovery of truth to a procedural war of attrition, often allowing the more influential party to manipulate the dual-track system to delay justice or force a compromise through sheer legal complexity.

2.1 The Landmark Shift: Sughra Bibi vs. The State (PLD 2018 SC 595)

The most significant turning point in the history of Pakistani criminal law regarding this issue is the landmark judgment in *Sughra Bibi vs. The State*. This case reached the Supreme Court

as a Human Rights case under Article 184(3) of the Constitution. The petitioner, Mst. Sughran Bibi, sought the registration of a second FIR against police officials who had killed her son, Mohsin Ali, in an encounter in 2008. The police had already registered a first FIR regarding the incident, effectively shielding themselves from a direct murder charge through their own narrative. A seven-member bench, headed by the intellectually formidable Mr. Justice Asif Saeed Khosa, was constituted to resolve the conflicting judgments of superior courts on whether multiple FIRs could exist for a single incident. The Court's ultimate holding was a paradigm shift: it declared that there is no concept of a "Second FIR" or "Multiple FIRs" in the law. The Court clarified that an FIR is merely a mechanism to set the law in motion and is not a substantive piece of evidence. Once an FIR is registered under Section 154 CrPC, it encompasses all future information regarding that specific transaction. Consequently, any subsequent version—even if it identifies different culprits or describes a totally different sequence of events—must be treated as a statement under Section 161 CrPC rather than a new FIR. This ruling aimed to stop the "multiplicity and complexity of cases" by ensuring that a single investigation would cover all facets of a crime.

2.2 The Doctrine of "Multiple Versions, Single Investigation"

By abolishing the "Second FIR," the *Sughra Bibi* judgment established the doctrine of "Multiple Versions, Single Investigation." This framework mandates that the Investigating Officer (IO) must act as a central repository for all information related to a crime, regardless of who provides it or how much it contradicts the initial report. Under this regime, the IO is no longer a passive recorder of the complainant's story but is duty-bound to embark upon an expansive investigation that entertains fresh information from any source. This means that while the FIR (Section 154) starts the process, all counter-allegations and defensive versions are recorded as statements under Section 161 CrPC. The procedural goal is to culminate the investigation in a single final report under Section 173 CrPC, which reflects the IO's independent conclusion on the veracity of each version. However, this unification of the investigation has inadvertently created a new tactical theater for the defense (Hasan, 2025a). Because the law now requires the IO to investigate "all versions," an accused party can introduce a fabricated counter-narrative—often involving minor injuries or claims of self-defense—to force the IO to stall the primary investigation. By injecting a "question of fact" into the record at the earliest possible stage, the accused ensures that the prosecution's case is no longer a linear pursuit of a single crime, but a complex puzzle where the state must disprove the accused's counter-version before it can solidify the primary charge.

2.3 The "Further Inquiry" Trap in Bail Jurisprudence

The most profound disruption to the delivery of justice occurs at the pre-trial stage, where the "cross-version" mechanism is frequently utilized to exploit the bail provisions of Section 497 CrPC. In Pakistan, bail in non-bailable offenses like murder (Section 302 PPC) is usually a matter of judicial discretion, but Section 497(1) creates a mandatory window for bail if there are "reasonable grounds for further inquiry into the guilt of the accused (Agarwal & Anand, 2018)." The existence of a cross-version FIR (or a cross-statement under the *Sughra Bibi* framework) is often treated by the courts as a *prima facie* trigger for "further inquiry." When two parties present conflicting accounts of the same event—one alleging a cold-blooded murder and the other alleging self-defense during a brawl—the court is often unable, at the bail stage, to determine which side was the primary aggressor. This uncertainty leads to what can be described as the "Rule of Reciprocity" or "Rule of Consistency." If the court grants bail to the party accused of a minor offense in the cross-version, it feels procedurally compelled to grant bail to the party accused of the heinous offense in the primary version to maintain "balance." This creates a systemic failure where a murderer can walk free before trial simply because they had the foresight to self-inflict a minor injury under Section 337-F(2) and lodge

a counter-statement. The "further inquiry" clause, originally intended as a safeguard against wrongful detention, is thus weaponized to neutralize the gravity of heinous crimes, effectively making the severity of the offense irrelevant so long as a "conflict" exists in the record.

2.4 The Burden on the Investigating Officer (IO)

The current jurisprudential framework places a nearly impossible burden of "quasi-judicial neutrality" on the Investigating Officer. The IO is expected to sift through competing narratives and reach a "truth" that superior courts can rely upon, yet the IO operates within a police culture often criticized for systemic corruption and susceptibility to external pressures. This creates a crisis of credibility where the IO is viewed not as an impartial investigator, but as a tactical asset to be won over by either side. In a cross-version case, the parties often engage in a form of "transactional honesty": they will argue that the IO is a paragon of professionalism when the IO supports their version, while simultaneously alleging that the same officer is a corrupt liar regarding the counter-version. This inconsistency is not just a moral failure but a serious hurdle for the administration of justice. Since the final report under Section 173 CrPC is the document upon which the trial is built, an IO who tries to "balance" both versions to avoid conflict—or one who is bribed to favor a false counter-version—effectively poisons the well of evidence. The state is then forced to prosecute a case where its primary investigator's findings are internally contradictory, leading to a higher likelihood of acquittal for the actual perpetrator.

2.5 The Legal Vacuum of False Statements and "Complainant Withdrawal."

Perhaps the most egregious flaw in the contemporary cross-version system is the total lack of accountability for those who provide false statements to manipulate the legal process. While Section 182 of the Pakistan Penal Code (PPC) provides penalties for providing false information to a public servant, it is virtually a "dead letter" law in the context of cross-FIRs (Khoso, 2025b). Complainants in cross-versions often use the legal system to secure immediate tactical benefits—such as getting their own relatives out on bail or putting pressure on the opposing party to drop a murder charge—and then, years later, they simply "withdraw" or "disown" their statements in court. When a complainant claims after two or three years that they never actually nominated the accused or that the police fabricated the report, the court typically exonerates the accused, but the complainant almost never faces legal repercussions for the years of incarceration and damage they caused. This "legalized harassment" is a low-risk, high-reward strategy for professional offenders. The current jurisprudence fails to recognize that the withdrawal of a statement after it has caused irreparable harm to an innocent family is not an act of "settlement," but evidence of a crime against the justice system itself. Without mandatory perjury proceedings or civil liability for malicious prosecution, the cross-version FIR remains a potent tool for those who wish to use the law to defeat the law.

3. Critical Analysis: The Practical Application of Procedural Loopholes

The theoretical framework of the Pakistan criminal justice system, while appearing robust on paper, often collapses when confronted with the tactical ingenuity of habitual offenders who treat the law not as a moral compass but as a strategic manual. My own family's experience in 2022 serves as a harrowing testament to how the "cross-version" mechanism—purportedly refined by the Supreme Court in *Sughra Bibi vs. The State*—is weaponized to paralyze the pursuit of justice. When my cousin was shot and eventually succumbed to his injuries, our family was thrust into a legal nightmare that exposed every fissure in the Code of Criminal Procedure. The opposing party, well-versed in the procedural nuances of the system, did not merely defend themselves against a murder charge under Section 302 of the Pakistan Penal Code; they orchestrated a counter-narrative that effectively neutralized the gravity of a human life lost (Wasti, 2010). By self-inflicting a non-lethal gunshot wound to the leg, one of the offenders successfully invoked Section 337-F(2) PPC, thereby creating a "cross-version" that shifted the judicial focus from a cold-blooded killing to a "mutual fight" where both sides were

allegedly aggressors. This maneuver was not a search for truth but a calculated attempt to leverage the "further inquiry" clause of Section 497(1) CrPC, which essentially mandates that if a case requires more investigation to determine the actual events, the accused is entitled to bail as a matter of right.

The immediate consequence of this fabricated cross-version was the indiscriminate arrest of ten to eleven members of our family, many of whom were miles away from the scene of the incident. This is where the procedural loophole becomes a tool for collective punishment. Under Section 154 CrPC, the police are mandated to record the first information of a cognizable offense, but the Sughra Bibi ruling dictates that subsequent versions be recorded under Section 161 CrPC to avoid the "multiplicity and complexity" of having two separate FIRs for the same transaction (Qureshi et al., 2023). However, in the hands of a corrupt or easily influenced police force, this "single investigation" model becomes a mechanism for "legalized kidnapping." Because the opposing party claimed we were the aggressors and backed it up with a self-inflicted medical report, the police treated both versions with an artificial equivalence. We found ourselves in a position where a murder (S. 302) and a minor injury (S. 337-F) were treated as equal variables in a single investigative equation. Our family spent two months in jail, not because there was credible evidence linking eleven different people to a crime, but because the mere existence of a counter-version created a cloud of "further inquiry" that the courts were unwilling to clear at the bail stage.

This leads to the profound judicial failure regarding the "Rule of Consistency" or reciprocity in bail matters (Haider et al., 2025). In the eyes of the court, the cross-version FIR created a stalemate. The habitual offenders argued that if our family—accused of a minor injury—deserved bail, then they—accused of murder—should also receive it under the same "further inquiry" logic. This creates a moral and legal vacuum. A party facing a heinous offense under Section 302 PPC is essentially allowed to ride the coattails of the "minor offense" version they themselves fabricated. The procedural balance sought by the superior courts, intended to prevent the state from suppressing valid counter-claims, was instead used to liberate murderers. By the time the case proceeded, the damage was done; the offenders were out on bail, the witnesses were intimidated, and the psychological and financial resources of our family were depleted by two months of wrongful incarceration. The system effectively rewarded the offenders for their ingenuity in self-harm, proving that a bullet to the leg is a small price to pay for escaping the immediate consequences of a bullet to someone else's heart.

The role of the Investigating Officer (IO) in this ordeal highlights a crisis of credibility that borders on the schizophrenic. In a cross-version case, the IO is the sole arbiter of which version enters the final report under Section 173 CrPC (Hasan, 2025b). During the investigation, we were forced into a logical trap: we had to argue that the IO was a professional, honest official when he recorded the evidence of my cousin's murder, yet we had to simultaneously allege he was corrupt or incompetent for entertaining the obviously staged counter-version. This inconsistency is not a fault of the litigants but a byproduct of a system that tasks a single, often under-resourced or compromised officer with resolving two opposed stories. When the IO refuses to immediately throw out a patently false cross-version, they allow the "further inquiry" trap to remain set. In our case, the IO's "neutrality" was actually a form of complicity; by refusing to take a definitive stand on the staged nature of the self-inflicted wound, he ensured that the "question of fact" remained alive long enough for the offenders to secure their freedom.

The climax of this systemic dysfunction occurred two years later when the complainant of the cross-version FIR appeared in court and simply disowned his entire statement. He claimed he had never nominated our family members and that the police had orchestrated the FIR on their own. On the surface, this led to our exoneration, but it raised a terrifying question: what about the two months of jail time and the two years of legal battle we had already endured?

The judge's decision to let the complainant walk away without any liability for this "withdrawal" is a staggering indictment of the current legal landscape. By disowning the statement only after its tactical purpose—securing bail and exhausting our family—was achieved, the complainant effectively admitted to a two-year-long fraud against the state. Yet, the court treated this as a benign conclusion to the matter. There was no invocation of Section 182 PPC for providing false information, nor any move toward perjury charges under Section 193. The system allowed a man to trigger the full might of the state's carceral machinery against eleven people and then simply "opt-out" when the game was over.

This "wait-and-see" strategy is the ultimate procedural loophole (Fatima et al., 2025); (Haider, Raza, et al., 2023b). Professional offenders know that if they can maintain a cross-version long enough to get through the bail phase and into the trial, they have already won. The eventual "denial" or "withdrawal" of the statement is not an act of remorse or a correction of the record; it is a calculated exit strategy. In our case, the complainant had gone to the hospital, completed medical legal formalities, and signed off on numerous documents over two years, all of which pointed toward his active participation in the fraud. To claim at the end that the police "did it on their own" is a blatant lie that the court accepted to clear its docket, rather than to serve justice. This lack of accountability means there is zero deterrent for the next offender to stage a leg wound and nominate an entire family. The cross-version FIR has been transformed from a tool of "further inquiry" into a tool of "tactical exhaustion," where the legal process itself becomes the punishment for the victims of the original crime. Ultimately, the Sughra Bibi judgment, while aiming to prevent the "multiplicity and complexity" of cases, has failed to account for the malicious intent of those who use Section 161 statements to simulate the "complexity" the court sought to avoid. By requiring a single investigation for all versions, the law has inadvertently given the accused a seat at the table of the prosecution's investigation. They can now pollute the primary investigation from the inside by introducing "fresh information" that the IO is legally bound to pursue. In our personal story, this meant that the investigation into my cousin's murder was never a search for the killer, but a two-year debate over a fabricated scratch on an offender's leg. Until the courts distinguish between a genuine counter-claim and a disproportionate tactical fabrication—and until there are severe, mandatory consequences for disowning a malicious FIR—the justice system in Pakistan will continue to be a playground for those who know how to manipulate its procedural blind spots. The "further inquiry" doctrine should be a shield for the innocent, not a smoke screen for the guilty, and my family's two years of suffering is proof that currently, it is very much the latter (Amelia et al., 2024); (Haider, Yousaf, et al., 2024); (Haider, 2023).

4. Recommendations: Restoring Equilibrium to the Criminal Justice System

The current state of the Pakistan criminal justice system regarding cross-version First Information Reports (FIRs) is not merely a procedural inconvenience but a systemic crisis that undermines the very concept of the rule of law. As established in the landmark judgment of Sughra Bibi vs. The State, the shift from multiple FIRs to a single investigation for the "same transaction" was intended to reduce complexity and prevent the state from prosecuting conflicting narratives simultaneously. However, as my family's 2022 ordeal demonstrates, this "unified" model has been highjacked by habitual offenders who use the recording of statements under Section 161 of the Code of Criminal Procedure (CrPC) to create a false equivalence between heinous crimes and minor, staged injuries. To move beyond this state of procedural paralysis, the judiciary and the legislature must implement reforms that distinguish between a legitimate search for truth and the tactical manipulation of legal loopholes. The following recommendations target the specific nodes where the system currently fails: the bail stage, the post-trial accountability phase, and the temporal management of investigations.

4.1 Introduction of "Proportionality" in Cross-Version Bail

The most urgent reform required is the judicial abandonment of the mechanical "rule of consistency" in bail matters involving disproportionate cross-versions. Currently, when an incident results in both a murder charge under Section 302 of the Pakistan Penal Code (PPC) and a counter-claim of a minor injury under Section 337-F(2), courts often grant bail to both parties under the "further inquiry" clause of Section 497(1) CrPC (Khan & Shah, 2023b). This practice rests on the flawed logic that because two versions exist, the court cannot determine the primary aggressor without a full trial. This creates a moral and legal hazard where a self-inflicted wound becomes a "Get Out of Jail Free" card for a murderer. The judiciary must adopt a "Proportionality Test" at the bail stage. Courts should be legally empowered—and encouraged—to weigh the gravity of the competing allegations. If there is a massive disparity in the harm caused, such as a death on one side and a non-lethal, suspicious injury on the other, the "further inquiry" into the minor injury should not automatically result in the release of the person accused of the capital offense. The "rule of consistency" should only apply when the injuries and the nature of the alleged offenses are comparable in weight. By making "proportionality" a core tenet of bail jurisprudence, the system would immediately strip professional offenders of the primary incentive for staging counter-versions: the guarantee of pre-trial freedom. Furthermore, the "further inquiry" doctrine under Section 497(1) needs to be redefined through a more rigorous evidentiary lens at the bail stage. Judges should not merely look at the existence of a counter-version but should look at the nature of the medical evidence supporting it. In many cases, including our own, the medical report for a cross-version consists of a "localized" injury that is easily self-inflicted, yet the court treats it as equal to a forensic report of a homicide. Proportionality requires the court to recognize that the state's interest in preventing the flight of a murder suspect far outweighs the procedural symmetry of a cross-case. If an accused murderer claims self-defense through a cross-version, the burden of proving that "further inquiry" is genuinely needed should rest on the strength of their counter-allegation, not on the mere act of having it recorded as a Section 161 statement. This would prevent the "tactical theater" where the law is used to defeat the law, ensuring that the gravity of a human life lost is not traded for the procedural convenience of a balanced docket (Haider, Ali, et al., 2023); (Ahmad & Haider, 2025).

4.2 Mandatory and Automatic Perjury Proceedings (Section 182 and 193 PPC)

The second pillar of reform must address the absolute lack of accountability for those who weaponize the FIR system and then retreat once their tactical goals are met. In the current landscape, a complainant can nominate an entire family, cause months of wrongful incarceration, and then walk into a courtroom two years later to "disown" or "withdraw" the statement with zero consequences. This "legalized harassment" is a low-risk strategy because the current judicial practice focuses on exonerating the innocent rather than punishing the malicious accuser. To solve this, the law must mandate that in any case where a complainant disowns an FIR or a cross-version statement that led to an arrest, the presiding judge must automatically initiate proceedings under Section 182 of the PPC (for giving false information to a public servant) and Section 193 of the PPC (for perjury). This should not be a discretionary power but a statutory obligation. If the system is used to deprive a citizen of their liberty based on a lie, the state must treat that lie as a crime against the integrity of the court itself (Haider, 2025a).

The "complainant withdrawal" in our case, where the individual claimed after two years that the police acted on their own, is a classic example of a "wait-and-see" strategy. By the time he disowned the statement, our family had already suffered the punishment of jail and the financial ruin of a prolonged legal battle. The current system allowed him to "opt-out" of the lie once he no longer needed it for leverage. By making perjury proceedings automatic, the

state would create a massive deterrent for habitual offenders (Ali, Aatif, et al., 2026). If an individual knows that their false nomination of ten people will inevitably lead to their own criminal prosecution the moment they deny it in court, the frequency of "spiteful" nominations will plummet. Moreover, the courts should facilitate civil damages for malicious prosecution as a concurrent remedy. The law must move toward a model where the "wrongful accuser" is held financially and criminally liable for every day an innocent person spends behind bars (Haider, 2025b); (Saputra et al., 2024); (Ali et al., 2024). This would transform the cross-version FIR from a "shield for the guilty" into a "hazard for the liar," restoring a sense of fear and respect for the gravity of setting the criminal law in motion. In parallel, Section 250 CrPC must be revived from its current state of dormancy and enforced with real teeth. Where a magistrate finds that an accusation was demonstrably false and vexatious, compensation under Section 250 should be imposed as a matter of course, not exception. This would ensure that even where criminal liability under the PPC is not ultimately established, a malicious complainant still faces tangible financial consequences. Strengthening and routinely invoking Section 250 CrPC would thus complete the accountability chain, aligning procedural law with the substantive penalties for false accusations.

4.3 Time-Bound Investigation of Counter-Versions and Nominations

The third essential reform is the introduction of a strict, time-bound limit for the investigation of counter-versions, especially those involving multiple nominations. Under the Sughra Bibi framework, the Investigating Officer (IO) is required to entertain all versions of the same offense. However, without a deadline, the IO can keep a counter-version "under investigation" for months or even years, providing a perpetual justification for "further inquiry" and delayed justice. I propose a mandatory 14-day limit for the IO to render a preliminary finding on any counter-version that results in the nomination of more than two people or alleges a minor offense against a major one. If the IO cannot find corroborating evidence—beyond the complainant's own statement—within this window, the accused in the counter-version should be entitled to an immediate discharge or "protective bail" that cannot be challenged through the "rule of consistency." This time limit would force the police to act with a level of professionalism that is currently absent. It would also prevent the "Schrödinger's IO" problem where an officer stays neutral to avoid political or financial blowback, thereby leaving innocent people in a state of legal limbo. A 14-day "Cooling Off" period for counter-versions would allow for forensic verification of injuries and the gathering of independent witness statements before the full weight of the carceral state is applied to the accused's family members. In our case, a 14-day limit would have quickly revealed that the "shooting in the leg" was inconsistent with the alleged sequence of events, likely preventing two months of wrongful jail time. By tightening the temporal window for "further inquiry," the law would protect the sanctity of the investigation while preventing it from becoming an instrument of exhaustion (Z. Ullah et al., 2026); (Ali, Khan, et al., 2026); (Haider, Iqbal, et al., 2024). The goal of the criminal procedure should be to set the law in motion not to keep it in a state of perpetual, malicious motion that only stops when the victims are too broken to continue the fight for justice. Section 169 Cr.P.C. must also be strengthened and operationalized in this context. Where, after such a time-bound investigation, the IO finds no reasonable ground to believe that the accused is guilty, he should be under a clear statutory duty to record those reasons in writing and move promptly for discharge, rather than mechanically submitting the case to trial. A reformed Section 169 should bar the filing of challans or supplementary reports that are based solely on pressure from complainants or "political" superiors, and should make any continuation of proceedings without fresh, independent evidence a form of abuse of process actionable against the IO and supervising officers. In this way, the power of the IO becomes a safeguard against two- to three-year cycles of custodial and courtroom torture, rather than a weapon for prolonging them,

and the criminal process is restored to its proper function: to investigate fairly, decide swiftly, and let the innocent go free.

4.4 Strengthening Police Integrity and Specialized Investigation Teams

Finally, the crisis of police credibility in cross-version cases must be addressed through structural changes in how these investigations are conducted. As noted, the reliance on a single IO to investigate two conflicting versions creates an inherent conflict of interest and invites corruption. To align with the spirit of the Sughra Bibi judgment—which seeks to avoid "multiplicity and complexity" while ensuring fairness, the state should mandate "Bifurcated Specialized Investigation Teams" for high-stakes cross-cases (such as Section 302 vs. Section 337) (Nath, 2020). While both versions would still fall under a single case file and a single FIR the investigation of each version should be handled by two different officers from a specialized "Homicide and Major Crimes" unit, reporting to a single superior who acts as an internal adjudicator. This would prevent a single IO from being the sole target of bribes or pressure and would provide a check-and-balance system within the police department itself. The lack of integrity in the police's handling of Section 161 statements is the root cause of why cross-versions are so effective at disrupting justice (Singh & Yadav, 2024). If the IO records a patently false statement and uses it to justify the arrest of ten people, there must be internal police accountability. We must move toward a system where "malicious investigation" is a punishable offense for the officer involved. If a court later finds—as it did in our case—that an FIR was fabricated or that names were added without merit, the IO should face an internal inquiry to determine why those nominations were allowed to stand for two years. By combining judicial proportionality, automatic perjury charges, time-bound investigations, and internal police accountability, we can finally close the procedural loopholes that have turned the pursuit of justice in Pakistan into a tactical game for those who have no respect for the law. These reforms are not merely about changing the rules; they are about ensuring that the memory of victims like my cousin is not insulted by a system that values procedural symmetry over substantive truth.

5. Conclusion

The jurisprudential journey of the First Information Report in Pakistan has reached a critical crossroads where the pursuit of procedural elegance has inadvertently compromised the pursuit of substantive truth. The transition from the antiquated and chaotic "Multiple FIR" era to the unified investigation model established by the Supreme Court in *Sughra Bibi vs. The State* was undoubtedly a step toward modernizing the criminal justice system. By mandating a single investigation for a "single transaction" and treating counter-allegations as statements under Section 161 of the CrPC, the judiciary successfully pruned the administrative thicket that once allowed for conflicting charge sheets and trial delays. However, this evolution has not occurred in a vacuum. As my family's harrowing experience in 2022 demonstrates, the very safeguards designed to ensure a "fair and impartial" inquiry have been repurposed into a sophisticated tactical arsenal for professional offenders. The cross-version mechanism, once intended to be a shield for the innocent who might otherwise be silenced by a dominant primary narrative, has been transformed into a sword used to decapitate the prosecution's case at its most vulnerable stage.

The fundamental disruption occurs through the cynical exploitation of the "further inquiry" clause under Section 497(1) of the CrPC. By fabricating a counter-version supported by self-inflicted injuries, perpetrators of heinous crimes like murder (Section 302 PPC) are able to manufacture a state of "evidentiary stalemate." This procedural deadlock forces the courts to apply a "rule of consistency" that ignores the obvious disparity in the gravity of the offenses. When a murder suspect is granted bail because they successfully nominated an entire innocent family for a minor staged injury, the legal system ceases to be an instrument of justice and

becomes a participant in a game of tactical exhaustion. In our case, the two months of incarceration suffered by eleven of my family members was not the result of a legitimate investigation into a crime, but the result of a system that values the symmetry of conflicting versions over the reality of a life lost. The current bail jurisprudence essentially rewards the audacity of the offender, suggesting that the more complex a lie one can weave, the more likely one is to escape pre-trial detention.

Furthermore, the total absence of accountability for "malicious withdrawal" has created a legal vacuum where there is no deterrent for perjury. When a complainant can keep a false version alive for two years—long enough to secure bail for their own side and deplete the resources of the victims—and then simply "disown" the statement in court, the justice system is being mocked. The fact that the judge in our case allowed the complainant to walk away without consequence, despite his admission that the nominations were false, proves that "exoneration" is a hollow victory. True justice requires that the perpetrator of a false accusation face a penalty commensurate with the harm they inflicted. As long as Section 182 and Section 193 of the PPC remain "dead letters" that are never invoked against those who manipulate the FIR system, the "wait-and-see" strategy will remain a low-risk, high-reward maneuver for habitual offenders.

The reforms proposed in this paper—ranging from a "Proportionality Test" in bail matters to mandatory perjury proceedings and time-bound investigations—are not merely administrative adjustments; they are existential necessities for the credibility of the Pakistani state. The cross-version FIR system must be purged of its vulnerability to tactical manipulation. We cannot continue to allow a bullet to the leg to carry the same legal weight as a bullet to the heart. Until the law recognizes that a fabricated counter-narrative is a crime against the court itself, the "further inquiry" loophole will remain an open door for the guilty to walk through. My family's journey from tragedy to wrongful incarceration and eventual "hollow" exoneration is a call for a system that can distinguish between a search for truth and a search for a loophole. The legacy of victims like my cousin deserves a justice system that is robust enough to see through the smoke screen of a cross-version and brave enough to hold the liars to account.

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