

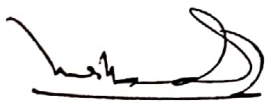
**Affidavit: of Muhammad Arshad Malik, Judge Accountability
Court No. II, Islamabad**

I, Muhammad Arshad Malik, adult Muslim, the above-named deponent, do hereby solemnly affirm and declare on oath as under:

1. That shortly after my appointment in February, 2018 as Judge, Accountability Court No. II, Islamabad I was contacted by two acquaintances, Mahar Jilani and Nasir Janjua with whom I met. During this meeting Nasir Janjua claimed that it was on his specific and personal recommendation to an influential person in the then PML-N Government that I was appointed Judge, Accountability Court No. II, Islamabad. To further reinforce this claim Nasir Janjua pointing to another individual who had accompanied him rhetorically asked did I not tell you some weeks ago that Muhammad Arshad Malik is being appointed Judge Accountability Court. In any event, I did not think much of this claim at that time but responded to Nasir Janjua that you should have at least asked for my view before proposing my name and I was not keen to this position as I was aspiring for my posting as Session Judge in District.

2. That in August 2018, Reference No. 18 of 2017 ("Flagship Reference") and Reference No. 19 of 2017 (the "HME Reference") were transferred for trial to my court (i.e. Accountability Court No. II). Whilst the trial of the HME Reference and Flagship Reference was underway, I was approached on a number of occasions by associates and supporters of Mian Nawaz Sharif with demands, inducements and threats to acquit Mian Nawaz Sharif and the other accused in the HME and Flagship References, specifics of which are follows:
 - (i). At a social sitting also attended by Nasir Janjua and Mahar Jilani, I was taken a side by Nasir Janjua who implored me to give verdicts of acquittal in the HME Reference and Flagship Reference. He told me that it was Nawaz Sahrif to whom he had proposed my name as Judge, Accountability Court and that, in these circumstances, unless a favourable verdict was given in favour of Mian Nawaz Sharif, it would be very damaging for me personally. At that time, I responded by saying that "*Allah Behtar Kare Ga, Insaaf Allah Ka Mansab Hai. Aur Allah Na-Insaafi Nahi Karta*".

 - (ii) At around the time that the trials of the Flagship Reference and HME Reference were at the arguments stage, I was again approached by Nasir Janjua and Mahar Jilani. This time Nasir Janjua came with a financial offer quoting Mian Nawaz Sharif. I was

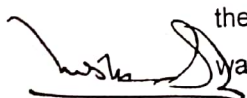

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told that Mian Sahib is willing to pay whatever I demand as long as there is an acquittal verdict in both the HME and Flagship References. He said that I can be paid through any nominee in any country of my choice. When I responded by saying that I have contently spent 56 years of my life in a 6 Marla's house and will decide the two References in accordance with my oath and did not need anything, Nasir Janjua claimed that he had the cash equivalent of Rs. 100 million in Euros for me immediately available out of which the Euro equivalent of Rs. 20 million was laying in his car parked outside. He tried to tempt and induce me further by saying that I was a salaried person of modest means with a family and many liabilities and that this was a golden opportunity to make myself financially secure for the future. However, I declined the bribe offered to me while committing remains sticking to merits.

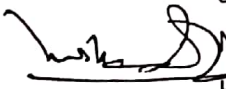
- (iii) The offer for a bribe which I declined was then followed, shortly thereafter, by a thinly veiled threat of physical harm and intimidation by Nasir Butt, who I have also mentioned in my Press Release of 07-07-2019. The threat was delivered by Nasir Butt saying to me in an intimidating tone that he owed Main Nawaz Sharif a lot, as he had helped him avoid punishment for 4-5 murders committed by him by using his immense political influence and, therefore, he was willing to go to any extent to help Mian Sahib in the trials he was facing.

3. That as I was clear in my mind that I was going to decide the References on merit and in accordance with the evidence in each, in spite of the aforementioned demands, inducements and threats, I handed down the Judgments in the HME and Flagship References in the last week of December 2018, convicting Mian Nawaz Sharif as charged in the former and acquitting him in the latter. Thereafter, matters went quiet for a while, however, the earlier failed attempt of bribe and threats was replaced with blackmailing.

4. That in the middle of February, 2019 I met with Khurram Yousaf and Nasir Butt. During conversation, Nasir Butt asked me whether Nasir Janjua had shown me "the Multan video". I did not make an immediate connection with this statement and said I did not know what he was talking about. Nasir Butt then said, in a sinister manner, that you will be shown the video in a few days. Shortly thereafter, I was visited by Mian Tariq (an old social acquaintance from when I was serving in Multan as Additional District & Sessions Judge from 2000-2003) and his son. Mian Tariq showed me a secretly recorded manipulated immoral video in a compromising position saying that it is you doing this when you were


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serving in Multan. This came as a shock to me. After I was shown the video, Nasir Janjua and Nasir Butt started to pressurize and blackmail me to do something to help Mian Nawaz Sahrif. Nasir Janjua suggested to me that since the conviction in the HME Reference had already been handed down, for the satisfaction of Mian Nawaz Sahrif only I should record an audio message for him in which I should state that I had convicted him in the HME Reference under immense pressure, from influential quarters, even though there was no evidence to prove the offence with which he was charged. Nasir Janjua further enticed me by assuring that the audio message would only be for the consumption and satisfaction of Mian Nawaz Sharif and that he would personally ensure that the audio recording is deleted after it was heard by Mian Nawaz Sharif. I denied but he insisted for repeating the sentences. Sometime thereafter, Nasir Butt visited me again and said that in spite of your non-cooperation, Nasir Janjua had recorded your voice. He further said that Mian Sahib had heard my audio message but since he was not satisfied, he demanded that I would have to accompany him to Jati Umra and repeat my statement before him in person. He again used the Multan video as a threat. I did accompany Nasir Butt to Jati Umra probably on 06-04-2019, where Mian Nawaz Sharif personally received us. At this meeting, Nasir Butt initiated the conversation by claiming in front of Mian Nawaz Sharif that I had admitted to Nasir Butt that the conviction was handed down under pressure of the Judiciary and the Army. However, when I spoke up, I politely tried to explain to Mian Nawaz Sharif that the conviction in the HME Reference was on merits and that there was substantial evidence adduced against him by the prosecution which had gone unrebutted in defense, whereas, in the Flagship Reference he was acquitted because of the absence of the required level of evidence. Mian Nawaz Sharif was obviously displeased by my response and so the meeting ended with Mian Nawaz Sharif seeing us both off. On the return journey from Jati Umra, Nasir Butt was clearly dejected and perturbed. He angrily accused me of failing to keep my word. He said that, to compensate for the debacle at the Jati Umra meeting, he wanted my assistance with the grounds of appeal (against the Judgment in the HME Reference). He said that he had already engaged a team of lawyers who had drafted the appeal and he just wanted me to review it and give my input, which will be helpful for vindicating his position before Mian Nawaz Sharif. I agreed to this demand in the background of the blackmailing to which I was being subjected. Nasir Butt visited me just a few days after we returned from Jati Umra with a draft memorandum of appeal which I reluctantly reviewed and gave some observations as per his demand. Upon watching the Press Conference of 06-07-2019 by Ms. Mariam Nawaz and the senior leadership of the PML-N regarding the Judgment in the HME Reference, I realized that the sitting in which I had commented upon the draft memorandum of appeal was secretly recorded as edited and manipulated

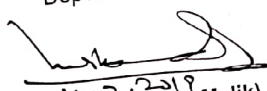

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excerpts of conversation from that meeting were part of the audio/video played at the said Press Conference.

5. that I proceeded to Saudi Arabia on 28-5-2019 with my family to perform Umra. After Isha Prayers on 01-06-2019 Nasir Butt met me outside Masjid-e-Nabvi and asked me to accompany him to meet Hussain Nawaz Sharif. When I resisted this meeting, I was again threatened with problems and embarrassment for me in Pakistan being at his one click commanded by a phone call. Hussain Nawaz Sharif's tone and manner was palpably aggressive and intimidating. He offered me a cash bribe of Rs. 500 million in addition to myself and my entire family being relocated and settled in the United Kingdom, Canada or any other country of my choice with jobs for my children and a profitable business. In return, he said that all I had to do was to formally resign on the ground that I could no longer deal with the guilt of having convicted Mian Nawaz Sharif under duress and without evidence. He said that after signing such a resignation letter, he would take care of everything and that he was the only one who could protect me, again alluding to the same blackmailing. He pressed me for an immediate answer. I declined this offer by Hussain Nawaz Sahrif. I returned to Pakistan on 08-06-2019 after which Nasir Butt made repeated telephone calls to me urging me to reconsider the offer made by Hussain Nawaz Sahrif in Medina Pak whilst as the same time threatening me with consequences. Nasir Butt also approached me with the same message through Khurram Yousaf, but my response to both was in the negative. I then stopped taking phone calls from Nasir Butt. Obviously in retaliation, upon realizing that I was not going to succumb to their unlawful demands, the Press Conference of 06-07-2019 was held in which false and malicious allegations were made against me and a raft of statements were falsely attributed to me to which I have also referred in the Press Release of 07-07-2019 which I was constrained to issue over the weekend in view of the continuous repetition in the media of the false and malicious Press Conference of 6-7-2019.
6. that I once again reiterate that the Judgments in HME and Flagship References were given purely on merit and based on the available evidence without any pressure, fear or favour, upholding the name of judiciary while maintaining the scale of Justice as ordained by Almighty Allah, The Lord of the Lords, The Best Protector and The Greatest Forgiver.

Dated: 11-07-2019



Deponent,

 11.7.2019
 (Muhammad Arshad Malik)
 Judge,
 Accountability Court-II,
 Islamabad.