Mr. Justice Dr. Fida Muhammad Khan, one of the most influential persons associated with the Pakistan’s Federal Shariat Court departed to his heavenly abode and eventually met Almighty on Friday 29 November 2019. May Almighty rest his soul in peace and may confer upon patience and courage to his family members, he left behind him. Ameen.

Justice Dr. Fida Muhammad Khan was a well-known figure of the Federal Shariat Court of Pakistan (FSC) as he remained associated with this superior court from the early days of its inception until he departed to Heaven. He was appointed as regular Judge of the FSC on 2nd October, 1988. He served as acting chief justice of the Court from December 12, 2014 to March 7, 2015. Justice Khan was reappointed on August 10, 2017 as an ‘ālim judge of the court and then again on September 20, 2019. His last position, at the FSC, was acting Chief Justice, Federal Shariat Court of the Islamic Republic of Pakistan. He also served as an adhoc member of the Shariah Appellate Bench of the Supreme Court of Pakistan.

While looking at the life of late Justice Fida (21 October 1938 - 29 November 2019) hailing from district Sawabi of Khyber Pakhtunkhwa, one may observe numerous kaleidoscopic colors in his life. In his academic career he proved himself as the most brilliant student of his university life: graduated in first class with a distinction, the first position and gold medalist in the university; first class Master in Islamic Studies again with distinction; and first class Master in English with distinction as usual. He also had a qualification in German language.

Dr. Fida Muhammad Khan started his professional career as a teacher as he, initially, joined the University of Peshawar as a lecturer and taught post graduate students for around six years. Then took the top hat of his academic life - a PhD. But, subsequent to it he opted for Pakistan Air Force where he did his BSc War Studies. He enjoined the positions of Assistant Deputy Director of Education and Director of Motivation at Air Headquarters for about 20 years and got his retirement as Group Captain of Pakistan Air Force.

Justice Dr. Fida Muhammad Khan delivered numerous landmark judgments on ḥudūd, Islamic banking and other laws of the land. Out of those, his judgment on Islamic banking and a rape case are especially crucial. He was member of the FSC bench who gave the verdict on laws involving interest on 14th November 1991 [P

1 The author of the reminiscences is a Professor of Islamic law retired from International Islamic University. He remained an intimate and a close friend of Mr. Justice Dr. Fida Muhammad Khan for more than three decades. Presently, He is Senior Research Fellow at the Institute of Policy Studies (IPS), Islamabad.

2 Other members of the bench were: Dr. Tanzil-ur-Rahman, Chief Justice, FSC; and Justice Abaid Ullah Khan. The judgement was written by Justice Dr. Fida.
L D 1992 Vol. XLIV, Federal Shariat Court 1] that the then prevalent Islamic banking and finance practices in Pakistan, based on buy-back strategy and the sale of debt instruments, were not Sharīʿah compliant. The FSC ordered the government to take legislative measures to eliminate interest from the economy and financial sector of Pakistan by 30th June 1992.

In the latter case, the FSC considered rape as ḥirābah (rebellion) and clarified that ḥudūd laws were promulgated in 1979 without a fruitful public debate. As such, he suggested a thorough review by the Parliament with the consultation of Islamic scholars.

Setting aside his judicial accomplishments within the premises of the Court, Justice Fida Muhammad Khan contributed and delivered much more outside the Court. Justice Khan had also been the chairman of KPK’s Economic Reforms Commission since 2004. In this regards he seems to be an academician instead of a lawyer or a member of a constitutional body of high repute. He, throughout his judicial career, remained an active and an honorable member of numerous universities and research organization, their constituent units and allied academic bodies, such as member Board of Governors, International Islamic University Islamabad; Member Executive Council, Allama Iqbal Open University Islamabad; Member Syndicate, Agriculture University Faisalabad; Member Syndicate, Quaid-i-Azam University Islamabad; Member: Councils of Dawah Academy; Shariah Academy, and Islamic Research Institute of International Islamic University Islamabad. Likewise, Dr. Fida Muhammad Kham also contributed in preparation of new courses to be introduced by the universities and other academic institutions. He delivered countless lectures on Islam and Islamic law to the participants of various short and orientation courses of constituent units of International Islamic University especially, and to the audience of other institutions in general.

Besides such academic activities, he immensely focused on charity and charitable organizations. For that matter and in this regards, he was Patron in Chief, Executive Committee, Islamabad Society of Prevention of Blindness, and Patron in Chief of Alflah Welfare Association Islamabad. The (late) Justice Fida also served as the Chairman of the Shariah Advisory Committee of the State Bank of Pakistan from 2010 to 2013. But above all, the author of these reminiscences, in the light of his three decades’ intimacy, close friendship and also having a personal and family relationship, very firmly claims that Mr. Justice Dr. Fida Muhammad Khan, former Judge of the Federal Shariat Court, Pakistan was not only a unique one but also an exemplary human being. May Allah almighty rest his soul in eternal peace. Ameen.

اللهم اغفر عبدك وارفع درجته في المهديين و اخلفه في عقبه في الغابرين وافسح له في قبره ونور له فيه .