

Fitness to Stand Trial: An Examination of Procedure for the Trial of Unsound Mind

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Abstract

This research paper has answered the question: what are the legal procedural principles to determine whether an accused with mental illness is fit to stand trial or not. To ensure a fair and just decision of a criminal case it requires accurate evaluation of mental capacity of an accused person. This study has employed a qualitative methodology on the basis of documentary analysis which includes legal instruments such as statutes and landmark case laws related to mental capacity for trial primarily, as well as scholarly articles, policy documents, reports, guidelines, and other legal literature. A thematic analysis of these sources was conducted to identify recurring themes and to describe the correct procedural principles for fitness evaluations. The conclusion has synthesized the findings. In conclusion, this study has proposed principles for correct application of the legal procedures for the trial of vulnerable accused persons, with an aim to ensure a more just and comprehensive legal environment for their trial.

Keywords: Criminal Trial, Mental Competency, Unsound Mind, Criminal Justice System, Mental Illness

1. Introduction

Pakistan is late in taking step towards protection of the rights of the most vulnerable. The execution of sentences for accused with severe mental illness is now prohibited. The law now recognizes that a person who cannot comprehend the reason for execution of sentence due to mental illness, he

cannot be legally put to death. This shift in the legal jurisprudence of our country is demonstrated in the case of Imdad Ali (Habib et al., 2019). He was suffering from schizophrenia in jail. For over 18 years, he endured life on death row while having being diagnosed with paranoid schizophrenia. His confinement within the psychiatric ward of Adiala Jail resembled the existence of a child (Haq & Zafar, 2019). Though he was saved; yet, this is not an isolated incident. Mentally ill accused persons in Pakistan often face a double jeopardy. Many remain undiagnosed. Their mental capacity hinders their ability to participate effectively in their own defence. They remained unaware of the legal protections available for them and due to this courts may impose harsh sentences at the end of the trial (Editorial, 2021).

Criminal justice system (CJS) of our country has a gap in defending some of its most vulnerable citizens: those with mental illness. From arrest to trial, sentencing, and imprisonment, such persons are facing inadequate support and safeguards. There is no independent legislation to cover all legal aspects of these persons, especially in criminal trials. However, in the current CJS, these persons often lack the capacity to represent themselves effectively during their own trials. Furthermore, their imprisonment would fail to serve the ends of justice if their mental state is not addressed (Jamshed et al., 2023). The jurisprudence on this issue is still developing.

We are not addressing the issue of definitions within our CJS in detail, in this study, as that requires independent research. However, it is worth to mention here that definitions that are being used in our laws are outdated. Researchers have examined definitions of mental illness in both domestic and foreign laws (Jamshed et al., 2023; Mackay, 1996). They found that terms like “mental illness” or “mental disorder” refer to mental disorders and they are well-defined by medicinal discipline. As medicinal discipline evolves, the scope of these expressions also evolves. Consequently, a limited definition to cover mental illness or lunacy should be avoided. They observed that modern legislations around the world are no longer using these terms (Choudhary & Velan, 2012). Therefore, it is appropriate to change the definitions of “unsound mind” in our domestic laws, with “mental disorder” otherwise “mental illness.” The expression “lunatic” is outdated and should also be amended accordingly (Zulfiqar, 2018).

Furthermore, Pakistan, in spite of being one of the populated nations in the globe, is fronting a significant challenge in taking care of mentally incapable accused persons (Noorullah et al., 2024). There is no special law about the criminal trial of mentally incapable accused persons. Further, our CJS focuses on a single category of illness: insanity, whereas the mental health problems cover a wide range of illnesses. This term allows only those who claim that they could not understand their actions due to their mental illness. Many people with mental health problems might not qualify for the insanity defence because of the narrow interpretation of the term. It left them without the legal support they deserve (Zulfiqar, 2018). Whereas,

as one of most vulnerable people of our society, the mentally-ill or incapable deserve true justice. But this is also true that our healthcare system offers minimal facilities for them (Islam, 2002) and there is no special support system for those who are suspects and who are mentally incapable or ill (Shahid et al., 2014). This highlights the urgent need for improvements within the criminal justice system. Rather than a focus on giving punishments, we need to focus on provision of legal as well as health-care assistance to those who need it most.

2. Research Methodology

This research has used primarily a qualitative methodology which is centered on a documentary analysis. The goal is to examine procedural law to determine the fitness to stand trial of accused persons suffering with mental illness. To achieve this goal, this study has relied on a comprehensive analysis of various legal documents. These documents included statutes and case laws specifically related to trial procedures. Additionally, scholarly articles are also examined with focus on legal literature that explores the concept of fitness for facing trial and its application to those accused persons who are mentally ill. During this study reports and guidelines regarding best practices for finding principles for evaluation of fitness of those who are incapable of making defence are also reviewed. Thematic analysis of these sources is conducted to identify recurring themes. This research approach aims to synthesize findings of this study from our documentary analysis. Our aim is to identify key principles to ensure fair trial and to highlight comprehensive legal procedural safeguards for accused persons with mental illness.

3. Significance of Research

Comprehension of the legal procedural safeguards and principles for determination of the fitness of accused persons to stand trial who are suffering with mental illness is vital to ensure a fair and just CJS in any progressive society. This research is significant for several reasons. Firstly, it highlights how current procedure define and assess "fitness to stand trial" in the context of mental illness. It will help in identifying potential gaps or inconsistencies within the existing legal framework. Secondly, through examination of existing literature and jurisprudential principles, this research contributes in the development of more effective and equitable practices for the evaluation of mental competency of accused persons for the purposes of facing criminal trial. In due course, this study aims to enlist procedural-principles to ensure that those who are suffering with mental illness could receive a fair trial and have the opportunity to adequately defend themselves.

4. Procedural Law

This research focuses on Chapter XXXIV of the Cr.P.C., particularly sections 464 to 475, which deal with legal procedures regarding accused who are unsound mind. According to this if the court suspects that

an accused is mentally unsound, and unable to defend themselves, then it must initiate an inquiry for the mental state of accused. This involves an examination by a designated medical officer. And if it is concluded by the court that the suspect is indeed mentally unstable and inept of self-defence for the court proceedings, then it must record this finding and delay further legal procedures (The Code of Criminal Procedure, 1898, S, 464, 465). Furthermore, the procedure also provides space to release such an accused person: the law allows the court to release him, even if the case normally would not allow bail. However, this release is conditional on sufficient security being provided. The purpose of this security is to ensure: the accused is properly cared for; the accused does not harm themselves or others; the accused appears before the court when required by it. Furthermore, the procedure also provides provision for custody in lieu of release. This could be used when bail is not appropriate or the required security is not provided. For this purpose, the specific place and manner of detention will be determined by the court (The Code of Criminal Procedure, 1898, S, 466).

Furthermore, the procedure also lets courts to restart the above referred postponed trials/inquiries and to recall the accused. If the accused was released with security, then their sureties can present them in court or before a designated officer for a fitness evaluation. A certificate which is confirming the accused person regained capacity to defend themselves is also allowed by the law to be admissible as evidence. Furthermore, the next step is required to be taken when the accused reappears before the court after a postponement of trial due to his mental illness. There are two main scenarios on this stage: one, fitness regained: if the magistrate or court deems the accused mentally fit to defend themselves, the legal proceedings, either the inquiry (pre-trial investigation) or the trial, then it can resume as planned; second, still unfit: if the accused is still considered incapable of making a defence, then the court will have to revert to the procedures as above outlined. This may involve a renewed inquiry into their mental state or more adjustments to the trial procedures in order to accommodate them (The Code of Criminal Procedure, 1898, S, 467 468).

Moreover, the next provision deals with the trial despite the initial unsoundness of mind. It covers the situation where the accused, who may have exhibited signs of mental illness earlier before the initiation of the trial, appears mentally sound during the inquiry or trial. The law provides that even if there is evidence which is suggesting that the accused had committed the act, the court can proceed with the case under specific conditions. There must be reason to believe that the mental state was unsound at the time of the crime itself. Additionally, this unsoundness must have rendered him incapable of understanding the nature of his act or its wrongfulness. If these conditions are met, then the court can move forward with the trial despite the past mental state of the accused. However, in the next scenario where it

is found by the court that the accused was indeed mentally unstable at the time of the suspected delinquency and this unsoundness prevented him from understanding the nature of his act or its wrongfulness, then the verdict will be an acquittal. It will be based on the ground of lunacy. However, in such acquittals, the court must explicitly state whether the accused actually committed the physical act, regardless of their mental state at the time (The Code of Criminal Procedure, 1898, S, 469, 470). This distinction is vital. Although the accused is not held criminally responsible due to his mental incapacity, yet the court must determine if he was the one who committed the act itself or someone else.

This information is relevant for future legal proceedings and for determination of appropriate care arrangements after the acquittal, because if the verdict states that the acquitted person had actually committed the act, and that the act would have been a crime if he was mentally sound, then the court is required to order for his detention in "safe custody" (The Code of Criminal Procedure, 1898, S, 471). This detainment serves a dual purpose: one, it ensures public safety because the acquitted person could be a potential threat; second, by providing him a secure environment for his own mental health care. Therefore, the specific location and method of detention are also required to be determined by the court on the basis of the situation and the case. Furthermore, the court is also required to report his action to the Provincial Government.

The law also lays out a procedure for the release of accused in above referred situation. If the accused person was detained during the inquiry/trial or after his acquittal due to his unsoundness of mind, then afterwards a government official may assess his mental state. After his positive evaluation which indicate that the accused person is no longer a threat, then the Provincial Government can authorize his release. In the end, the Provincial Government is the one who holds the final authority to release the person or keep him detained. Moreover, the last provision of the chapter again offers a chance for the release of such persons into the care of a relative or a friend. A relative or a friend can formally request this release from the Provincial Government. However, to ensure public safety and proper care, the relative must provide security which will be a guarantee he or she will look after that person, he or she will prevent harm, and will also produce such person for official inspections or court appearances when required. This release option is useful for particularly those who are detained during the inquiry/trial stage. After the confirmation of inspecting officer about the mental fitness to stand trial, the court can resume the legal proceedings, after the relative produces such person (The Code of Criminal Procedure, 1898, S, 474, 475).

In essence, this procedure acknowledge that mental illness can significantly impact an accused person rights during trial. It establishes the basic legal framework for the court how to consider the mental state during

trial and before trial. It also requires the court to deliver a verdict that reflects both the act itself and the mental capacity at the relevant stage of the trial. This is a multi-step process. It ensures careful consideration before the release of such special accused persons. The bare review of the procedural law shows that this law aims to balance the need for public safety with the welfare of the mentally unfit accused. It deals with both. It allows for the conditional release under supervision or after secure custody. All depends on the circumstances of the case.

5. Jurisprudential Development

The mental well-being of an accused individual is as vital and important as any other citizen's physical or mental health. Unfortunately, for the accused persons it often does not receive the importance it warrants. Due to certain fallacies about within the legal realm of criminal trial, the consequences of mental disorder of accused persons are frequently unheeded, and the weakness or incapacity it roots are not adequately addressed in the courts as well (Ali, 2013). Historically, courts in our country did not consider mental disorder or its deficiency as a reason that could reduce a death verdict (Ranjha & Fatima, 2023). This is apparent in previous Supreme Court judgments, which ruled that schizophrenia did not establish a perpetual mental disorder, and the court allowed the execution of accused (Habib et al., 2019; *Safia Bano v. Home Department Government of Punjab PLD 2017 SC 18*, n.d.). However, over time, the jurisprudence evolved, and the courts revised their stance. Therefore, to understand the current legal landscape, it is essential to analyze the development of this jurisprudence through a case law-based study.

Before to examine the jurisprudence on this subject, it is important to understand that there are two distinct situations to consider. These situations can be framed as two key questions:

A. First, how should the court handle a request from a suspect who claims he had mental disorder at the period the crime was committed?

B. Second, how should the court tackle the right that, due to mental disorder, the suspect is incapable of defending himself in the trial proceedings?

Regarding our CJS, the effect of mental disorder on actions (the performance of an offence) of a suspected person and their aptitude to understand the legal procedures before the judge is provided in the PPC and the Cr.P.C. Further, during trial, there are two circumstances that may rise relating to the mental healthiness of a suspect: first, their situations of mental cognizance at the time the crime was committed; and second, their mental state before the beginning or throughout the trial. For the primary condition, which concerns the mental state at the period of the offence, Section 84 of the PPC is pertinent. For the subsequent situation, Chapter XXXIV of the Cr.P.C. is relevant. Section 84 of the PPC tackle the mental state at the time of the crime, and it is regarded as an exception. Under this provision an act committed by an individual with a mental disorder is not treated as an offence.

5.1. Ata Muhammad Case

This was a murder case wherein the main accused claimed that he was incapable of comprehending the nature of his acts at the time of the alleged occurrence of the crime. The court of law held that the question of insanity at the time of inquiry or trial and at the time of occurrence are two different matters. They must be dealt with independently. The court held that a person may be mad at both times. This is a question of fact and requires evidence to be proved. For the procedure to be followed, the court must resort to Section 464 CrPC. The court further held that an accused during the trial may feign insanity. The court must detect this. This question has to be tried as a matter of fact. However, when the court sees that insanity is feigned, it may ignore it. The onus is on the accused. Unless he proves otherwise, there is a presumption that every person is sane. Furthermore, the medical and legal standards of sanity are different. Medically, it is probably correct that the act of murder itself denotes an unhealthy and abnormal state of mind, but from a legal point of view, he is sane as long as he can understand that his act is contrary to the law (*Ata Muhammad v. The State 1960*).

5.2. Mobarak Ali Case

In this case, the accused Hachi Miah, during the recording of evidence, took the plea of insanity since birth. The court, however, rejected to inquire into his plea. When the matter went to the high court, it upheld the lower court's view. The court held that the trial court is not bound to inquire into the matter on the mere plea of the accused. The inquiry is only necessary when there is a reason to believe or if it appears to the court that the accused is of unsound mind (*Mobarak Ali v. Muhammad Hachi Miah 1967*).

5.3. Riazat Ali Case

In this case, the accused took the plea of his incapacity to make a defense. But during the medical examination, the doctor suggested that he was in a depressive condition. The doctor further opined that no definite opinion could be given about the insanity of the accused unless a neuromedical specialist examined him. However, the court held that he did not specifically plead insanity at the appropriate time. Furthermore, depression could not be equated with insanity, and the court rejected his plea. This case is one of the examples where our courts did not thoroughly investigate the medical conditions of the accused due to narrow interpretations of the term insanity or lunacy (*Riazat Ali alias Gogi Sain v. The State 1985*).

5.4. Abdul Wahid Case

In this case, the court gave certain observations when it came to their knowledge that the accused used to be chained by his brothers. The court then gave a detailed analysis of the procedure for such cases. It observed that when prosecution evidence prima facie showed that the accused, at the time of the alleged occurrence of the crime, was suffering from unsoundness of mind, then the courts of law should inquire into this fact. The court remanded the

matter to the trial court and highlighted that the provisions from 464 to 475 provide guidelines and should be followed. The court further observed that when it becomes apparent that the suspect is of unsound mind, the courts of law should follow the procedure. The procedure is mandatory and cannot be ignored (*Abdul Wahid alias Wahdi v. The State 1994*).

5.5. Dilawar Khan Case

In this case, the court emphasized on the medical examination of the accused if he claims to be unable of building a defence during hearing. The trial court, once it received the report of the medical panel in this case, then refused to further examine him by medical experts. When the matter reached the high court, it observed that failure to appreciate different aspects of the case and to hold an inquiry could give latitude to a feigning accused to go without trial, which amounted to an abuse of the process of court. In such cases, the court is required to appraise the fact of the unsoundness and inability of the accused. The mode of this trial could be any, the benchmark is the satisfaction of the court. There may be temporary unsoundness and the trial can be resumed during such lucid intervals. Such inquiry could not depend solely on the medical reports. The court may take into consideration independent factors as well, besides medical reports (*Dilawar Khan v. The State 1995*).

5.6. Fauqal Bashar Case

In this case, the plea of insanity raised by the brother of the accused was rejected by the trial court on the grounds that the accused himself refused to get medically examined and did not raise this plea. The matter reached the Supreme Court. It observed that the procedure provided in the law is mandatory in nature. The court is not required to wait for the plea. All that is required is the satisfaction of the court from its own watching or any other aspect that the accused is incapable of making his defense. The Supreme Court observed that the trial court was unnecessarily influenced by the stance of the accused that he was of good and sound mind. The procedural law in such cases is mandatory. The superior court remanded the matter to the lower court for inquiry (*Fauqal Bashar v. The State 1997*).

5.7. Iftikhar Ahmed Case

In this case, the trial court posed certain questions to the accused to assess his mental condition. After receiving replies from the accused, the court observed that he was mentally alright and that the plea of insanity was taken to avoid trial. When the matter reached the high court, it confirmed the death sentence of the accused. The high court observed that when the accused wanted to benefit from a plea of lunacy at the time of the suspected incidence, the burden was on him to verify the said fact (*Iftikhar Ahmed v. The State 1999*).

5.8. Inayatullah Case

In this case, the trial court rejected the plea of the suspect that he was incapable of making a defence. The accused had moved an application claiming he was suffering from schizophrenia, but the trial court rejected his

application. The high court observed that the procedural law in such cases is mandatory in nature. The court could dispense with such inquiry or investigation only when the plea of the accused was found to be feigned based on the court's observations. However, when there was sufficient material on the record regarding such a plea, the court was bound to investigate the matter. The medical evaluation in such cases would lead to a just decision. The court remanded the matter to the trial court for inquiry (*Inayatullah v. The State* 2005).

5.9. Khizar Hayat Case

Earlier views of our courts were not particularly progressive regarding human rights and international jurisprudential developments (Hameed, 2017). In one case, the court handled a criminal matter at appellate stage which was an appeal by a offender against his sentence. The convict argued that he was insane and experiencing schizophrenia at the time of the offence, and that his matter falls within the ambit of exception provided by section 84 of the PPC. However, the court, depending on an earlier case (*the State v. Balahari Das Sutradhar* 1962), disallowed the plea. The court upheld his conviction and death sentence. The court gave the reasoning by stating that not everyone who is mentally distressed or experiencing some mental disorder is automatically exempt from criminal charge. To gain advantage from 84 PPC, a person must demonstrate that at the time of the act, he or she was grappling under such an imperfection of sense that he or she did not recognize the consequences of his or her actions. The court sanctioned the opinion that every individual is supposed to be sane and expected to own a adequate degree of reason to be accountable for their performances unless proven otherwise (*Khizar Hayat v. The State* 2006).

5.10. Walidad Khan Case

In this case, the accused submitted an application under the procedural law requesting that his trial be postponed because he was incapable of understanding the proceedings against him. The trial court, after perusing all the documents attached to his application, rejected his plea. The high court upheld the decision of the trial court. It observed that, although procedural law in such cases is mandatory, it should be followed only if the suspect appeared to the court to be of unsound mind. An inquiry in such cases should not be held merely because the accused had made an application claiming that he was of unsound mind. The court's own observation is the first test that the accused must pass (*Walidad Khan v. The State* 2011).

5.11. Shahbaz Ahmed Case

In this case as well, the accused took the matter before the high court because his plea for postponement of the trial was rejected by the trial court. The high court observed that the procedure provided in the Cr.P.C. is mandatory. The trial court did not notice the mental condition of the accused when he appeared on different hearing dates. Furthermore, after receiving the medical report, the trial court was required to examine the medical

officers as court witnesses. Under the procedural law, the determination of the factor of incapacity is part of the trial of the accused. The high court ordered a de novo trial of the accused (*Shahbaz Ahmed v. The State* 2021).

5.12. Safia Bano Case

This case is groundbreaking in the subject of mentality and its procedural nuances. The Safia Bano case has attracted substantial local and global attention owing to the final decision on the subject that a death sentence cannot be executed on an accused who is suffering from mental illness (Ajmal et al., 2022). Scholars argue that the Supreme Court has transformed the mental health jurisprudence in Pakistani law through giving importance to medical professionals in determination of mental fitness to stand trial. However, the Court's reliance on medical experts and the consequent emphasis on the morality component of the subject has posed a challenge for courts to impose stricter penalties in future cases. They propose that this issue could be addressed by founding an objective legal standard for mental disorder claims that incorporates Islamic law, Pakistani legal judicial opinions, and advancements in medical discipline (Munir & Wright, 2023).

In this case, the court clarified that Section 464 and 465 of the Cr.P.C. applies to trial courts. This law mandates that if a court is conducting an inquiry or trial and during it suspects that the accused is mentally unfit, and thus unable to defend himself, then it must investigate this condition. The court must arrange for the accused to be inspected by a Civil Surgeon or another designated medical officer, and then also record the medical officer testimony in writing. If satisfied, then the Court will officially acknowledge the incapacity of the suspect and defer further proceedings in the case. Furthermore, the court's opinion is that whenever there is a determination that whether an accused is incapable of defending himself or not, the trial court should take seriously any notice, whether from an express claim by the accused or from its own observation. This is important to uphold the procedural fairness. The words "reason to believe" and "appears to the Court" in procedural law should be interpreted as a tentative opinion based on an objective assessment of the evidence before the court, not merely subjective impressions.

The court further clarified that even if the parties do not explicitly raise the issue during trial, the court is not precluded from forming its own opinion concerning the competence of the accused to stand trial. This opinion can be informed through the analysis of the accused's conduct and his demeanor, besides any other relevant records and through questioning. However, the court emphasised that a tentative opinion cannot be made solely on such questioning; it must consider all available material objectively (*Mst. Safia Bano v. Home Department, Government of Punjab* 2021).

6. Principles

On the basis of the analysis of the cases as above mentioned, here are the principles which are relevant for the prosecution, courts as well as investigation agencies on mental illness and fitness to stand trial in Pakistani law:

- 6.1. **Presumption of Mental Competence:** Every accused is presumed to be mentally competent to stand trial unless proven otherwise through objective evidence.
- 6.2. **Independent Inquiry Requirement:** The court must independently inquire into the mental fitness of the suspect when there is reason to believe or it appears that he is mentally unfit.
- 6.3. **Mandatory Inquiry:** Courts must investigate mental fitness as mandatory if there is reason to believe accused is mentally unfit. This applies even if the accused does not raise the issue himself.
- 6.4. **Objective Assessment:** The determination of mental fitness should be based on objective assessments, including medical evaluations and court observations, rather than subjective impressions.
- 6.5. **Burden of Proof:** The burden of proof about the mental incompetence lies with the accused, but the court can form its own opinions as well on the basis of available evidence and observations.
- 6.6. **Procedural Fairness:** Court must uphold procedural fairness and due process when it is assessing mental capacity to stand trial; it must ensure that all relevant evidence and assessments are considered in it.
- 6.7. **Role of Medical Experts:** Medical opinions must be integrated with legal standards and considerations in determination of mental fitness.
- 6.8. **Medical Examination:** Qualified professionals must medically examine the accused to assess their fitness to stand trial mentally (Inam et al., 2021). Courts cannot rely solely on their own stance on their own sanity.
- 6.9. **Judicial Discretion:** Courts have discretion to assess the mental state of the accused on the basis of behaviour, demeanour, and other available evidence throughout the trial process.
- 6.10. **Legal vs. Medical Standards:** Legal standards for insanity and mental capacity may differ from medical definitions; courts should try to reconcile these to ensure just decisions in the case.

These principles provide a comprehensive framework in order to understand how Pakistani courts have created jurisprudence for handling cases involving mental illness and the fitness of accused persons to stand trial. They have integrated legal requirements, medical expertise, and procedural safeguards together. These principles ensure both the rights of accused and the pursuit of justice.

7. Recommendations

It is recommended that all stakeholders involved in the CJS must adhere diligently to the above-mentioned principles which have been derived from the landmark cases about the mental illness and fitness to stand trial. This includes prosecution teams, courts, defence lawyers, as well as investigators. Moreover, there is an urgent need for independent legislation that updates legal definitions to cover new mental health disorders effectively (Farrukh & Samejo, 2024). Additionally, comprehensive training programmes should be developed and implemented collaboratively among

all legal professionals, medical experts, and law enforcement agencies. These initiatives are essential to safeguard a fair and equitable application of the law, to uphold human rights standards, and to achieve just decisions in those cases where mental health issues are a factor.

8. Conclusion

In conclusion, this study has meticulously examined the legal procedural requirements which are essential for determination of the fitness of an accused with mental illness to stand trial in the CJS of Pakistan. Through a thorough qualitative analysis of legal statutes, landmark case laws, scholarly articles, and other relevant legal literature, this study has identified key procedural requirements and synthesized the findings into a cohesive set of principles. These principles initiated from the initial presumption of mental competence, the necessity of independent and mandatory inquiries, objective assessments, and concluded on the integration of medical expertise with legal standards. Through adherence to these principles, the CJS can better uphold procedural fairness and can achieve just decision in cases. In the end, this study has also underscored the need for updation of legislation to cover new mental health disorders (Farid et al., 2018) and it is recommended to start comprehensive training for legal and medical professionals. At last, this research contributes in the creation of a more equitable and informed legal environment for the fair trial of accused persons with mental health conditions in Pakistan.

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