

IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI

Bail Petition 16 /4 of 2023.
Date of institution.....14.03.2023.
Date of decision.....14.03.2023


Asad Ijaz Advocate for accused/petitioners
APP for the state

Order.No.01
14.03.2023

Accused Niaz Khan, Malak Mehraban Khan, Azram Khan, Shehbaz Khan, Jamawar Khan and Ali Rehman alias Khalil-ul-Rehman produced in custody by the local police of PS Mishti Mela with request for 03/03 days physical custody of the accused. APP for the state present. Mr. Ijaz Advocate submitted bail petition on the bases of compromise and requested for disposal of the same today. Be registered. Record is before the court. APP for the state conceded the same.

Joint statement of complainant (1st version recorded vide mad No. 9 dated 04.03.2022) Azram Khan and injured Saif Rehman recorded wherein, they stated that they have got no objection on release of accused/petitioners on bail on the bases of compromise. Statement is duly signed by them. Copies of their CNIC's are Ex.PA & Ex.PB. Similarly, statement of injured/complainant (cross version recorded vide Mad No. 10 dated 04.03.2022) namely Noor Nawaz recorded. He also stated that he has got no objection if the accused/petitioners are released on bail or subsequently acquitted. Copy of his CNIC is Ex.PC.

Arguments heard and record perused.


14/03/2023
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

Accused/petitioners namely Niaz Khan, Malak Mehraban Khan, Azram Khan, Shehbaz Khan, Jamawar Khan and Ali Rehman alias Khalil-ul-Rehman are seeking their post arrest bail in FIR No. 04 dated: 27.01.2023 U/S 337 A(i), 337 A(ii), 337 F(i), 337 F(iii), 337 L(ii), 148, 149 PPC, Police Station Mishti Mela, District Orakzai.

Offences u/s 337 A(i), 337 A(ii), 337 F(i), 337 F(iii), 337 L(ii), 148, 149 PPC are compoundable in nature. Parties have affected compromise and have forgiven each other in the name of Almighty Allah. The compromise seems genuine being without force and coercion.

Consequently, application in hand is allowed. Petitioners be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- (fifty thousand) with two sureties each in the like amount to the satisfaction of this court, failing which accused be sent to judicial lock-up and be produced before the court on 28.03.2023. Copy of this order be placed on police as well as judicial record. The record be returned back to IO, while file of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
14.03.2023


Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai