

**IN THE COURT OF ZAHIR KHAN, JUDICIAL MAGISTRATE-I, KALAYA,
ORAKZAI**

Case No..... 6/3 of 2021.

Date of institution.....27.07.2021.

Date of decision.....17.03.2023.


Case FIR No. 09, dated 04.05.2021, U/S 15-AA, PS Mishti Mela

Order No.214
17.03.2023

Constable Muhammad Jamil, Muhammad Younas SHO/complainant, Constable Fazal Hameed and constable Waseem present and their statements recorded as PW-2 to PW-05 respectively. Remaining PWs Constable Abdul Hameed and constable Umar Zaman are witnesses of the same facts as deposed by the above named PWs. Accused is absconding.

Perusal of record shows that accused namely Saood Khan S/O Muhammad Ayub R/O Qoam Sheikhan, village Drand, Orakzai is charged in the above cited case for the commission of the offence U/S 15-AA registered at PS Mishti Mela. Accused was released on bail but during trial he disappeared. Statement of DFC Muhammad Ayub was recorded as per which accused is avoiding his lawful arrest, resultantly, vide order dated 28.02.2023, bail bonds of accused were forfeited to the state and proceedings u/s 512 Cr.PC were initiated accordingly. Separate file for proceedings u/s 514 Cr. PC was opened and maintained. Accused is absconding.

Prosecution was allowed to produce its evidence within the meaning of Section 512 Cr. PC. Prosecution produced 05 witnesses.


17/03/2023
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

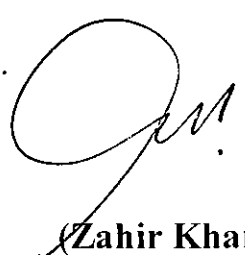
Exhibits:

1. Copy of FIR Ex. PA.
2. Murasila Ex.PW-3/1.
3. Site Plan Ex. PB.
4. Recovery memo Ex.PW-3/2
5. Card of arrest Ex.PW-3/3.
6. Application for Judicial remand Ex.PW-1/1.
7. Entry in relevant register Ex.PW-2/1.
8. Receipt of FSL Ex.PW-1/2
9. Naqal mad No. 6 Ex.PW-1/3.

Keeping in view the available record and statements of PWs, this court is satisfied that a prima facie case exists against the absconding accused named above who is intentionally avoiding his lawful arrest, hence, accused is hereby declared as proclaimed offender. His name be entered in register/list of proclaimed offenders. Perpetual warrant of arrest be issued against him.

Police file be returned while file of this court be consigned to record room after necessary completion and compilation.

Announced.
17.03.2023


(Zahir Khan)
Judicial Magistrate-I,
Tehsil Kalaya, Orakzai