

COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: _____ VS _____

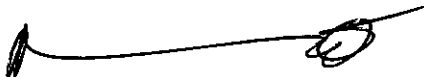
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No 12	28.02.2023	<p>App for the state present.</p> <p>Accused Shafeeq and Tajid on bail present.</p> <p>PWs absent, thus, their salaries are here attached with notice having directions to the pay officer, District Police, Orakzai to stop their salaries and submit compliance report in this court.</p> <p>Notice of pursuance be issued to the complainant for date fixed. ^{and PWs}</p> <p>File be put up for prosecution evidence on 16.03.2023.</p> <p style="text-align: right;">(Rehmat Ullah Wazir) Senior Civil Judge/JM Orakzai (at Baber Mela).</p>
Order No 13	16.03.2023	<p>APP for the state present. Accused Muhammad Shafeeq and Tajid Rehman on bail present while the other 02 accused are exempted from personal appearance. Counsel for the accused also present. Cross-examination of PW-01 recorded today and counsel for the accused submitted an application for acquittal of the accused u/s 249-A Cr.P.C.</p> <p>My this order is to dispose off an application u/s 249-A Cr.P.C. Counsel argued that as the statements of the main PWs in the shape of SHO and Muharrir are recorded and as per the statements of the PWs, there is no probability of the accused being convicted of any offence and the charge is groundless. Further, that there is no site plan available anywhere on the file and the same has not been prepared. Thus, recording further evidence will be a futile exercise and would be result less. At the end requested for the acquittal of the instant accused.</p> <p style="text-align: left;">REHMAT ULLAH WAZIR Senior Civil Judge/JM, Orakzai at Baber Mela</p>

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COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: State VS Muhammad Shafeeq

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Order No 13 Continued	16.03.2023	<p>On the other hand, Learned APP for the state opposed the application and argued that there is sufficient evidence against the instant accused, therefore, the application should not be accepted at this stage.</p> <p>I have heard both the sides and came to the conclusion that admittedly the complainant who appeared today as PW-01 is not eye-witness to the alleged occurrence of firing and further it is admitted that no specific recovery of empties from each of the accused have been shown in the recovery sketch. Also, there is no site plan available on the entire file</p> <p>Thus, in the light of the aforesaid findings, it is established that there is no probability of the accused being convicted of any offence. Therefore, the application in hand is accepted and the accused namely Muhammad Shafeeq, Muhammad Bilal, Izat Khan and Tajid Rehman are acquitted from the charges levelled against them. They are on bail. Their bail bonds stand cancelled and sureties are discharged from the liability of bail bonds.</p> <p><i>Case property be dealt in accordance with the law.</i></p> <p>File be consigned to the record room after its necessary completion and compilation.</p> <p><u>Announced</u> 16.03.2023</p> <p style="text-align: right;"> (Rehmat Ullah Wazir) SCJ/JM, Orakzai (at Baber Mela)</p>