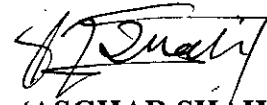


IN THE COURT OF SESSIONS JUDGE, ORAKZAI
AT BABER MELA

SC CASE NO. : 12/2 OF 2020
 DATE OF INSTITUTION : 23.01.2020
 DATE OF DECISION : 27.01.2020
 CASE TITLE : STATE VS SPEEN BADSHAH
 U/S : 302/34 PPC
 FIR NO : 39
 DATED : 27.10.2019
 POLICE STATION : LOWER ORAKZAI KALAYA

Order No. 01
23.01.2020

Complete Challan received from the court of Judicial Magistrate-II, Orakzai. Be entered. Accused Speen Badshah is on bail. He be summoned for the date fixed as 27.01.20.



(ASGHAR SHAH)
Sessions Judge, Orakzai
at Baber Mela

Order No. 02
27.01.2020

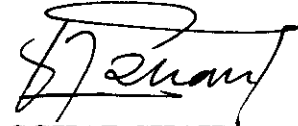
DPP, Umar Niaz present. In the instant case Mst. Balqees Bibi widow of Ghairan Badshah has charged accused facing trial Speen Badshah along with Juvenile accused Haroon Khan for the murder of her husband. During the proceedings of bail before arrest petition no. 31/19 before the court of ASJ-II, Orakzai, compromise was effected between the parties. Complainant, Mst. Balqees Bibi (widow of deceased), Zahir Badshah (Father of deceased), Misbah Ali and Muhammad Zaeem Shah (Elders of the locality) recorded statements before the court of ASJ-II, Orakzai thereby alleging the compromise with the accused facing

trial as well as co-juvenile accused. The deceased was survived besides father and wife by two minor sons namely Shakir Ullah and Faiz Ullah as well as two daughters Mst. Zubia and Aleeza. For share of minors out of Diyat amount landed property measuring 1 kanal 16 marla and five sar sai against the valuation of Rs. 18 lac was transferred in their favour through mutation no. 4233 dated 29.11.2019 at Moza Jarma, District Kohat and one plot situated at Melo Sar, Tirah, District Orakzai. The possession as per admission of the major legal heirs was received to them. In pursuance of the said proceedings the major legal heirs put no objection on the confirmation of bail before arrest petition of the accused as well as upon their acquittal at the time of their trial. Attested copies of the statements of the major legal heirs, elders of the locality, copy of the mutation, description of the plot and compromise proforma along with certificate of elders of locality regarding genuineness of compromise are placed on file as Ex. P1 consist of 12 pages. The compromise is intact besides the offence is compoundable, therefore on the basis of compromise arrived at between the parties at bail stage, the accused Speen Badshah S/O Zahir Badshah is hereby acquitted in absentia U/S 366 (2) of Cr.P.C from the charges levelled against him in case FIR no. 39, Dated 27.10.2019, U/S 302/34 PPC of PS lower Orakzai. Accused is on bail, sureties stand discharged from the liabilities of bail bonds. Case property, if any, be disposed of in accordance with law but after the period provided for the appeal/revision.

Asghar Shah
27.11.20
ASGHAR SHAH
District & Sessions Judge
Orakzai at Mirdan

(2). File be consigned to Sessions Record Room after further necessary completion and compilation.

Announced:
27.01.2020



(ASGHAR SHAH)
Sessions Judge, Orakzai
at Baber Mela

