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**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II/JUSTICE OF
PEACE ORAKZAI AT HANGU**

Anayat Ali Vs SHO & others

Miscellaneous application No.1/19 Of 2019

Date of Institution: 02/05/2019

Date of Decision: 25/05/2019

ORDER
25.05.2019

Counsel for petitioner present. Learned APP for state present.
Jahanzaib Ali s/o Gul Khan, respondent No 3 in person present.

The petitioner Anayat Ali s/o Sabir Ali r/o Dara Mani Khel Kalaya District Lower Orakzai seeks to invoke the jurisdiction of this Court u/s 22-A Cr.P.C for issuing directions to respondents No.1 & 2 for registration of FIR against respondents No 3 and 4.

Brief facts of the case as per contents of the petition submitted under section 22-A Cr.P.C are that the petitioner contended that the marriage ceremony of his daughter is in progress but respondents No 3 and 4 through *GHAG* has stopped the Rukhsati of her daughter whose nikah has been solemnized 15 days ago, that the respondents No 3 and 4 through *GHAG* has enlarged the agonies of the petitioner and they are demanding the hand of his daughter forcibly by making firing in the marriage ceremony of his daughter, that on 29/04/2019 the petitioner submitted an application to DPO Orakzai, however the grievance of the petitioner could not be redressed, that due to the wrongful act of the respondents the rukhsaty of his daughter has been postponed. The petitioner submitted through his application that the DSP Lower Orakzai and SHO Kalaya may be directed to register FIR against respondent No 3 and 4 under the *GHAG* Act and the respondents may be arrested.

Comments/report of the SHO concerned was sought who submitted the same, which was placed on file. The respondents No. 3 and 4 were summoned and on 14/05/2019 respondent No.4 appeared before the court and stated at the bar that he has not committed *GHAG* on the female of the petitioner's family and in future he will also not commit *GHAG* on the daughter of petitioner or any other female of the family of petitioner and if he commits so the petitioner is at liberty to initiate legal proceeding against him and in this respect his statement was recorded in the presence of the petitioner who expressed his satisfaction on the statement of the respondent. Similarly, today respondent No. 3 also appeared before the court and recorded his statement to the effect that he has not committed *GHAG* and in future he will also refrain from such act of *GHAG* on the daughter of petitioner or any other female of the family of petitioner and if he commits so the petitioner is at liberty to initiate legal proceeding against him. After recording the statement of the respondents, the counsel for the petitioner stated at the bar that he is fully satisfied with the statement of respondents No. 3 and 4 recorded before the court and the application under section 22-A Cr.PC may be disposed of accordingly and to this effect his (counsel for the petitioner) statement was also recorded which is placed on file.

The matter has been amicably resolved between the parties. Respondents No. 3 and 4 recorded their statement before the court that they will refrain from any such act of *GHAG* in future. The respondents No.3 and 4 also stated that if in future they commit any such act the petitioner is at liberty to initiate legal proceedings against them. The counsel for the petitioner has also expressed his satisfaction on the statement of respondents and agreed on the disposal of instant petition in the light of statement of respondents No.3 and 4, therefore in view of the statements of the parties

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recorded before the court the instant petition under section 22-A Cr.P.C is disposed of accordingly in the light of the statement of the parties. If the respondents No.3 and 4 violate the undertaking made in their statement before the court, the petitioner is at liberty to knock the door of the court of competent jurisdiction for legal proceedings against them.

File be consigned to District Record Room Hangu after necessary completion and compilation

Announced
25-05-2019



(SHAUKAT ALI)
Additional Sessions Judge-II/
Justice of Peace Orakzai at Hangu