

18

Order No 11 22/12/2020

Present:

Accused Shahbaz Ali on bail with counsel,
Complainant with counsel,
Mr. Javid Iqbal Sr.PP for the state.

Complainant present and examined as PW-02. The counsel for accused submitted application u/s 265-K Cr.PC for the acquittal of accused. Notice of the application given to the prosecution.

Arguments of learned counsels for the parties and learned Sr.PP on the said application heard and record perused.

The accused facing trial was charged by the complainant for the offence of Ghag in respect of his daughter to the affect that the accused is demanding the hands of his daughter and restraining the marriage of his daughter to one Roban Ali to whom she is already engaged. Today the complainant recorded his statement as PW-02 wherein during cross examination the complainant stated that the Nekah of his daughter has been performed with the said Roban Ali and now he has got no objection on the acquittal of accused. The complainant also stated the accused satisfied him and now he does not want to further proceed with the case against the accused.

The FIR was registered on the complaint of present complainant (PW-02) who is the main witness of case and now the complainant does not want to proceed the case against the accused. Furthermore the Nekah of the daughter of complainant has been performed which negates the commission of Ghag by the accused. Furthermore the complainant stated during his cross examination that his daughter did not thumb impressed or verified the report and she does not know the contents of application u/s 22-A Cr.PC.

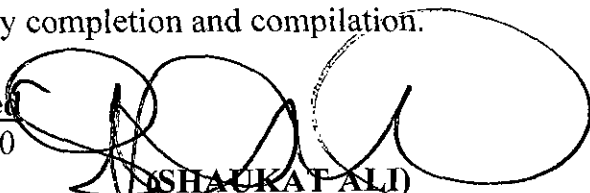
SHAUQAT ALI
Additional District & Sessions Judge
Oratzi at Nangu.

The material witness has been examined and his statement do not connect the accused with the commission of offence and the complainant has no more interested in the case. The accused can be acquitted at any stage of the trial when there is no possibility of the conviction of the accused. In the case against the accused if the remaining prosecution witnesses are examine even then there is no possibility of conviction of accused and the ultimate result would be the acquittal of accused.

In view of the above facts the application u/s 265-K Cr.PC is accepted and the accused facing trial is acquitted from the charges leveled against him. The accused is on bail, his sureties are discharged from the liability of bail bonds.

File be consigned to the record room after its necessary completion and compilation.

Announced
22/12/2020


SHAUKAT ALI
Additional Sessions Judge-II/JC,
Orakzai at Babar Mela