

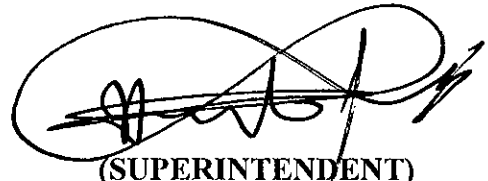
(2)

**IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA**

BA NO. : 77/BA OF 2020  
DATE OF INSTITUTION : 18.08.2020  
DATE OF DECISION : 08-08-2020  
CASE TITLE : MUHAMMAD IBRAHIM VS STATE  
U/S : 302 PPC  
FIR NO : 31  
DATED : 13.08.2020  
POLICE STATION : UPPER ORAKZAI

**Superintendent Note:**

BA application presented through counsel, Sanaullah khan to the office of Superintendent. Be put up before Hon'ble acting Sessions Judge/ Duty Judge, Orakzai, for further orders, please.

  
(SUPERINTENDENT)  
To Sessions Judge,  
Orakzai at Baber Mela.

Or 01  
18-08-2020

Case file of Bail Application received from the office of the Superintendent. Let it be registered.

**Present**

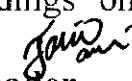
Sana Ullah Khan Advocate for accused/petitioner  
APP Syed Amir Shah for State

Let the record of case be requisitioned through SHO concerned and notice be issued to complainant for 21-08-2020.

  
Jamal Shah Mahsood  
ASJ-I (Acting DSJ), Orakzai

**Note Reader**  
21-08-2020

The court is closed on account of 1<sup>st</sup> Muharram holiday. To come up for previous proceedings on 22-08-2020.

  
Reader  
To ASJ-I, Orakzai

(3)

Or 02  
22-08-2020

**Present:**

Sana Ullah Khan Advocate for accused/petitioner  
APP Syed Aamir Shah for State  
Complainant, Wazir Badshah

∩ The record of the case is not received. Notice be issued  
to SHO concerned for submission of record on next date.

Adjourned for arguments to 26-08-2020.

  
Jamal Shah Mansood  
ASJ-I (Acting DSJ), Orakzai

Or 03  
26-08-2020

**Present:**

Sana Ullah Khan Advocate, for accused/petitioner  
APP Syed Aamir Shah for State  
Record received

∩ The complainant is not an attendance. Let fresh notice be  
issued to complainant for 03-09-2020.

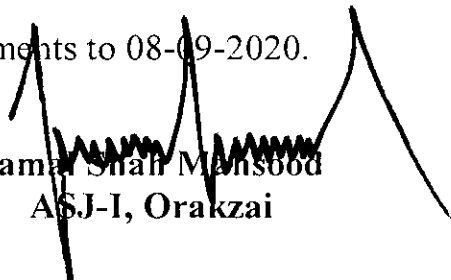
  
Jamal Shah Mansood  
ASJ-I (Acting DSJ), Orakzai

Or 04  
03-09-2020

**Present:**

Sana Ullah Khan Advocate, for accused/petitioner  
APP Syed Aamir Shah for State  
Complainant, Wazir Badshah  
Record received

The counsel for accused/petitioner requested for  
adjournment. Adjourned for arguments to 08-09-2020.

  
Jamal Shah Mansood  
ASJ-I, Orakzai

Or 05  
08-09-2020

**Present:**

Sana Ullah Khan Advocate for accused/petitioner  
APP Nisar Ahmad for the State  
Complainant, Wazir Badshah (father of deceased)  
Muhammad Rafiq (husband) and Taj Bibi (mother), as major  
legal heirs of deceased Armeen Bibi  
Sahibzada Fazal Muhammad and Mir Habib (elders of locality)

Through the instant bail petition accused/petitioner

**Muhammad Ibrahim** s/o Yaghbali Khan, caste Aakhel, village  
Talai, Upper Orakzai; who is charged in case  
**FIR No. 31**, dated 13-08-2020, u/s **302 PPC & 15-KPAA** of **PS**  
Upper Orakzai is seeking **post arrest** bail.

The accused/petitioner is charged for murder of Ms. Armeen  
Bibi. The deceased was wife of a brother of accused/petitioner.  
The bail petition was filed on grounds based on merits and also  
on the ground of compromise.

Today the complainant of the case and the 02 other major  
legal heirs of the deceased appeared in court and submitted the  
proforma affidavit of compromise. The joint statement of the 03  
major legal heirs was recorded in court. They stated that they  
have patched up the matter with the accused and forgiven him in  
the name of Almighty Allah; by waiving their rights of Arsh and  
Daman etc.

The deceased has also left behind 04 minor legal heirs (Safia  
Bibi, Hamsa Bibi, Sami Ullah and Hamza). The husband of  
deceased, being father/wali of the minor legal heirs has  
compounded the offence on behalf of the minors, with the  
condition that the accused/petitioner shall pay the respective  
share in Diyat amount of each minor at the time of trial. The

JAMAL SHAH MAHSUD  
Addl: District & Sessions Judge-I,  
Orakzai at Hangu

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major legal heirs showed no objection on confirmation of instant bail petition. The proforma affidavit is accompanied with a certificate of elder who endorsed the names of legal heirs as correct and also endorsed the compromise as genuine and in best interest of the parties. The affidavit (consisting of 06 pages), copies of CNICs and statement with certificate of elders are placed on file.

The offence is compoundable and the compromise seems to be genuine and in the best interest of the parties. Hence by accepting the compromise the instant bail petition is accepted, for the time being. The accused/petitioner shall deposit the Diyat amount of minors at the time of trial proceedings. In light of compromise, it is directed that the accused/petitioner may be released on bail subject to furnishing bail bonds in sum of Rs.100,000 (one lac), from two sureties each in the like amount, to the satisfaction of this court. Let copy of this order be placed on record and the same be returned to the quarter concerned. Let this file be consigned to record room after its completion and compilation.

**Announced**  
**08-09-2020**

  
Jamal Shah Mansoor  
ASJ-I Orakzai (at Baber Mela)