

**Order No. 16**

22.08.2019

DPP for the state and accused on bail with counsel present.

Accused Fazal Rasheed S/O Muhammad Ghani is charged for the murder of Luqman Khan S/O Bawar Khan through case no. 262 dated 31.01.2019 U/Sec 322 PPC of Lower Orakzai. Today, Bawar Khan father of deceased along with Walayat Khan and Khapir Gul elders of the locality appeared and submitted compromise affidavit Ex. PA, proforma of compromise Ex. PB and certificate pertaining to the genuineness of the compromise and legal heirs of the deceased as Ex. PC. Besides the local commission, Abid Ali advocate submitted his report Ex. PD wherein the statement of Mst. Mehtab Bibi wife of Bawar Khan and mother of deceased Luqman Khan has been recorded as per directions of the court.

The statement of Bawar Khan father of deceased is recorded today in court wherein he deposed that the deceased Luqman Khan was unmarried and except parents Bawar Khan (father) and Mst. Mehtab Bibi (mother) no other legal heirs exist. That he and his wife have effected compromise with the accused facing trial Fazal Rasheed and have forgiven him in the name of Almighty Allah, hence they have got no objection if the court acquits him from the charges leveled against the accused facing trial through the case in hand. The elders of the locality Walayat Khan and Khapir Gul also recorded their joint statement by alleging that they verify the genuineness of the compromise between the parties and legal heirs of deceased besides deposed that the deceased was unmarried having no other legal heirs except parents.

Mr. Abid Ali Advocate was appointed as local commissioner vide this order dated 18.07.2019 for recording the statement of Mst. Mehtab Bibi the mother of deceased Luqman Khan as being parda nasheen lady she was unable to appear in court. Today the local commissioner submitted his report Ex. PD containing the statement of Mst. Mehtab Bibi as Ex. PD/1,


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22/08/19

which statement was recorded at her house after proper identification through CNIC and in presence of her husband Bawar Khan and witnesses Walayat Khan and Khapir Gul. In the statement Mst. Mehtab Bibi has categorically admitted the factum of compromise between the parties and show no objection on the acquittal of accused facing trial on the basis of said compromise. The report of local commissioner is duly signed by the local commissioner. To this effect the separate statement of local commissioner recorded today and placed on file.

Since the offence is compoundable and from the statements recorded, the court is satisfied that a proper and genuine compromise is effected between the parties. Therefore, the compromise is accepted and above named accused facing trial Fazal Rasheed is hereby acquitted from the charges leveled against him through the case in hand. Accused is on bail, his sureties stand discharged from the liabilities of bail bonds. Case property, if any, be disposed off in accordance with law but after the expiry of period provided for appeal/revision.

File be consigned to Sessions Record Room after its completion and compilation.

**Announced:**  
22.08.2019



**(ASGHAR SHAH)**  
Sessions Judge, Orakzai  
At Baber Mela

22/08/19