



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


(B)

Case Title: State VS Mumtaz Khan

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.01	17.05.2023	<p>Case file received from the court of learned Judicial Magistrate-I, Tehsil Kalaya, District Orakzai, after recording evidence u/s 512 Cr.P.C. Register. Case file be put up for arguments on 23.05.2023.</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>
Order No.02	23.05.2023	<p>DPP, Umar Niaz for State present. Accused Mumtaz Ali is absconding. Arguments heard.</p> <p>Accused <b>Mumtaz Khan</b> s/o Khaista Nawab is charged in case FIR No. 35, dated 17.10.2021, u/s 302 PPC of Police Station Kalaya, wherein, as per contents of FIR, the complainant, the father of deceased, on 17.10.2021 at about 08:30 hours in emergency room at DHQ hospital Mishti Mela made a report to the local police to the fact that on that day he (complainant) while driving his motorcar and his son Hafeez Ullah driving motorcar No. SK-892/Islamabad of one, Shakeel in connection of the Barat ceremony of Manaf Khan, the nephew of Shakeel, when reached the spot of occurrence, the accused Mumtaz Khan duly armed already present on the spot, made his (complainant) son Hafeez Ullah stopped who came down from motorcar and made firing</p> <p style="text-align: right;"> Shaukat Ahmad Khan District &amp; Sessions Judge, Orakzai at Baber Mela</p>

FIR no. 35, Dated: 17-10-2021, u/s 302 PPC / 512 Cr.P.C., PS Kalaya

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Contin. Order No.02		<p>at him (deceased), as a result of which he got hit and died on the spot.</p> <p>The accused, despite being proceeded u/s 204 Cr.P.C and 87 Cr.P.C, failed to appear. Hence, he was proceeded u/s 512 Cr.P.C. The court of learned Judicial Magistrate-I, Tehsil Kalaya, District Orakzai, after recording the statements of as many as nine (09) PWs, has sent the file to this court for issuance of perpetual warrant.</p> <p>It is evident from the record that the above-named accused is deliberately avoiding his lawful arrest and there is no likelihood of his arrest in near future; hence, as per record, a prima facie case exists against the absconding accused <b>Mumtaz Khan</b> who is declared proclaimed offender. Perpetual warrant of arrest be issued against him and DPO Orakzai is directed to enter his name in the register of proclaimed offenders. All the legal course be adopted for his arrest and he be brought before the court as and when arrested. Case property be kept intact till final disposal of the case. Consign.</p> <p><b>Pronounced</b> 23.05.2023</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>

