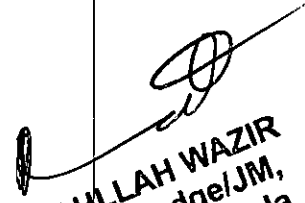


COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: _____ VS _____

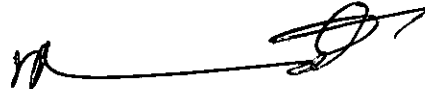
Serial No of order or proceedings	Date of Order- Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No 15	19.04.2023	<p>APP for the state present. Accused Muhammad Kamal on bail present. Counsel for the accused also present. Statements of PW-03 and PW-04 recorded today and counsel for the accused submitted an application for acquittal of the accused u/s 249-A Cr.P.C.</p> <p>My this order is to dispose off an application u/s 249-A Cr.P.C. Counsel for the accused argued that as the statements of the main PWs in the shape of complainant namely Zuilfiqar Ahmad, SDWO, marginal witness namely Ayub Khan, Deputy Ranger Officer, Dr. Muhammad Jehanzeb, Veterinary Officer and Muhammad Ibrahim, Incharge Police Post are recorded. As per the statements of the PWs, there is no probability of the accused being convicted of any offence and the charge is groundless. Further that no recovery of knife and skin/fur of the dead leopard has been effected from the accused. Thus, recording further evidence will be a futile exercise and would be result less. At the end requested for the acquittal of the instant accused.</p> <p>On the other hand, Learned APP for the state opposed the application and argued that there is sufficient evidence against the instant accused, therefore, the application should not be accepted at this stage.</p> <p>I have heard both the sides and came to the conclusion that admittedly the complainant who appeared as PW-01 is not eye-witness to the alleged occurrence of the killing of the leopard and further it is admitted that no</p>


REHMAT ULLAH WAZIR
 Senior Civil Judge/JM,
 Orakzai at Baber Mela

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COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

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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 15 continue	19.04.2023	<p>recovery of knife and skin/fur of the dead leopard has been effected from the accused have been shown in the recovery memo which is the main contention of the prosecution. Further, the exact time of occurrence is not known as per the record. The whole of the allegations are based on hearsay evidence. Also, the source of information to the DFO, Wildlife is not disclosed as per the record.</p> <p>Thus, in the light of the aforesaid findings, it is established that there is no probability of the accused being convicted of any offence. Therefore, the application in hand is accepted and the accused namely Muhammad Kamal s/o Afzal Jamal is acquitted from the charges levelled against him. He is on bail. His bail bonds stand cancelled and sureties are discharged from the liability of bail bonds.</p> <p>File be consigned to the record room after its necessary completion and compilation.</p> <p><u>Announced</u> 19.04.2023</p> <p> (Rehmat Ullah Wazir) SCJ/JM, Orakzai (at Baber Mela)</p>