

Order No. 05
18.12.2020

DPP, Umar Niaz for the state and counsel for the petitioner present. Arguments heard. Record perused.

Petitioner, Gul Jamala earlier requested for the registration of FIR against Habib Ali and Islam Gul as well as against the present respondents for making her forged divorce deed and death certificate in order to deprive her from the pension of her deceased husband. It was submitted that with regard to forged death certificate, the accused have been implicated but the present respondents have not been interrogated who are responsible for making forged divorce deed of the petitioner. Hence, requested for the registration of FIR against the four respondents named in the petition.

Umar Niaz
18/12/20
MUSCHAF SHAH
District Sessions Judge,
Orakzai At Hangu

The SHO in his comments submitted that upon the application of the petitioner, FIR no. 05 dated 23.01.2020 u/s 420/468/471 PPC has been registered in PS Upper Orakzai Ghiljo.

No doubt the FIR has already been registered with regard to the allegations of the petitioner. However, the respondents no. 2 to 4 namely, Muhammad Ashraf s/o Mastan Shah, Syed Haleem s/o Abdul Haleem, Akbar Jaan s/o Hassan Shah and Niaz Muhammad s/o Gul Muhammad against whom the allegations of making forged

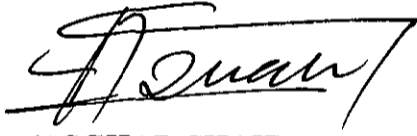
6

divorce deed have been levelled are not impleaded as accused in the above-mentioned FIR which is neglect of functions and duties on the part of investigation under section 22-A 6 (III) of the Cr.P.C.

Therefore, the petition in hand is accepted to the effect that the investigating officer should implead the above-named respondents as accused in the above-mentioned FIR, and thereafter, to proceed in accordance with law. Copy of the order be sent to the SHO/IO of PS Upper Orakzai Ghiljo for compliance of the present order.

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

Announced:
18.12.2020


(ASGHAR SHAH)
Sessions Judge/Justice of Peace,
Orakzai at Baber Mela