

⑥
Order No. 03

15.12.2020

DPP, Umar Niaz for the state present. Accused Muhammad Ibrahim bearing CNIC no. 21602-5478438-5 on bail present. Muhammad Rafiq, father of minors also present and recorded statement to the effect that at the bail stage compromise was affected between the parties and the legal heirs of deceased i.e. parents of deceased including him recorded statements of compromise in the court of ASJ-I, Orakzai whereby all the legal heirs of the deceased shown no objection upon the acquittal of accused facing trial at the trial stage. It was submitted that the compromise is still intact, hence requested for the acquittal of accused facing trial on the basis of said compromise. To this effect, statement recorded and placed on file.

Umar Niaz
15/12/20
ASGHAR SHAH
District & Sessions Judge
Orakzai at Hangroo

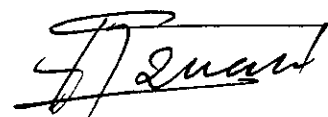
It is worth mentioning that besides the major legal heirs, the deceased Mst. Armeen Bibi is survived by two minor sons namely, Sami Ullah & Hamza and two minor daughters namely, Hamsa and Safia Bibi for which the accused as per direction of the court deposited Rs. 1157230.41/- today in the court. As per notification of diyat for the year 2020-21 total amount of diyat is fixed as Rs. 2777353/- wherein the above-mentioned amount is calculated for the minors. The Accountant of the Sessions is directed to purchase National Saving Certificate in the name of minors, which certificates could be encashed by the minors upon gaining majority. The shares of the minors are as under;

S. no	Name of the minor	Share of the minor	Amount
1	Hamza	5/36	385743.47
2	Sami Ullah	5/36	385743.47
3	Hamsa Bibi	5/72	192871.73
4	Safia Bibi	5/72	192871.73
Total			1157230.41

Section 302 PPC is compoundable, hence the compromise is accepted in the said sections of law and accused facing trial is acquitted accordingly. Whereas for section 15AA the accused requested for the disposal of case. Accordingly, u/s 15AA, the accused facing trial is convicted and sentenced to suffer simple imprisonment till the rising of court. He is also liable to pay fine of Rs. 3000/- failing which the accused shall suffer 07 days simple imprisonment. The 7mm rifle stand confiscated in favour of state. Accused is on bail, his bail bonds stand cancelled and his sureties are discharged from the liabilities of bail bonds.

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

Announced:
15.12.2020



(ASGHAR SHAH)
Sessions Judge, Orakzai
at Baber Mela