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FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

Order 11

31.05.2023

APP for the State present. Accused Beland Khan, Gul Bar Khan and Wali Khan present. Complainant absent despite proper service.

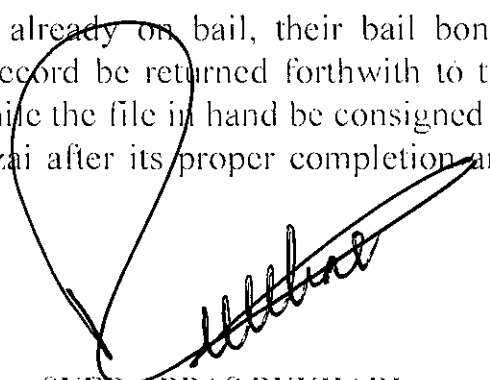
Record reveals that complete challan in the instant case was put in court against accused facing trial on 22.12.2022. However, on perusal of the record it appeared that in the instant case complainant is not appearing before the court since the date of submission of complete challan and several summons/notices have been issued for his attendance, which were returned with the report that complainant was telephonically informed through his personal mobile no. 0306-3970277 and thus he did not appeared before this court despite due personal service. It is also pertinent to mention here that another cross criminal case titled as "State vs Ayub etc" is also pending before this court, wherein the present complainant Malik Jan has been cited as accused. Record of said cross case would further transpire that in the said case prosecution has submitted complete challan u/s 512 Cr.P.C against present complainant and further he has been declared as proclaimed offender by mentioning his name in column no.02 of complete challan.

In light of the above discussion , as the complainant in instant case is not appearing before this court despite personal service, and furthermore, he has been declared proclaimed offender in above referred cross version criminal case, hence in given circumstances, the proceedings in the instant case are hereby stopped under section 249 Cr. P.C. due to non-appearance of complainant. However prosecution is at liberty to re-open the instant case after appearance of complainant, whenever it might be.

As the accused are already on bail, their bail bonds stand intact. Police record be returned forthwith to the quarter concerned while the file in hand be consigned to Record Room, Orakzai after its proper completion and compilation.

Announced:

31.05.2023


SYED ABBAS BUKHARI,
Judicial Magistrate-II,
Tehsil Courts, Kalaya, Orakzai

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IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/C-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

| pSerial 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 09 | 11.05.2023 <i>2</i> <i>11.5.23</i> | <p>APP for the State not available. Accused namely Ayub Khan, Beland Khan and Gul Bar Khan present while accused Gul Raj absent. No one for complainant present. Notice be issued to complainant NBW of arrest previously issued against absent accused, not returned, hence explanation be called from the concerned DFC. Fresh NBW of arrest be issued against accused Gul Raj and notice be issued to his sureties. To come up for formal charge on 19.05.2023.</p> <p><i>[Signature]</i> Syed Abbas Bukhari, Judicial Magistrate-II, Tehsil Courts Kalaya, Orakzai</p> |
| Order 10 | 19.05.2023 <i>2</i> <i>20.5.23</i> | <p>None present for the State. Accused namely Beland Khan, Gul Bar Khan and Wali Khan present while accused Gul Raj absent. Sureties of accused Gul Raj also not present despite proper service. No one for complainant present despite proper service. Fresh notice issued to complainant. Formal charge framed against present accused. NBWA issued against accused Gul Raj, returned with the report that he has gone abroad. NBWA be issued against sureties of accused Gul Raj. Case file adjourned. To come up for appearance of sureties and W/N on behalf of present accused on 31.05.2023.</p> <p><i>[Signature]</i> Syed Abbas Bukhari, Judicial Magistrate-II, Tehsil Courts Kalaya, Orakzai</p> |