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FORM "A"

FORM OF ORDER SHEET

Court of SAYED FAZAL WADOOD, ADDITIONAL DISTRICT & SESSIONS JUDGE, ORAKZAI


Case No. _____ /2 SC of 2023

State _____ vs.... _____ Atta Ullah

Serial No. of Order or Proceeding	Date of Order or Proceeding	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order-02	13-07-2023	<p>Accused Atta Ullah alias Antullah is absconding. Case file received from learned Judicial Magistrate-I, Tehsil Court Kalaya, District Orakzai in capacity of Area Magistrate for Police Station Kalaya, after recording complete evidence except Dr. Osama u/s 512 of the Code of Criminal Procedure, 1898. The Doctor concerned being at Azad Jammu & Kashmir has been examined through video link as PW-13 in today. Evidence has fully been recorded in absentia for the purpose of preservation. Entry of case file has already been made in the relevant Register.</p> <p>Accused, Atta Ullah alias Antullah is charged in case FIR No. 42, dated 30.04.2022, registered u/s 302 of Pakistan Penal Code, 1860 at Police Station Kalaya. The story of FIR speaks that accused Atta Ullah alias Antullah has allegedly committed murder of Chaman Khan. The absconding accused named above has been charged for commission of the offence of murder of deceased Chaman Gul.</p> <p>The absconding accused, despite being proceeded u/s 204 of the Code of Criminal Procedure, 1898 read with Section 87, failed to put appearance. Hence, he was proceeded u/s 512 of the Code of Criminal Procedure, 1898. The Court of learned Judicial Magistrate, after recording the statements of as many as thirteen (13) PWs, has sent the file to the court of Hon'ble the District & Sessions Judge, Orakzai for</p> <p>issuance of perpetual warrant, which was entrusted to this Court.</p> <p>It is evident from the record that the above-named accused is deliberately avoiding his lawful arrest and there is no probability of his</p>

SAYED FAZAL WADOOD
Addl. District & Sessions Judge
Orakzai at Hangu

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		<p>arrest in near future; hence, as per record, a prima facie case exists against the absconding accused, against whom, evidence is preserved. He is being declared proclaimed offender. Evidence recorded in absentia can be offered in the trial against the accused if the witnesses so examined were unavailable, incapable or where their attendance could not be procured conveniently.</p> <p>Perpetual warrant of arrest be issued against Atta Ullah alias Antullah. District Police Officer, 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. File be consigned to District Record Room after necessary completion and compilation within span allowed for.</p> <p><u>Announced</u> 13.07.2023</p> <p> Sayed Fazal Wadood, AD&SJ, Orakzai at Baber Mela</p>