

4

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

Case Title: State **VS** Abudur Raziq and others

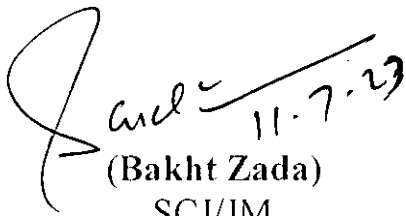
Order No 02 continued	11.07.2023	<p>Abdul Manan were busy in negotiations in connection with the bazar committee members report vide Madd No. 09, Dated: 12.04.2023, meanwhile, Abdul Raziq s/o Zahir Shah, Qudoos Khan s/o Zahir Shah, Muhammad Karim Chairman s/o Mula Rahil Khan, Momin Khan s/o Hewa Khan, Ismail s/o Unknown, Cast Sheikhan along with 7/8 unknown persons came to PS. I signaled them to stop but instead they tried to break the gate in order to enter the PS. When the gate was opened and they were asked for body search, they refused to give search and made attempt to enter the PS forcefully. I made attempt to stop them but Abur Raziq s/o Zahir Shah pushed me and gave threats of dire consequences. He made abusive language and called the other companions to make stoning at the PS. They also. They also made slogans against the police and prepared illegal video. I charged the above mentioned accused for the offence.</p> <p>After hearing of arguments and perusal of the record it is found that no specific role has been attributed to any of the accused. The complainant has categorically stated during cross-examination that he has not recognized and identified the accused at the spot and later on their names were disclosed by other people before him. No confession and admission has been made by the accused petitioners. No incriminating recovery has been made. The occurrence has taken place in the PS where many responsible officers were present, but instead of reporting the matter themselves they have made the present complainant who is constable in the PS. Furthermore, the presence of other officials of the PS as eye-witnesses of the occurrence has</p>
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Amir
11.7.23
BAKHT ZADA
Senior Civil Judge/JM
Orakzai at Baber Mela

15

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<p>Order No 02 continued</p>	<p>11.07.2023</p>	<p>also not been mentioned in the report. Last, but not the least the complainant has categorically stated during his cross-examination that the matter has been patched up by him with the accused petitioners in presence of the SHO concerned and in this connection, he also submitted a written compromise deed which is placed on file as Ex.PB, while copy of CNIC is placed on file as Ex.PA.</p> <p>In view of the above facts and circumstances, there is no chance for prosecution to bring home charges against the accused even if statements of all the remaining PWs are recorded. I therefore accept the instant application u/s 249-A Cr.P.C and acquit all the accused facing trial/petitioners from the charges levelled against them. They are on bail. Their bail bonds stand cancelled and sureties are discharged from the liability of bail bonds.</p> <p>Case property if any be kept intact till expiry of the period provided for revision/appeal under the law.</p> <p>File be consigned to record room after necessary completion.</p> <p><u>Announced</u> 11.07.2023</p> <p> (Bakht Zada) SCJ/JM, Orakzai (at Baber Mela)</p>
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