

Or.....10
22.12.2020

APP for the state present. Accused on bail, alongwith their counsel present. Complainant in person present.

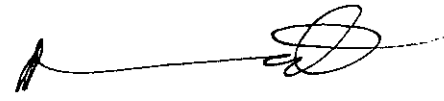
My this order is to dispose off application u/s 249-A Cr.P.C. Counsel for the accused present and argued that although, evidence in the present case has been recorded by this court but now, the accused and complainant party have entered into compromise and the complainant do not want to charge the accused facing trial and in this respect, the lady complainant has also produced affidavit Ex.PA before the court, in which she categorically stated that she do not want to pursue the present case anymore and she have got no objection on the acquittal of the accused as the matter has been already patched up with the accused facing trial. Moreover, the compromise is genuine and in the best interest of both the parties.

On the other hand, Learned APP for the stated opposed the application and argued that the offence u/s 506 and 354 PPC are not compoundable, therefore, the application should not be accepted at this stage.

I have heard both the sides and came to the conclusion that although, the offences u/s 506 and 354 PPC are not compoundable but, the statement of lady complainant regarding not charging the accused and lack of interest in prosecution of accused by the lady complainant is sufficient for acquittal of the accused. Furthermore, the lady complainant produced one Naseer Hussain who has only verified the report of the complainant and not deposed as an eye-witness of the occurrence. Thus, in the best interest of justice and both the parties, the application in hand is accepted and the accused are acquitted 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.

File be cosigned to the record room after its necessary completion and compilation.

Announced
22.12.2020


(Rehmat Ullah Wazir)
JM-I/MTMC,
Orakzai (at Baber Mela)