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IN THE COURT OF MUHAMMAD IMTIAZ JM-II/MTMC, ORAKZAI
AT BABER MELA HANGU

CASE FIR NO. 46, DATED 07.12.2019, U/S 325 PPC, 15AA KP POLICE
STATION KALAYA LOWER ORAKZAI
STATE-VS-MUSHIR ABBAS

ORDER-01
27.02.2020

*APP Amir Shah for the state
Accused in person present.
Complete challan submitted through prosecution
Case file be registered in the relevant register*

- (1)- Brief facts of the case are that Accused namely "Mushir Abbas" S/O Syed Muhammad Shahid R/O Tribe Stori Khel, Sub-Tribe Baba Nawasi, Village Shamar, Lower Orakzai is charged in case FIR no. 46, dated: 07.12.2019, U/S 325 PPC and 15AA KP, Police station Kalaya, Lower Orakzai for an attempt to commit suicide.
- (2)- Today, accused submitted an application wherein, he requested that his case be decided on basis of his pleading guilty. To this effect his statement was recorded wherein he has admitted his guilt. A Show cause notice u/s 243 Cr.P.C was served upon accused to show as to why he should not be convicted under the relevant sections of law. To this notice, he replied that he is a first offender and committed an offence due to the financial constraints. He is repentant. He requested for court mercy.
- (3)- Accused is also medically in bad condition as under-signed seen today by himself. Taking these considerations in mind the accused is entitled to be dealt with leniency.
- (4)- Therefore, considering all the facts of the case; the accused **Mushir Abbas** is **convicted** under section 325 PPC and 15AA KP; but in order that the accused may be reformed and he became a useful citizen of state, instead of serving any term of imprisonment, it is directed that he be released on **probation** for a terms of **one year**. The accused is also liable to pay a fine of Rs.1000/- (Rs. 500+500). The accused paid the fine in court today.

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Continued...

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- (5)- The accused/convict is directed to submit before the Probation Officer of District Orakzai surety bonds from two local and reliable sureties in the sum of Rs. 100,000/- each to the satisfaction of Probation Officer, Orakzai today.
- (6)- The convict shall also submit an undertaking to the Probation Officer to the effect that he would remain peaceful, law abiding, civic and a beneficial citizen of the country and that he would follow all instructions given by the probation officer from time to time. In case of any violation of these terms or any adverse complaint against the accused by the Probation Officer, this probation order shall stand revoked and the convict would become liable to undergo imprisonment of suitable term. Copy of this order shall also be sent to Probation Officer for further necessary action.
- (7)- Case property (Pistol 30-Bore number AM5072) along with four live bullets stands confiscated to the state. File be consigned to record room after necessary completion and compilation.

Announced:

27.02.2020

Muhammad Imtiaz
Civil Judge/JM-II
Orakzai (Pat 6/2020)
(MUHAMMAD IMTIAZ)
JM-II/MTMC, Orakzai at
Baber Mela