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STATE VS SAFEEN ASGHAR
FIR No. 25, Dated 22.11.2022, u/s 279/337-G/427/322/320 PPC,
Police Station-Ghiljo

Serial 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 No.12	04.09.2023	<p>DPP, Umar Niaz for the State present. Accused Safeen Asghar on bail present. NBWA issued against the accused and his sureties stand cancelled. Complainant Taja Khan also present. Mst. Misal Bibi, the widow of deceased and Abdul Nazir, the son of deceased present in person. The complainant as well as the widow and the son of deceased stated before the court that the accused facing trial has satisfied them regarding his innocence, that the occurrence was a mere accident in which the accused facing trial has also received injuries; therefore, they are not going to proceed with the case and charge the accused for the commission of offence and that they have got no objection upon acquittal of the accused facing trial. To this effect, joint statement of both the widow and the son of deceased recorded and placed on file. Statement of complainant also recorded wherein he also stated that he has got no objection upon acquittal of the accused as the occurrence was a mere accident.</p> <p>I heard arguments and perused the record.</p> <p>Perusal of case file shows that the accused facing trial is charged vide case FIR No. 25, dated 22.11.2022, u/s 279/337-G/427/322/320 PPC of Police Station Ghiljo and the matter has been reported to the local police by the complainant to the fact that on 22.11.2022 at about 1530 hours he (complainant) along with Noroz Khan (deceased) riding a motorcycle on way towards Ghiljo when reached the place of occurrence, a motorcycle riding by accused facing trial driving harshly and negligently collided with his (complainant) motorcycle, as a result of which complainant and Noroz Khan received injuries. Later on, Noroz Khan succumbed to his injuries and died.</p>

Shaukat Ahmad Khan
District & Sessions Judge
Orakzai at Baber Mela
22/09/23

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Contin. Order No.12		<p>After completion of investigation, complete challan was submitted for trial. Accused and LR's of deceased were summoned. Complainant was issued notice. Accordingly, complainant, the widow and the son of deceased attended the court.</p> <p>As mentioned above, the complainant, who is the only eyewitness of prosecution, is not going to proceed with the case. Similarly, the LR's of deceased are also not interested to pursue the case. In these circumstances, there are no grounds to frame charge against the accused.</p> <p>Hence, accused namely, Safeen Asghar is discharged of the offences. Accused is on bail. His bail bonds stand cancelled and his sureties are discharged of the liabilities of the bail bonds. Case property be disposed of in accordance with law after the period of appeal/revision. Consign.</p> <p>Pronounced: 04.09.2023</p> <p> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>

