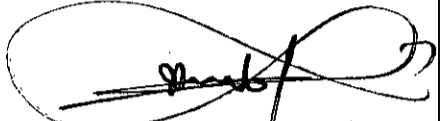


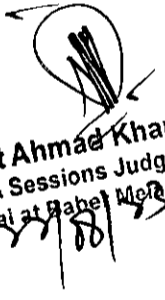


**IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA**

**Case Title: Muhammad Hammas etc VS State**

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
<p><b>Superintendent Note</b></p>	<p><b>18.08.2023</b></p>	<p>Revision Petition presented through representative of counsel, Farman Ali Khan Advocate to the office of Superintendent. Be put up before Honorable Sessions Judge/ Duty Judge, Orakzai, for further orders, please.</p> <p style="text-align: right;">   <b>(SUPERINTENDENT)</b>            To District &amp; Sessions Judge,            Orakzai at Baber Mela.         </p>
<p><b>Order No.01</b></p>	<p>18.08.2023</p>	<p>Register. Case file be put up for preliminary arguments on 22.08.2023.</p> <p style="text-align: right;">   <b>(SHAUKAT AHMAD KHAN)</b>            Sessions Judge, Orakzai            at Baber Mela         </p>
<p><b>Order No.02</b></p>	<p>22.08.2023</p>	<p>DPP, Umar Niaz for the State present. Petitioners/accused Muhammad Hamas and Luqman along with their counsel present. Preliminary arguments heard.</p> <p>The petitioners/accused are charged in case FIR No. 06, dated 31.01.2023, u/s 420/468/471/34 PPC of Police Station Mishti Mela, for the allegations that the accused/petitioners applied for admission in MBBS to Khyber Medical University against the reserved seats of District Orakzai on the basis of Domicile No. 52709 of 01.03.2014 and Domicile No. 52664 of 08.01.2014 respectively both of District Orakzai, which on verification from the Deputy Commissioner concerned, were found forged.</p> <p>They are facing trial for the aforementioned offences in the court of learned Judicial Magistrate-I, Tehsil Kalaya.</p>


  
**Shaukat Ahmad Khan**  
 District & Sessions Judge,  
 Orakzai Baber Mela

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
Contin. Order No.02	 Shaukat Ahmae Khan District & Sessions Judge, Orakzai at Baber Mela	<p>The petitioners/accused through application before the court of learned trial court sought the transfer of the case from the court of learned Judicial Magistrate-I, Tehsil Kalaya to the court of Judicial Magistrate/Juvenile Court at Baber Mela, Hangu on the ground, that both the petitioners/accused are juvenile and they are to be tried by the Juvenile court constituted under section 4 of the Juvenile Justice System Act, 2018 and as the court of Judicial Magistrate-I, Tehsil Kalaya has not been designated so under the ibid provision of law; therefore, it may be sent to the court of Judicial Magistrate at Baber Mela, Hangu empowered as Juvenile court under the ibid provision of law.</p> <p>The application of the petitioners/accused was turned down vide impugned order; hence, the present revision petition.</p> <p>I heard preliminary arguments of the learned counsel for petitioners/accused and perused the available material on file.</p> <p>As per contents of revision petition, the petitioners/accused besides the aforementioned ground have also pleaded that the petitioners/accused being students and being hailing from a far-flung area of District Bannu cannot attend the court of learned Judicial Magistrate-I, Tehsil Kalaya on each and every date of hearing; therefore, the trial of the petitioners/accused may be transferred from the court of Judicial Magistrate-I, Tehsil Kalaya to the court of Judicial Magistrate at Baber Mela, Hangu.</p> <p>With respect to the plea of the petitioners/accused regarding facing hardship and attending the court of learned Judicial Magistrate-I, Tehsil Kalaya, this court</p>

**IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA**

④

Case Title: Muhammad Hammam etc. VS State

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
<p><b>Contin. Order No.02</b></p>		<p>has already turned down the application of petitioners/accused for transfer of their trial from the court of Judicial Magistrate-I, Tehsil Kalaya to the court of learned Judicial Magistrate at Baber Mela vide order dated 13.06.2023.</p> <p>With respect to the plea of petitioners/accused to be tried by the court of Juvenile Court at Baber Mela, all the Judicial Magistrates of 1st Class of the Khyber Pakhtunkhwa have been designated and empowered to act as Juvenile Court vide notification dated 29<sup>th</sup> January of 2019 of the Government of Khyber Pakhtunkhwa. When the learned counsel for petitioners/accused was confronted with the aforementioned order of this court and notification of the Government of Khyber Pakhtunkhwa, he could not rebut the same and conceded the points.</p> <p>Hence, in view of what is discussed above, the instant revision petition is dismissed in limini. Case file be consigned to record room. Copy of this order be sent to learned Judicial Magistrate-I, Tehsil Kalaya for information.</p> <p><b>Pronounced:</b> 22.08.2023</p> <div align="right" data-bbox="974 1846 1396 2159">   <b>(SHAUKAT AHMAD KHAN)</b>                      Sessions Judge, Orakzai                      at Baber Mela                 </div>

