

**IN THE COURT OF ZAHIR KHAN JUDICIAL
MAGISTRATE-I, TEHSIL KALAYA, DISTRICT ORAKZAI**

Case No63/2 of 2023.

Date of institution.....12.09.2023.

Date of decision.....10.10.2023.

Case FIR No. 113 Dated: 15.09.2023 U/S: 392/34 PPC. Police Station: Kalaya, Lower
Orakzai

State Vs Syed Irtiza Hassan

Order No.04
10.10.2023

APP for the state present. Accused Syed Irtiza produced in custody. Mr. Sana Ullah Advocate counsel for accused/petitioner present. Complainant Muhammad Ali shah present. Statement of complainant recorded as PW-01. He produced compromise deed as Ex.PW-1/1.

APP for the state submitted application for withdrawal of the case u/s 494 Cr.PC due to deficient evidence and lack of interest of complainant in prosecution of the accused. Arguments heard and record gone through.

Record shows that complainant namely Muhammad Ali Shah has charged accused facing trial Syed Irtiza Hassan along with acquitted co-accused Naveed Ali for snatching his motorcycle forcibly and on gun point.



10/10/23

ZAHIR KHAN
Civil Judge
Kalaya Orakzai

Record shows that allegations of snatching motorcycle have been leveled against accused facing trial and acquitted co-accused named above. The alleged occurrence took place on 08.09.2021 and FIR was registered on 15.09.2021. There is delay in registration of FIR. Complainant has patched up the matter with accused facing trial as a result of jirga which is a strong source of resolving disputes both criminal and civil in the Newly Merged Districts. He has got no objection on acquittal of accused. Complainant is not interested in prosecution of the case. Complainant produced original compromise deed which is Ex.PW-1/1. Co-accused has already been acquitted. Accused has not confessed his guilt before the court.

Keeping in view the available record, application for withdrawal of the case U/S 494 Cr.PC is accepted and accused Syed Irtiza nominated in FIR stand acquitted in the instant case. Accused Syed Irtiza Hassan is in custody. He be released if not required in any other case. Case property, if any be dealt with in accordance with law.

File be consigned to record room after necessary completion and compilation.

ANNOUNCED
10.10.2023



Zahir Khan
JMIC-I, Tehsil Kalaya, Orakzai