

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUSTICE OF PEACE**  
**ORAKZAI, AT BABAR MELA**

**Cr. Miscellaneous Application No.3/4 Of 2021**

Raza Ali vs SHO etc

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.3	04/10/2021	<p>Petitioner Raza Ali through counsel and Mr. Amir Shah APP for the State are in attendance. Arguments have already been heard; whereas, this is the disposal of petition submitted under Section 22-A of the Code of Criminal Procedure, 1898.</p> <p>2. Petitioner Raza Ali son of Azmeen Ali resident of Dorankay of District Orakzai reported the incident of physical assault emerged out of the quarreling kids; wherein, petitioner along with two ladies have sustained injuries. This report was reduced into madd No. 8 dated 10-08-2021 by local police of PS Kalaya. The above referred daily diary was not converted into FIR that obliged petitioner to knock the door of Court in petition under Section 22-A of the Criminal Procedure Code 1898.</p> <p>3. Comments of Station House Officer of Police Station Kalaya, Orakzai have been received and learned counsel for petitioner as well as APP for State have been heard at length.</p> <p>4. Record available on file reflects that the incident reported by the present petitioner to local police has already been reflected in FIR bearing No. 100 dated 10-08-2021 under section 302-324/34 of the Pakistan Penal Code 1860. Despite registration of the case, the madd No.8 dated 10-08-2021 was proceeded with by the local police and finally</p>

**OMER FAZAL WADOOD**  
Additional Sessions Judge  
Orakzai at Hangu

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ignored it when investigated phenomena did not support its contents. The medical evidence annexed with the petition is not supporting the contents of application. The registration of FIR bearing No. 100 dated: 10/08/2021 against the petitioner by complainant is another ground that may be attracted for holding presentation of application as counter blast. It is settled notion of the Law that Court is not supposed to shut his eyes from other aspects of the case and to pass order for registration of case on a false report of any complainant. Mala fide of the complainant is floating on the record and exercise of power under Section of 22-A of the Code of Criminal Procedure of 1898 would be an exercise in aid of injustice which is strictly forbidden.

5. For what has been discussed above, the petitioner has failed to disclose information regarding cognizable offence; therefore, application stands dismissed. File be consigned to District Record Room after necessary completion and compilation within span allowed for.

Announced in open Court  
04-10-2021



Sayed Fazal Wadood,  
AD&SJ, Orakzai at Baber Mela