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Court of Additional Sessions Judge, Orakzai at Baber Mela

Case Title State vs Muhammad Amir et.

Case No. 1/22 of 2022
Institution Date: 18.01.2022
Decision Date: 28.01.2022

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
Order	28-01-2022	<p>Accused/petitioner on bail present; complainant in person and Mr. Amir Shah APP for State are in attendance.</p> <p>2. This order is intended to disposed of application for the discharge of the accused u/s 4 (C) (ii) of the Prosecution Act 2005 read with section 494 Cr.PC submitted by the District Public Prosecutor Orakzai for discharge of accused named above in case FIR No. 24 Dated 17-08-2021 u/s-3/4 Ghagg Act, 2013 KPK of PS Mishti Mela Orakzai.</p> <p>3. Brief facts of the case is that; the complainant submitted an application to the local police wherein he contended that his daughter Mst. Israj Bibi had been engaged to one Shahid s/o Shaheen Gul; that now, the accused have restrained her marriage through Ghag. The second daughter of the complainant was also subjected to Ghag and resultantly was restrained from entering into social contract of marriage. No action was taken by the local police upon the same application. Thereafter the complainant submitted an application U/S 22-A Criminal Procedure Code 1898 before the court for registration of criminal case against the accused. Consequently, the application was accepted and case was registered U/S 3/4 KP Ghag Act, 2013 against the accused.</p> <p>4. The case was investigated and after completion of investigation, the IO submitted the case file to the SHO</p>


SAYED FAZAL WADOOD
 Addl. District & Sessions Judge
 Orakzai at Margu

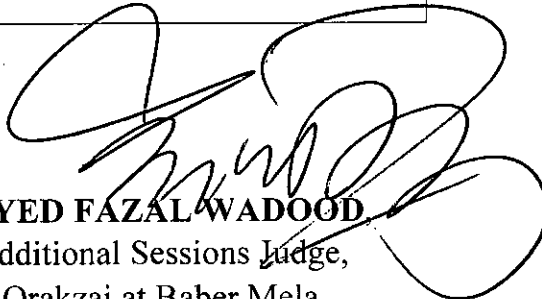
for submission of complete challan who submitted complete challan against the accused for trial and trial has been commenced.

5. Qadar Khan son of Wilayat Khan is before the Court who stated that with the intervention of the elders of locality, the matter of Ghag of his daughters has already been patched up and he is no more interested in the prosecution of case. He added that, he has got no objection on acquittal of all the accused.

6. In emerging situation, the District Public Prosecutor submitted an application for the discharge of the accused u/s 4-C(ii) of the KP Prosecution Act 2005 read with section 494 of Criminal Procedure Code 1898 on the basis of lacking of evidence.

7. In circumstances, application stands allowed. Resultantly, the accused including absconding accused are discharged in the instant case from the charges levelled against them. The accused are on bail, their sureties are discharged from the liability of bail bonds. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

8. Announced in open Court.


SAYED FAZAL WADOOD
Additional Sessions Judge,
Orakzai at Baber Mela