

IN THE COURT OF SHAUKAT AHMAD KHAN
SESSIONS JUDGE/JUSTICE OF PEACE, ORAKZAI
(AT BABER MELA)

22-A CASE NO. : 2/4 OF 2022
DATE OF INSTITUTION : 22.01.2022
DATE OF DECISION : 29.01.2022

HAMISH GUL S/O LAL MAT SHAH, R/O CASTE STORI KHEL,
TAPA MALA KHEL, TEHSIL LOWER, DISTRICT ORAKZAI

.....(PETITIONER)

-VERSUS-

1. STATE THROUGH SHO POLICE STATION KALAYA
2. FOREST OFFICER, DISTRICT ORAKZAI
3. GUL MALOOK S/O LAIR KHAN
4. ASLAM S/O GUL MALOOK
5. NAQEEB ULLAH S/O GUL MALOOK
6. POLICE KHAN S/O NAZRAB SHAH
7. JAPAN S/O POLICE KHAN
8. GUL SHER S/O POLICE KHAN
9. HAWAS GUL S/O MIWA GUL

..... (RESPONDENTS)

Present: Altaf Hussain Advocate for petitioner
U/S: 22-A Cr.P.C.

ORDER
29.01.2022

The above-named petitioner seeks registration of FIR against respondents 3 to 9 for the allegations that the land and adjacent forest situated at village Toll Tangi is the ownership of complainant and villagers of Toll Tangi while the respondents Gul Malook & others have cut trees of forest while making over there and that they have also intimidated the complainant, that he approached the DC Orakzai through a written complaint which was marked to local police but no action was taken, hence the present petition.

(2). Comments of the concerned SHO and Forest Officer were called, who accordingly submitted their reports which

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are placed on file. I heard arguments and perused the available record.

(3). The law on the point as laid down u/s 154/155 Cr.P.C is, that the SHO concerned, on receipt of information/complaint regarding the commission of offence, is bound to enter the substance of the complaint on the roll of prescribed register and proceed with the case further. In the instant case, as per comments furnished by the SHO concerned, the petitioner has not made any complaint to the SHO; therefore, let the petitioner first avail the remedy available to him, and if his grievance is not addressed, he may approach this forum.

(4). Hence, in the view of what is discussed above, petition in hand is disposed of with the directions to the petitioner to approach the SHO concerned for redressal of his grievance. Needless to mention here that the SHO is bound to register the FIR if the contents of complaint constitute a cognizable offence. Consign.


Pronounced
29.01.2022


SHAUKAT AHMAD KHAN
Sessions Judge/Justice of Peace,
Orakzai at Baber Mela

CERTIFICATE

Certified that this judgment consists of two (02) pages. Each page has been read, corrected wherever necessary and signed by me.

Dated: 29.01.2022


SHAUKAT AHMAD KHAN
Sessions Judge/Justice of Peace,
Orakzai at Baber Mela