

Court of Additional Sessions Judge, Orakzai at Baber MelaCase Title State vs Anwar Khan etc

Case No. 4/3 of 2022

Institution Date: 16.02.2022

Decision Date: 25.02.2022

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-03	25-02-2022	<p>Accused Anwar Khan son of Shumal Khan, Rehmat Ullah son of Ilyas Khan and Habib Anwar son of Anwar Khan on bail present and represented accused Ali Khan who has been exempted today being ill; complainant in person and Sr.PP Javid Akhtar Wazir for State are in attendance.</p> <p>2. This order is intended to dispose of application for the discharge of the accused u/s 4 (C) (ii) of the Prosecution Act 2005 read with Section 494 of the Criminal Procedure Code, 1898, submitted by the District Public Prosecutor Orakzai for discharge of accused named above in case FIR No. 04 Dated 04-01-2022 u/s-3/4 Ghagg Act, 2013 KPK of PS Kalaya Lower Orakzai.</p> <p>3. Brief facts of the case are such that; the complainant has charged accused for restraining marriage of his sister through the medium of Ghagg. The accusation has been based for bringing criminal law into motion; thus, the present case was registered.</p> <p>4. The case was investigated and after completion of investigation, the IO submitted the case file to the SHO for submission of complete challan who submitted complete challan against the accused for trial and trial has been commenced.</p> <p>5. Syed Muhammad son of Noor Hassan is before the Court who stated that with the intervention of the elders of locality, the matter of Ghag of his sister has</p>

  
**SAYED FAZAL WADOOD**  
 Addl: District & Sessions Judge  
 Orakzai at Hangu

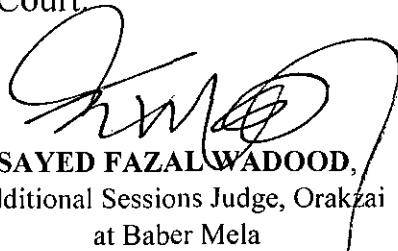
(4)

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 accused exempted are discharged in 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.

8. Announced in open Court.

  
**SAYED FAZAL WADOOD,**  
Additional Sessions Judge, Orakzai  
at Baber Mela