

Order-09
25/02/2022

APP for the state present.

Complainant absent.

Instant final report was submitted with the request to abate the proceedings against the accused being innocent due to non-availability of evidence against him.

Perusal of the record reveals that the complainant reported the matter at PS to the effect that she is working as LHV in RHC Hospital Dabori and is residing in official accommodation at hospital while Safar Khan is working as technician in the said hospital, who used to regularly visiting her room due to relationship of mutual trust. That 09 tolas gold ornaments and cash amount Rs.30,000/- belonging to the complainant were lying in the cupboard of her room and the same were in knowledge of Safar Khan (accused). That on 02.06.2021, the same gold ornaments and cash were found missing. She inquired Safar Khan about missing of gold and cash. On which he got confused and showed his ignorance about the occurrence but later on stated that the said gold and cash would be handed over to her but till date neither the gold nor cash amount were handed over to her. Hence, after due satisfaction she charge accused Safar Khan for the commission of offence. On the basis of such report, FIR was registered against the accused.

From the contents of FIR, it is evident that complainant herself has not seen the accused while committing the offence. Similarly, no any other eye witness is available who has seen the accused while committing the offence. Moreover, no recovery of stolen property has been affected from the possession

FARUKH ULLAH
Senior Civil Judge
Orakzai at Baber Tola

25.02.22.

(Not)

of accused. Furthermore, as per final report the complainant did not cooperate during course of investigation. Even after submission of final report/challan, the complainant was also repeatedly noticed by this court but she did not appear before the court inspite of personal service. As no evidence at present is available on file to connect the accused in the commission of offence and the IO has also held him innocence, hence by accepting the request of prosecution, the accused is hereby discharged from the charges leveled against him.

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

Order announced

25.02.2022

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
Farmanullah
Senior Civil Judge/JM,
Orakzai at Baber Mela.