

(4)

IN THE COURT OF ZAHIR KHAN,  
JUDICIAL MAGISTRATE, TEHSIL KALAYA, ORAKZAI  
Case No. 50/2 of 2021  
Case FIR No. 109 Dated: 08.10.2020 U/S 186/188/148/149 PPC  
PS Kalaya

Order. 07  
07.06.2022

APP for the state present. Accused Malak Mohib Ali on bail present. Rest of the accused absent. Arguments heard and record gone through.

Perusal of record shows that accused were charged for obstructing public servant in discharge of public function and disobedience to order duly promulgated by public servant by leading a procession. After completion of investigation, cancelation report was forwarded to the court which was not agreed with by the learned predecessor of the undersigned. Accused are placed in column no. 2 of the final report.

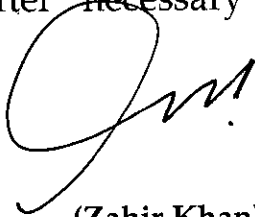
Record would show that accused were not arrested at the spot. Source of information regarding involvement of accused in commission of the offence has not been disclosed. There is no independent eye witness to the occurrence. There is no order of competent authority which has been allegedly violated by the accused. Furthermore, prosecution had also requested for cancelation of the case by forwarding cancelation report.

There is no chance of accused being convicted. Further proceedings would be a futile exercise and wastage of precious time of the court, therefore, accused are acquitted U/S 249-A Cr. P.C.

Case property, if any, be dealt with in accordance will law.

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

Announced.  
07.06.2022

  
(Zahir Khan)  
Judicial Magistrate,  
Tehsil Kalaya, Orakzai