



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/EX-OFFICIO JUSTICE OF
PEACE ORAKZAI, AT BABAR MELA**

Cr. Miscellaneous Application No.13/4 Of 2022

Hidayat Ali vs SHO etc.

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
1	2	3
Order	02.07.2022	<p>Petitioner in person and Mr. Zubair APP for the State are in attendance. Arguments have already been heard; whereas, this is the disposal of petition submitted under Section 22-A of the Code of Criminal Procedure, 1898.</p> <p>2. Petitioner Hidayat Ali son of Ahmad Ali resident of Qaum Bar Muhammad Khel, Tappa Khudaid Khel, Kada Bazar, District Orakzai and reportedly running the business of sale purchase of livestock. It was 26-03-2022 when he was travelling with his friend Hayat Khan Afridi on Motorcycle for purchase of some cattle in Mishti Mela. On 09:50 AM, Jannat Noor has intercepted him in patrol pump and leaded him towards his home by use of criminal force. The brother of petitioner and his friend approached local police. Additional SHO Akhtar Munir alongwith other police personnel reached to the spot and recovered the petitioner. Local police have been told that 5 lacs of rupees and 2 mobile phones have been snatched by Jannat Noor. The petitioner further alleged that he was beaten as well. The local police had not registered the FIR despite presenting application to their high-ups that necessitated presentation of instant petition which is under consideration.</p> <p>3. Comments of Station House Officer of Police Station Mishti Mela, Orakzai have been received. It has been contended therein that the brother of petitioner has entered Madd No. 7 dated 26-03-2022 that his brother has illegally been confined by the Jannat Noor in his <i>Hujra</i>. The Police consequently rushed to the Hujra where petitioner was taking tea. Both of them have been brought to police station. Petitioner was alleging the illegal confinement and Jannat Noor was terming it conduct of Jirga with the free</p>

AYED FAZAL WAJID
District & Sessions Judge
Orakzai at Haneer

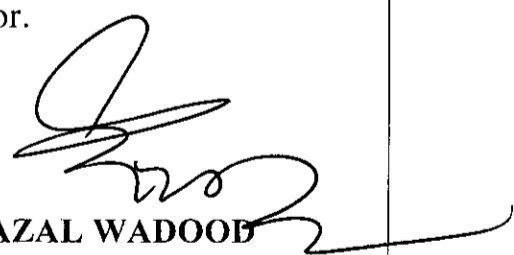
well of the petitioner. Both the parties have been bound down in security proceeding under Section 107/151 Code of Criminal Procedure, 1898 and matter was referred to District Public prosecutor the opinion. It was opined by the prosecution that it is wrongful confinement and thus FIR bearing No. 14 dated 19-04-2022 was registered under Section 342 PPC in police station Mishti Mela; where, petitioner is complainant and Jannat Noor is accused.

4. Learned counsel for petitioner and APP for State have been heard at length.

5. Perusal of case file reflects that criminal law has already been brought into motion in favor of petitioner against the respondent vide FIR bearing No. 14 dated 26-03-2022 registered in Police Station Misti Mela by attracting Section 342 PPC that covers the agitated matter of illegal confinement. While taking into consideration the facts and circumstances of the case; that too, without touching merits of the case being under investigation, the grievance of petitioner has already been addressed and no further action is required on part of Ex-officio Justice of Peace.

6. For what has been discussed above, petition stands dismissed. Record be returned back with copy of this Order to the quarter concerned. File be consigned to District Record Room, Orakzai after necessary completion and compilation within span allowed for.

Announced in open Court
02.07.2022



SAYED FAZAL WADOOB
Additional Sessions Judge/Ex-officio JoP
Orakzai at Baber Mela