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IN THE COURT OF ABDUL BASIT  
ADDITIONAL SESSIONS JUDGE-II, ORAKZAI

Petition no. 01/04 of 2024

**Order---07**

29.01.2024

Petitioner along with counsel and Dy.PP for the State present.

Respondents no. 1 & 2 in persons present. *Exhibits submitted*  
Arguments heard and record perused.

Rehmanullah son of Shan Akbar resident of Quom Mishti Tappa Haider Khel, Village Gujar Khel, Tehsil Central Orakzai, the petitioner, has filed the instant petition under section 22-A CrPC for issuance of direction to the SHO, Central Mishti Khel Police Station, Orakzai to register a criminal case against Zain Akbar and five others residents of Quom Mishti Tappa Haider Khel Tehsil Central Orakzai, respondents, under relevant provisions of law.

Brief facts of the instant petition are that Malik Habib and Mosa Khan appearing with petitioner and other owners were conducting jirga on their behalf with respondents, where he was narrating the facts of issue, where at once, respondents attacked him and the jirga members; that these respondents have also committed assault and injured his brother Azeemullah when he was coming back from the school; that they have lodged report against respondents with SHO in Emergency Room of DHQ Hospital, Mishti Mela; that injury sheet was also drafted but no progress was made in the case; that in the said incident, jirga member Malik Habib Jan was also injured, however, despite that no report was lodged, hence, petitioner has prayed to direct the SHO to register FIR against alleged respondents named in petition.

On receipt of petition, the comments were sought from police. The comments received, according to which the reports of parties were reduced into daily diaries no. 8 & 9 on 25.07.2023 but same were not found true; therefore, prayed that the instant petition may be dismissed.

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*29/01/2024*  
**Abdul Basit**  
Addl. District & Sessions Judge-II  
Orakzai at Baber Mela,  
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The scope for disposal of petition under section 22-A CrPC as per law and verdicts of august Supreme Court of Pakistan is very much restricted and being ex-officio justice of peace, I have only to consider the factum that whether any cognizable offence has been committed or not. So in the backdrop of record available before the court and the comments submitted by local police show that complainant has alleged the commission of assault, causing injuries to him, his brother and jirga member by respondents, however, the copy of injury sheet available on file coupled with the doctor report provides that complainant has just received a bruise on his left knee, which is not grievous in nature.

So in view of my above discussion, it is held that it is just a complaint case and no cognizable offence is established to has been made out from the contents of petition against respondents; therefore, the petition in hands is hereby dismissed.

File consigned to record room after completion & compilation.

**Announced**  
29.01.2024

  
(Abdul Basit)  
Addl. Sessions Judge-II/Justice of Peace,  
Orakzai