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IN THE COURT OF SHAUKAT AHMAD KHAN
SESSIONS JUDGE, ORAKZAI (AT BABER MELA)

MISC. PETITION NO. : 11/6 OF 2022
DATE OF INSTITUTION : 19.07.2022
DATE OF DECISION : 26.07.2022

1. KHAN ZAMAN S/O GHULAM RASOOL, R/O CASTE MISHTI, TAPA DARWI KHEL, CHAPAR NARI KUNDA, TEHSIL CENTRAL, DISTRICT ORAKZAI
2. REHMAN SHAH S/O GHULAM HASSAN, R/O CASTE MISHTI, TAPA HAIDER KHEL, CHAPAR, TEHSIL CENTRAL, DISTRICT ORAKZAI
3. MIR BADSHAH S/O MIR HASSAN SHAH, R/O CASTE MISHTI, TAPA MAMZAI, UTMELA, TEHSIL CENTRAL, DISTRICT ORAKZAI

..... (PETITIONERS)

-VERSUS-

1. STATE THROUGH SHO POLICE STATION KUREZ BOYA DISTRICT ORAKZAI
2. MUHAMMAD SHAHEEN S/O KHANA GUL, CASTE MISHTI, R/O CHAPPAR MISHTI, TEHSIL CENTRAL, DISTRICT ORAKZAI

..... (RESPONDENTS)

Present: DPP, Umar Niaz for the State.
: Hassan Ahmad Khan Advocate for petitioners.

ORDER

26.07.2022

Petitioner Khan Zaman seeks issuance of directions to the SHO of PS Kurez for sending the specimen signatures and thumb impressions of the petitioners for comparison to Punjab Forensic Science Lab.

The petitioners prior to the instant petition had approached this court for registration of FIR which was decided vide order dated 25.04.2022 vide which the SHO was directed to proceed with the complaint of the petitioners u/s 155 CrPC. During course of proceedings, the specimen signatures of petitioners were obtained and sent to Forensic Science Laboratory Peshawar. Being aggrieved of the report they seek the SHO to send their specimen signatures/thumb impressions to Punjab Forensic Science Laboratory at the cost of petitioners. Comments of SHO called who accordingly submitted his comments wherein he denied the

Shaukat Ahmad Khan
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(14)


allegations of being partial and contended that he has fairly and impartially conducted inquiry in the instant case.

(2). I heard arguments of the learned counsel for the petitioners and perused the record. It is evident from the record that the specimen signatures of the petitioners have been compared through Forensic Science Laboratory Peshawar, the report of which does not favour the petitioner; however, irrespective of the fact that whether the report has been managed by private respondent no. 2 in his favour or otherwise which can neither be determined at this stage nor it is the mandate of this court while deciding petition u/s 22-A CrPC, the petitioners must have fair opportunity to bring on record the relevant evidence in the form of second opinion regarding comparison of their signatures/thumb impressions through Punjab Forensic Science Laboratory.

(3). Hence, in view of what is discussed above, petition in hand is accepted. SHO/Investigation officer is directed to obtain the specimen signatures/thumb impressions of the petitioners and send the same to Punjab Forensic Science Laboratory for comparison. Needless to mention that all the expanses will be borne by petitioners. Copy of this order be sent to SHO concerned. Consign.

Pronounced
26.07.2022




SHAUKAT AHMAD KHAN
Sessions Judge/Justice of Peace,
Orakzai at Baber Mela