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

22-A CASE NO. : 4/4 OF 2022
DATE OF INSTITUTION : 16.07.2022
DATE OF TRANSFER-IN : 01.08.2022
DATE OF DECISION : 01.08.2022

ASMEEN KHAN S/O PAYO KHAN, R/O DISTRICT ORAKZAI

..... (PETITIONER)

-VERSUS-

1. DISTRICT POLICE OFFICER, ORAKZAI
2. SHO MISHTI MELA, DISTRICT ORAKZAI
3. JAHANZEB S/O AJMIR, CASTE ALI KHEL, DISTRICT ORAKZAI

..... (RESPONDENT)

Present: Aziz Ur Rehman and Syed Shehzad Haider Advocates for petitioner.
: Umar Niaz, DPP for the State.

U/S: 22-A Cr.P.C

ORDER
01.08.2022

Petitioner, Asmeen Khan seeks registration of FIR against respondent no. 3, Jahanzeb for the allegations that on 14.06.2022 while he was on his way towards for attending a meeting when hit by the flying coach of the above-named respondent as a result he got injured, unconscious and was shifted to hospital. Later on, he came to know that the local police had not made any proceedings against the respondent.

The petitioner prior to the instant petition approached DPO, Orakzai vide his letter 28.06.2022 but of no use. Hence, the petition in hand. The respondent/SHO in his comments contented that the petitioner had not made any report against respondent no. 3 and that the petitioner has

Shaukat Ahmad Khan
District & Sessions Judge,
Orakzai
01/08/22

(N)

not received injury as a result of rash and negligent driving of respondent no. 3 rather he has fallen from motorcycle while crossing the flying coach.

(2). I heard arguments and perused the record. Perusal of the contents of petition shows that it constitutes a cognizable offence; therefore, as per law on the point, the SHO on receipt of information regarding the occurrence, ~~the~~ was bound to enter the substance of the matter on the roll of prescribed register and proceed with the matter in accordance with law. The question that whether the petitioner has received injury as a result of rash and negligent driving of respondent no. 3 or otherwise, is required to be determined during investigation after registration of FIR.

(3). Hence, in view of what is discussed above, petition in hand is accepted. SHO concerned is directed to register the FIR. Needless to mention that in case the report of the petitioner was found false, he may be proceeded against in accordance with law. Copy of this order be sent to SHO concerned. Consign.

Pronounced
01.08.2022

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

CERTIFICATE

Certified that this judgment consists of two (02) pages. Each page has been read, corrected where-ever necessary and signed by me.

Dated: 01.08.2022.

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

