
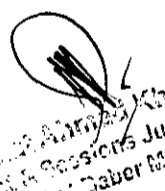



IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

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Case Title: State VS Zahid & one other

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 No.01	04.08.2022	<p align="center">Complete challan received from the court of Judicial Magistrate-1, Orakzai, for the purpose of trial. Register. Accused Zahid is on bail. While accused Rehman Sharif is absconder. Accused on bail and complainant be summoned for 10.08.2022.</p> <p align="right">  (SHAUKAT AHMAD KHAN) Sessions Judge/Judge Special Court, Orakzai at Baber Mela </p>
Order No.02	10.08.2022	<p align="center">APP, Muhammad Zubair for the State present. Accused Zahid bearing CNIC no. 21603-7957490-5 on bail present. Complainant Waris Khan also present in person while accused Rehman Sharif is absconder.</p> <p align="center">At the very outset, the complainant stated that they have patched up the matter out of the court and submitted affidavit/agreement deed wherein he has submitted that the matter has been patched up between the parties out of the court and that he has got no objection upon the acquittal of accused facing trial as well as upon acquittal of absconding co-accused Rehman Sharif. The accused also submitted application for his acquittal u/s 265-K CrPC. Notice of the same given to prosecution.</p> <p align="center">The case of the prosecution as per contents FIR is, that Mst. Bibi Hawa, the daughter of complainant got engaged with accused Zahid s/o of Rehman Sharif in 2006 when she was 02-years-old while the daughter of accused Rehman Sharif got married with Faiz Ullah, the son of complainant. That the accused Zahid got married with someone else without the consent of complainant, therefore Bibi Hawa does not want to marry the said</p> <p>  Shaukat Ahmad Khan Sessions Judge Court, Orakzai at Baber Mela 19/8/22 </p>

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Contin. Order No.02		<p>Zahid. That the accused raised "ghag" and restrained the daughter of complainant from marrying someone else.</p> <p>Arguments heard and record perused. Perusal of the case file shows that though the accused facing trial is directly nominated in the FIR but no date, time and place of occurrence is known. There is no eyewitness of the occurrence and the case of prosecution rests upon the bold statements of complainant and his daughter. Furthermore, the parties are close relatives and they have patched up the matter out of the court. The complainant present before the court also raised no objection upon the acceptance of application u/s 265-K CrPC.</p> <p>In view of what is discussed above, it is held that there is no probability of the conviction of accused facing trial, even if the charge is framed and the prosecution is given opportunity to produce the witnesses; therefore, accused namely, Zahid s/o Rehman Sharif, on acceptance of his application, is acquitted from the charges levelled against him u/s 265-K CrPC. The accused is on bail. His bail bonds stand cancelled and his sureties are discharged of the liabilities of bail bonds.</p> <p>With respect to absconding co-accused, in view of the statement of complainant and merits of the case, no useful purpose of prosecution would be served, except the wastage of the time of court, even if evidence is recorded in his absentia and accused is declared proclaimed offender. Hence, absconding accused namely, Rehman Sharif is also acquitted in absentia. Consign.</p> <p>Pronounced: 0.08.2022</p> <p> (SHAUKAT AHMAD KHAN) Sessions Judge/Judge Special Court, Orakzai at Baber Mela</p>

