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IN THE COURT OF ZAHIR KHAN JUDICIAL MAGISTRATE-I,
TEHSIL KALAYA, DISTRICT ORAKZAI

Criminal case No. 77/2 of 2021

State Vs Abdul Nasir etc.

FIR No. 121 Dated: 15.10.2021

U/S: 506/34 PPC.

Police Station: Kalaya, Lower Orakzai

Order No.07

29.06.2022

APP for the state present. Supplementary challan against accused Afsar Khan received and placed on file. Accused on bail present. Complainant absent. He has already effected compromise with the accused. Arguments on application filed by prosecution for discharge of accused heard and record perused.

Record shows that complainant namely Muhammad Khan has charged accused namely Abdul Nasir, Afsar Khan and Parvez Khan for commission of the offence U/S 506/34 PPC vide FIR No. 121 dated 15.10.2021 of PS Kalaya.

Learned APP for the state has filed application for discharge of the accused U/S 5 (b), Prosecution Act, 2005 read with Section 494 Cr. PC. Prosecution has requested for discharge

of the accused on the ground of deficient evidence against the accused coupled with compromise of complainant with the accused.


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ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

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Record shows that complainant namely Muhammad Khan has already effected compromise with the accused at bail stage. Statement of complainant was recorded on 18.06.2022 wherein he has stated that he has got no objection on the acquittal of accused facing trial. Attested record in this respect is placed on file. Furthermore, no empty has been recovered from the spot. Weapon of offence has not been recovered from possession of accused or on their pointation.

Keeping in view the available record, application for discharge of the accused U/S 5 (b), Prosecution Act, 2005 and request of Assistant Public Prosecutor, accused stand discharged in the instant case. They are on bail. Their sureties stand discharged from their liability. Case property, if any be dealt with in accordance with law.

Copy of the order be placed on police file as well as Judicial file. Instant file be consigned to record room after necessary completion and compilation.

ANNOUNCED

29.06.2022



Zahir Khan

JMIC-I, Tehsil Kalaya, Orakzai