

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA


Case Title: State vs Muhammad Shaheen etc

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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.11	28.11.2022	<p>DPP, Umar Niaz for the State present. Accused Muhammad Shaheen, Syed Muhammad Abbas and Fateh Mand on bail present. NBWA issued against the above-named accused stand cancelled. The accused requested for their acquittal on the basis of compromise reached between the parties.</p> <p>I heard arguments and perused the record. Perusal of case file shows that the accused named above are charged vide case FIR No. 11, dated 20.04.2022, u/s 322 of police station Kurez causing death of Bakht Munir, Shamshad Ali and Shoaib Ullah, the coal mine workers, due to negligence of the accused being owners of the mine.</p> <p>After completion of investigation, complete challan was submitted for trial. Accused and LRs of deceased were summoned. Accordingly, they attended the court and submitted compromise proformas, which were placed on file. As per compromise proformas and list of LRs available on file, deceased Shamshad Ali is survived by his father Rehman Ullah and his mother Gul Feroza Bibi, deceased Shoaib Ullah is survived by his father Muhammad Ameen and his mother Bakht Mahiroon while deceased Bakhat Munir is survived by his father Kishwar Khan and Mst. Shahi Roon Bibi. The</p>

Shaukat Ahmad Khan
District & Sessions Judge
Orakzai at Baber Mela
28/11/22

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<p>Contin. Order No.11.</p>		<p>above-named LR's except Mst. Bakht Mahiroon along with jirga members recorded their statements before the court wherein they confirmed the factum of compromise and stated that they have patched up the matter with the accused, that they have waived of their rights of diyat, forgiven the accused in the name of almighty Allah and that they have got no objection upon the acquittal of the accused facing trial. Statement of Mst. Bakht Mahiroon recorded through local commissioner.</p> <p>Hence, in view of what is discussed above, it is held that a genuine compromise has reached between the parties and the offence for which the accused are charged, is compoundable; therefore, on acceptance of compromise, accused namely, Muhammad Shaheen, Fateh Mand and Syed Muhammad Abbas are acquitted from the offence levelled against them. Accused are on bail. Their bail bonds stand cancelled and their sureties are discharged of the liabilities of the bail bonds. Consign.</p> <p>Pronounced: 28.11.2022</p> <p> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>

