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

Criminal case No. 23/2 of 2022

State Vs Muhammad Irfan etc.

FIR No. 37 Dated: 07.04.2022

U/S: 506/427/148/149 PPC.

Police Station: Kalaya, Lower Orakzai

Order No.05

14.07.2022

APP for the state present. Accused Saqib Khan and Muhammad Irfan on bail present. Mr. Sanaullah Advocate present. Attested record regarding compromise of complainant with accused nominated in FIR produced and placed on file. APP for the state was confronted with the same. He submitted application for discharge of accused. Arguments on application filed by prosecution for discharge of accused heard and record perused.

Record shows that complainant namely Mir Ahmad Khan has charged accused namely Saqib Khan, Abdur Rehman, Gul Rehman and Muhammad Irfan for commission of the offence U/S 506/427/148/149 PPC vide FIR No. 37 dated 07.04.2022 of PS Kalaya.

Jur

14/07/2022
ZAHIR KHAN
Civil Judge-1M
Kalaya Orakzai

Learned APP for the state 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.

Record shows that complainant namely Mir Ahmad Khan has already effected compromise with the accused at BBA stage. The relevant record is placed on file. Statement of complainant was recorded on 12.05.2022 wherein he has stated that he has got no objection on the confirmation of BBA of accused and subsequently acquittal of accused. Copy of compromise deed also available in attested record as Ex. PA. Once a compromise is always a compromise.

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 nominated in FIR stand discharge in the instant case. They are on bail. Their sureties stand discharge 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
14.07.2022



Zahir Khan
JMIC-I, Tehsil Kalaya, Orakzai

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai