

86

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

**Criminal case No. 70/2 of 2022, FIR No. 76 Dated: 15.08.2022, U/S:
324,354,355,504,455,147,149 PPC. Police Station: Kalaya, Lower Orakzai**

State Vs Yousaf Khan etc.

**Order No.04
08.12.2022**

APP for the state present. Accused Noor Hassan, Said Ghameen Shah, Yousaf Khan, Wali Rehman, Wahid Gul, Inam Nabi and Khyal Zameer on bail present. Accused Nabi Shah, Muhammad Amir and Said Muhammad are absconding. Complainant namely Janat Shah present. He stated that he has neither previously charged the accused nominated in FIR nor he charge them today. He has got no objection if accused are acquitted from the charges levelled against them. Statement of complainant separately recorded. Copy of his CNIC is Ex. PA. 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 Janat Shah has charged accused namely Noor Hassan, Said Ghameen Shah, Yousaf Khan, Wali Rehman, Wahid Gul, Inam Nabi and Hayal Zameer along with absconding co-accused for commission of the offence U/S 324,354,355,504,455,147,149 PPC vide FIR No. 76 dated 15.08.2022 of PS Kalaya.



08/12/2022
ZAHIR KHAN
Civil Judge-III
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 that complainant does not charge the accused for the commission of the offence.

Keeping in view the available record and statement of complainant, accused Noor Hassan, Said Ghameen Shah, Yousaf Khan, Wali Rehman, Wahid Gul, Inam Nabi and Hayal Zameer stand discharged in the instant case. They are on bail.

As accused Nabi Shah, Muhammad Amir and Said Muhammad are intentionally avoiding their lawful arrest, hence, they are hereby declared as proclaimed offenders. Their names be entered in register/list of proclaimed offenders. Perpetual warrant of arrest be issued against them. Case property (if any) be kept intact till arrest and trial of the accused.

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

08.12.2022



Zahir Khan

JMIC-I, Tehsil Kalaya, Orakzai