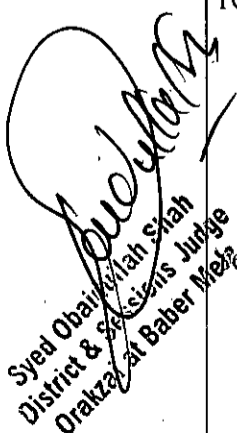
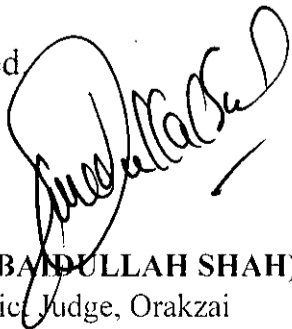


Serial No of order or proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.02	16.04.2024	<p>DPP, Umar Niaz for the State present. Appellant along with his counsel present. Record received. Respondents/accused no. 1 to 5 present in person. Mr. Insaf Ali Advocate present and submitted Wakalatnama on behalf of respondents. Placed on file.</p> <p>The respondents/accused have been charged by the appellant/complainant vide FIR No. 87, Dated 13.09.2022, u/s 506/504/427/352/147/149 PPC of Police Station Kalaya wherein the appellant/complainant vide DD No. 10 of 07.09.2022 reported the matter to the local police to the fact that on that day at about 11:00 hours while he was working in the fields with one, Jamal Khan, the respondents/accused duly armed with axe arrived on the spot and started cutting down trees. The appellant/complainant attempted to prevent them from doing so, but they became enraged and advanced towards him, using abusive language and criminally intimidating him. Following an investigation by the Assistant Sub-Inspector of Police (ASHO), the instant FIR was registered against the respondents/accused.</p> <p>I heard arguments and perused the record.</p> <p>Perusal of the case file reveals that the respondents/accused have undergone a long-protracted</p>


Syed Obaidullah Sidiq
District & Sessions Judge
Orakzai at Baher Mela

④
IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Aziz Khan vs Lajbar Khan & Others.

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
		<p>trial where the prosecution has examined as many as 04 witnesses whereafter the counsel for the accused submitted application for acquittal of the respondents/accused u/s 249-A CrPC and the learned trial vide impugned order dated 06.03.2024, after hearing the arguments, acquitted the respondents/accused.</p> <p>The appellant/complainant, feeling aggrieved by this order, filed the instant appeal u/s 417 CrPC. However, this particular section of the law stipulates that appeals against acquittal orders issued by any court other than a High Court should be presented to the High Court.</p> <p>Thus, in these circumstances, without delving into the merits of the case, it is held that the appellant/complainant has approached a wrong forum for redressal of his grievance. Hence, the appeal in hand is deemed non-maintainable and is hereby dismissed. Needless to mention here that the appellant/complainant retains the option to pursue his case through the appropriate forum.</p> <p>Order announced. File of this court be consigned to record room while record be returned.</p> <p>Dated: 16.04.2024</p> <div style="text-align: right;">  (SYED OBAIDULLAH SHAH) District Judge, Orakzai at Baber Mela </div>

