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**IN THE COURT OF ABDUL BASIT**  
**ADDITIONAL SESSIONS JUDGE-II, ORAKZAI**

Sessions Case no. 03/2 of 2024

State versus Hadeedullah

FIR No. 97 dated: 11.10.2023 u/s 302 PPC of Kalaya Police Station,  
Orakzai

**Order---08**

Accused on bail is present.

13.05.2024

DyPP for the State is present.

Date was fixed for framing of charge, however, perusal of record revealed that on 06.04.2024, the legal heirs of deceased Inaz Khan i.e. Mst. Saila Jana (mother), Zar Khitab, Shah Naz Khan, Marwat Khan (brothers), Mst. Sherzamina and Yakhmeena (sisters) attended the court in persons and brought into the notice of court that they along with Noor Khitab (presently residing in Karachi) had already patched up the matter with accused Hadeedullah, pardoned him in the name of Allah almighty, which compromise is still intact and they including Noor Khitab have got no objection if accused is acquitted from the charges in the instant case. They were again interviewed about the compromise, who stated at the bar that they had compounded the offence with their free will/consent and without any duress/pressure. In this respect, their joint statement was also recoded and placed on file, wherein, they stated that they, including Noor Khitab, had already affected compromise with accused Hadeedullah at bail stage, which is still intact and in this respect submitted attested copies of the compromise statements including compromise affidavit etc., Exh.PA (consisting of 19 sheets). They further stated that they and Noor Khitab were the only legal heirs of deceased, whereas, father and paternal grandparents of the deceased had already been died during the lifetime of the deceased. They added that they had patched up the matter with accused with their own sweet will and free consent and pardoned him in the name of Allah almighty by waiving off their rights of Qisas & Diyat etc. and would have no objection if accused is acquitted from the case. They added that beside them, there were no other

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*13/05/2024*  
**Abdul Basit**  
Addl: District & Sessions Judge-II  
Orakzai at Baber Mela,  
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minor or major legal heirs of the deceased except Noor Khitab, who was in Karachi and his compromise was also intact with the accused and he has got also no objection on acquittal of accused. They reiterated that the deceased was unmarried at the time of his death nor he was entered into Nikkah with anyone; therefore, they have taken full responsibility and shown readiness to face all legal consequences in case of any misstatement before the court as well as bound down themselves to pay diyat value equivalent to the amount proportionate to the share of any person, if tomorrow he appeared before the court and proven to be the legal heir of deceased including Noor Khitab.

Perusal of record reveals that accused Hadeedullah stands charged under section 302 PPC for murder of deceased Inaz Ali but the record and statements of the legal heirs named above provide that all the legal heirs of deceased had already compounded the offence with accused at bail before arrest stage, attested copies of the compromise etc. available on file, which they allege to be still intact between them and again endorsed no objection on acquittal of accused. This court, therefore, not only grant permission to legal heirs of deceased to compound the offence but also being satisfied with the compromise and statement of the legal heirs of deceased, conclude that the section of law applied on the accused is compoundable and since compromise is in the best interest of both the parties, which also evades any possibility of unrest between the parties in future, hence, the same is accepted and accused Hadeedullah is acquitted from the charge on the basis of compromise. Case property be dealt with as per law after expiry of period of appeal/revision.

Requisitioned record, if any, is directed to be returned to headquarter concerned and file of this court consigned to the record room after necessary completion and compilation.



**Announced**  
13.05.2024

(Abdul Basit)  
Additional Sessions Judge-II, Orakzai