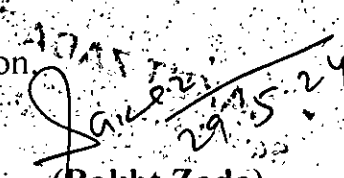


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COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: _____

<p>Order No. 07 Continue...</p>	<p>29.05.2024</p>	<p>learned DPP for the state heard and available record perused which shows that notification U/S 144 Cr. PC has neither annexed with the case file nor there is any evidence on the available record that the same has been affixed at a conspicuous place which further shows that the accused facing trial were not in the notice of the same. The occurrence has taken place at the main thoroughfare Kurez Dauli road, but none of independent witnesses has associated to verify the factum, mode and manner of the recovery. The mandatory provision of 103 Cr. PC has been violated. There is neither any FSL report nor any report of the armorer on the case file to the effect that whether the weapon in question was in working condition or otherwise. Keeping in view the above facts and circumstances, there is no probability of conviction of accused even if the statements of all the PWs are recorded, therefore, I hereby acquit both the accused facing trial U/S 249-A Cr. PC from the charges levelled against them. Pistol of Muhammad Ishtiaq accused being licensed weapon be returned to him, while the weapon allegedly recovered from Aqid Ali i.e., gun 12 bore is hereby confiscated to the state.</p> <p>Case file be consigned to the record room after its necessary completion and compilation</p> <p><u>Announced:</u> 29.05.2024</p> <p style="text-align: right;"> (Bakht Zada) Senior Civil Judge/JM, Orakzai at Baber Mela.</p>
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