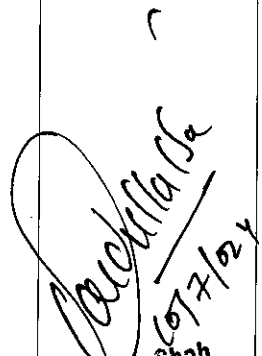


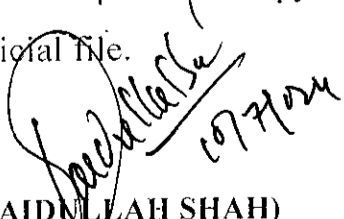
(b)

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Jahanzeb Ali vs State etc

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
Order No.07	10.07.2024	<p>DPP, Umar Niaz for the State present. Accused/petitioner, Jahanzeb Ali on ad-interim pre-arrest bail along with his counsel present. Complainant Syed Taqdeer Syed along with his counsel present in person.</p> <p>(2). The above-named accused/petitioner seeks confirmation of ad-interim pre-arrest bail in case FIR No. 36, Dated 16.05.2024, u/s 420/468/471 PPC of Police Station Kalaya, wherein the complainant, Syed Taqdeer Syed at about 1150 hours vide DD No. 8 of 12.01.2024 made a report to the local police to the fact that on 07.10.2023 he (complainant) had lost a cheque duly signed by him amounting to Rs. 450,000/- of Bank Al Habib which was found by the present accused/petitioner who, instead of returning it to him, altered the amount to 15,050,000/- and attempted to withdraw the amount but the cheque was rejected owing to insufficient balance. The matter was inquired by the SHO whereafter the instant FIR was registered against the accused/petitioner.</p> <p>(3). I heard arguments and perused the record.</p> <p>(4). Perusal of the case file reveals that initially the complainant vide DD No. 13 of 07.10.2023 made a report to the local police to the fact that he has lost a cheque bearing No. 1017878 of Rs. 450,000/- of Bank Al Habib which was allegedly found to be in possession of the accused/petitioner. Ironically, the accused/petitioner subsequently filed a report at Police Station KDA alleging that the complainant had provided him with cheque No. 1017878 amounting to Rs. 15,050,000/- of Bank Al Habib to settle a debt, followed by filing a petition u/s 22-A CrPC before the court of learned Additional Sessions Judge-I/Ex-Officio Justice of Peace, Kohat seeking</p>


10/7/24
Syed Obaidullah Shah
District & Sessions Judge
Orakzai at Baber Mela

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>Contin. Order No.07</p>		<p>registration of FIR against the complainant for handing over the cheque which was bounced/rejected; however, the petition was dismissed by the learned court vide order dated 03.02.2024 which was impugned by the accused/petitioner before the August Peshawar High Court, Peshawar. Similarly, the complainant too filed a petition u/s 22-A CrPC for registration of FIR against the present accused/petitioner but the same was also turned down besides stating that the accused/petitioner has committed a cognizable offence through cheating and fraud.</p> <p>Additionally, it is apparent from the record that multiple cases involving the same parties are either pending before various courts or has been decided. Therefore, the possibility of malicious intent cannot be ruled out based on the behaviors of the parties involved. The prosecution has failed to elucidate the consequential purpose that would be served by committing the accused/petitioner to police custody. Hence, these circumstances place the case of the accused/petitioner within the ambit of further inquiry.</p> <p>Therefore, in the light of above, the bail petition in hand stands accepted and ad-interim pre-arrest bail earlier granted to the accused/petitioner Jahanzeb Ali stands confirmed on the strength of existing bail bonds.</p> <p>Order announced. File of this court be consigned to record room after its completion and compilation. Copy of this order be placed on police/judicial file.</p> <p>Dated: 10.07.2024</p> <p style="text-align: right;">  (SYED OBAIDULLAH SHAH) Sessions Judge, Orakzai at Baber Mela </p>

