

IN THE COURT OF SYED OBAIDULLAH SHAH
SESSIONS JUDGE, ORAKZAI (AT BABER MELA)

SESSIONS CASE NO. : 15/2 OF 2024
DATE OF INSTITUTION : 03.07.2024
DATE OF DECISION : 10.07.2024

STATE THROUGH REHMAT ULLAH SUB DIVISION OFFICER
(SDO), TRIBAL ELECTRIC SUPPLY COMPANY (TESCO)

.....(COMPLAINANT)

-VERSUS-

NEK KHAN, R/O WAZIRSTAN, PRESENTLY RESIDING AT
ASMAN DARA, WAMPANRA, DISTRICT ORAKZAI

..... (ABSCONDING ACCUSED)

Present: Umar Niaz, District Public Prosecutor for the State.

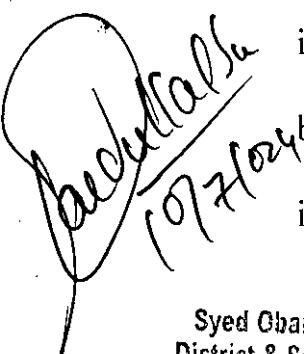
FIR No. 13
U/S: 462-K PPC & 512 Cr.P.C.

Dated: 26.03.2024
Police Station: Kurez

ORDER NO. 03
10.07.2024

DPP, Umar Niaz for the State present. Accused Nek Khan is absconding. PW Mohsin Ali OII present and examined as PW-1. The prosecution abandoned the remaining PWs and closed its evidence.

- (2). Arguments heard and record gone through.
- (3). The prosecution's case, as outlined in the FIR is as follows: the complainant, SDO Rehmat Ullah TESCO through a Murasila addressed to the SHO of Police Station Kurez made a report to the local police to the fact that on 24.10.2023, the absconding accused was found committing illegal theft of electricity, which amounts to financial loss burdened upon his department. The Murasila was converted into FIR by MM Ibad Ul Hassan.


10/7/2024
Syed Obaidullah Shah
District & Sessions Judge
Orakzai at Baber Mela

STATE VS NEK KHAN

FIR No. 13, Dated: 26.03.2024, u/s 462-K PPC/ 512 CrPC,
Police Station: Kurez

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- (4). After completion of investigation, the prosecution submitted challan against the absconding accused who was proceeded u/s 512 Cr.P.C and the prosecution was directed to produce evidence in absentia of the accused. Accordingly, the prosecution produced and examined only 01 witness.
- (5). It is evident from the record that despite being proceeded u/s 204 Cr.P.C as well as u/s 87 Cr.P.C, the accused is avoiding his lawful arrest and there is no likelihood of his arrest in near future. As per evidence recorded by the prosecution, a prima facia case has been made out against the absconding accused **Nek Khan**; hence, he is declared proclaimed offender. Perpetual warrant of arrest be issued against him and DPO, Orakzai is directed to enter his name in the register of proclaimed offenders. All the legal course be adopted for his arrest and he be brought before the court as and when arrested.

Order announced. File of this court be consigned to record room after its necessary completion and compilation.

Dated: 10.07.2024



Syed Obaidullah Shah
10/7/24
SYED OBAIDULLAH SHAH
Sessions Judge/Judge Special Court,
Orakzai at Baber Mela