



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

22-A CASE NO. : 8/4 OF 2024
DATE OF INSTITUTION : 02.07.2024
DATE OF DECISION : 23.07.2024

SHAH KHALID S/O SALIH KHAN, R/O CASTE FERAZ KHEL,
TAPA QEEMAT KHEL, TEHSIL LOWER, DISTRICT ORAKZAI

.....(PETITIONER)

-VERSUS-

1. STORI KHEL S/O AKBAR SHAH, R/O CASTE AND BEZOT,
DISTRICT ORAKZI
2. SHO, SHAL MUHAMMAD, POLICE STATION KALAYA

..... (RESPONDENTS)


Present: DPP Umar Niaz for the State.
: Mr. Khursheed Alam Advocate for petitioner.
: Mr. Insaf Ali Advocate for respondent No. 1.

U/S: 22-A Cr.P.C.

ORDER
23.07.2024

DPP, Umar Niaz for the State and Khursheed Alam Advocate for petitioner present. Petitioner, Shah Khalid not present. Respondent no.1, Stori Khel in person along with his counsel present.

- (2). The above-named petitioner seeks registration of FIR against respondent no. 1 for the allegations that after the death of his first wife he has married to the daughter of respondent no. 1, that on 23.06.2024 he was travelling on Bezot road when his brother-in-law, Mohsin Ullah signalled him to stop for taking him (petitioner) to his house on the call of his sister (wife of petitioner). When they reached the house of respondent no. 1 where he was present at the main gate of his house and an altercation took place between them and respondent no. 1 made firing at the petitioner and he received injuries on his right thigh. The injured/petitioner went to the hospital at Kalaya for medical examination. The


23/7/24
Syed Obaidullah Shah
District & Sessions Judge
Orakzai at Baber Mela

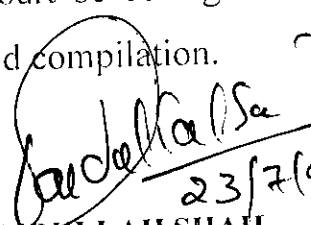
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petitioner for registration of FIR, approached the respondent no. 2 but in vain. Hence, the present petition.

- (3). Comments of the concerned SHO were called which were submitted accordingly.
- (4). I heard arguments and perused the available record.
- (5). Perusal of the case file reveals that as per medical report available on file, the petitioner received firearm injuries and the substance of his report constitutes a cognizable offence; therefore, the SHO/respondent no.2 was bound to proceed with the matter u/s 154 read with section 156 CrPC. The question that whether the petitioner has received injury as a result firing made by respondent no. 1 or otherwise, is required to be determined during investigation after registration of FIR.
- (6). Hence, in view of what is discussed above, petition in hand is accepted. SHO concerned is directed to register FIR as provided u/s 154 CrPC and to investigate the matter u/s 156 CrPC. Needless to mention that in case, the report of the petitioner was found false, he may be proceeded against in accordance with law. Copy of this order be sent to SHO concerned.

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

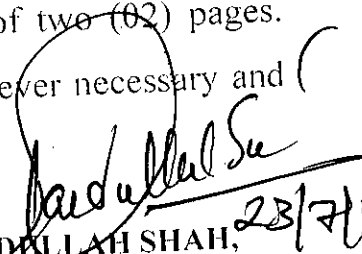
Dated: 23.07.2024


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SYED OBAIDULLAH SHAH,
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Orakzai at Baber Mela

CERTIFICATE

Certified that this order consists of two (02) pages. Each page has been read, corrected wherever necessary and signed by me.

Dated: 23.07.2024


23/7/24
SYED OBAIDULLAH SHAH,
Sessions Judge/Justice of Peace,
Orakzai at Baber Mela

