

IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI

Bail Petition 77/4 of 2024.
 Date of institution.....16.09.2024.
 Date of decision.....19.09.2024

Order.No.04
19.09.2024

None present for the state. On previous date, notice of strike was received from the office of DPP, Orakzai and case was adjourned for today accordingly. Fresh notice was issued to public prosecutor but no one appeared today on behalf of prosecution. This court has got no other option but to dispose of the bail petition within stipulated period of time. Complainant Mehtab Hassan is absent. Record already received. Complainant has already recorded statement before the court regarding compromise. Compromise deed was exhibited as Ex.PA and copy of CNIC of complainant was exhibited as Ex.PB. Written arguments on behalf of counsel for accused/petitioner already submitted and record perused.

ZAHIR KHAN
 Civil Judge/JM
 Kalaya Orakzai
 19/09/2024

Accused/petitioner namely Irfan S/O Muhammad Zareef is seeking his post arrest bail in case FIR No. 86 dated: 08.09.2022 U/S 489-F PPC, Police Station Kalaya, District Orakzai on the fresh ground of compromise.

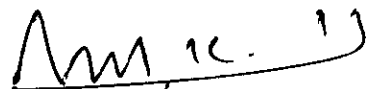
Record shows that post arrest bail application of accused/petitioner was turned down by this court vide order dated 03.10.2023. Post arrest bail plea of accused/petitioner was also turned down by the court of learned ASJ, Orakzai at Baber Mela vide

order dated 14.10.2023. After entering into compromise with complainant, accused/petitioner approached the court of sessions for bail on fresh ground of compromise which was dismissed for, being not submitted before the court of Judicial Magistrate, hence, the instant bail petition.

The offence for which accused/petitioner is charged is compoundable in nature. Complainant has patched up the matter with accused/petitioner and he has got no objection on release of accused/petitioner. Statement of complainant was recorded which is duly thumb impressed by him. Compromise deed was produced which is Ex.PA. Copy of CNIC of complainant was exhibited as Ex.PB. The compromise seems genuine. As the offence u/s 489-F PPC is compoundable, resultantly, application in hand is allowed on the basis of compromise. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 80,000/- (eighty thousand) with two sureties each in the like amount to the satisfaction of this court. The sureties must be local, reliable and men of means. Copy of this order be placed on police as well as judicial record.

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

ANNOUNCED:
19.09.2024



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai