

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

22-A CASE NO. : 14/4 OF 2024
DATE OF INSTITUTION : 09.10.2024
DATE OF DECISION : 17.10.2024

1. NIAZ KHAN S/O MEHRABAN KHAN
 2. NOOR NAWAZ S/O NIAZ KHAN
- BOTH R/O CASTE MISHTI, TAPA DARWI KHEL, TEHSIL
CENTRAL, DISTRICT ORAKZAI
-(PETITIONERS)

-VERSUS-


1. RAFI ULLAH S/O KHIAL AKBAR
 2. AMEEN ULLAH S/O RAFI ULLAH
 3. RAIF KHAN S/O KHIAL AKBAR
- ALL R/O CASTE MISHTI, TAPA DARWI KHEL, TEHSIL CENTRAL,
DISTRICT ORAKZAI
4. SHO OF POLICE STATION MISHTI MELA
- (RESPONDENTS)

Present: Mr. Khursheed Alam Advocate for petitioners
: DPP, Umar Niaz for the State

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

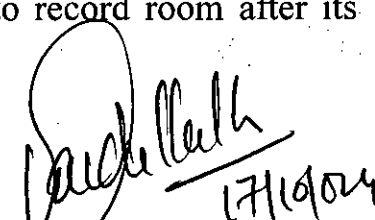
ORDER
17.10.2024

The petitioners seek registration of FIR against respondents no. 1 to 3 based on the allegations that they on 25.09.2024 brought stones/bricks to the petitioners' property for construction purposes, that the petitioners tried to stop the respondents' actions but they got furious and attempted to open firing upon them who, by chance, managed to escape unharmed. As a result, the petitioners made a report to the local vide DD no. 8 of 25.09.2024. They also alleged that the said DD results in cross version with FIR no. 53 of the same day and approached respondent no. 4 but in vain; hence, the present petition.


Syed Obaidullah Shah
District & Sessions Judge
Orakzai at Baber Mela

- (2). The SHO concerned was directed to furnish his comments which he accordingly did. Placed on file.
- (3). Arguments heard and record gone through.
- (4). The law on the point is that a matter constituting a cognizable offence is whenever reported to police, the SHO concerned is bound to enter the substance of the matter on the roll of prescribed register u/s 154 Cr.P.C and proceed to investigate the matter u/s 156 Cr.P.C but where the investigation reveals no such offense, as in the present case in relation to the DD No. 8, the petitioner's request for intervention is not warranted; hence, no further action is required.
- (5). In these circumstances, the petition in hand is dismissed as it fails to meet the legal prerequisites for intervention under Section 22-A CrPC. Needless to mention that the petitioner may approach the concerned forum for redressal of his grievance. Order announced. File be consigned to record room after its necessary completion and compilation.

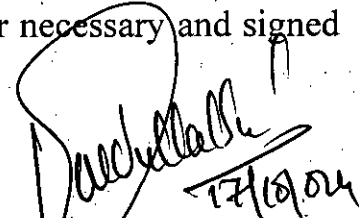
Dated: 17.10.2024


17/10/24
SYED OBAIDULLAH SHAH
Sessions Judge/Justice of Peace,
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: 17.10.2024


17/10/24
SYED OBAIDULLAH SHAH
Sessions Judge/Justice of Peace,
Orakzai at Baber Mela

