COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA
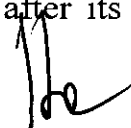
Case Title: State VS Malak Sar Khan

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. 01	02.11.2024	DPP for the state present. Complete challan submitted by prosecution for discharge of accused whose name is mentioned in the complete challan, u/s 4-CII/5-B of prosecution Act, 2005. The grounds for discharge are already mentioned in application of prosecution u/s 4-CII/5-B of prosecution Act 2005 which is available on file. Be entered in the relevant register. Accused is on bail.

Perusal of record available on file shows that local police charged the accused in instant case FIR No. 12, Dated: 25.03.2024, U/S 462-K at Police Station Kurez Boya, Lower Orakzai.

As per record evidence is deficient; there is not any eye-witness of the occurrence who might connect the accused with the commission of offence. Furthermore, no recovery has been affected by WAPDA/Police officials. The case is weak from evidentiary point of view.

In view of above, I myself with the view of prosecution is agreeable and there is no chance of conviction in the instant case if entire evidence is recorded. Further, proceedings in the instant case, would be a futile exercise and miss-use of resources. Therefore, accused Sar Khan s/o Sikandar Shah is hereby discharged from the charges levelled against him. As he is on bail, his bail bonds stand cancelled and sureties are discharged from their liability under the bonds.

File be consigned to record room after its necessary completion.

Announced
02.11.2024

Ijaz Mahsood
Senior Civil Judge/JM,
Orakzai (at Baber Mela) |