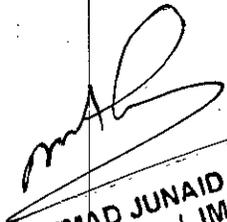


**FORM "A"**  
**FORM OF ORDER SHEET**

IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI  
Case Title: \_\_\_\_\_ Vs \_\_\_\_\_

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-19	06.11.2024	<p>APP for the state present. Accused facing trial present. Complainant in person present.</p> <p>Vide this order this Court intends to dispose of the instant case under section 249-A Cr.PC.</p> <p>Brief facts of the case in hand are that complainant reported the issue in the police station, that on 19.11.2023, some unknown persons had stolen the oxen. On search from near vicinity it is found that one Khana Gul and Soorat Gul have stolen the oxen.</p> <p>Accused were arrested and later on, released on bail. Complete challan was put in court against the accused. Accused were summoned. They appeared before the court. Provisions of Section 241-A Cr. PC were complied with. Formal charge was framed. Accused pleaded not guilty and claimed trial. Prosecution was allowed to produce evidence against accused. Prosecution produced one witness. i.e. PW-01 (SHO) in the instant case. He deposed in his cross examination that it is correct that report was lodged after 28 days of the occurrence. He further stated in his cross examination that accused Khana Gul had purchased the oxen from Qadar Meen and did not know about exchange</p>

  
**MUHAMMAD JUNAID ALAM**  
 Civil Judge / JM-II  
 Orakzai at Kalaya

FORM "A"  
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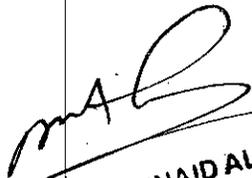
IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI  
Case Title: \_\_\_\_\_ Vs \_\_\_\_\_

Continued  
order 19

06.11.2024

of oxen between the accused Khana Gul and Qadar Meen. Furthermore, there are serious dents in the evidence so far recorded by the prosecution. Later on the ox was recovered and during investigation it was found that the ox was sold by the said Qadar Meen to the accused Soorat Gul, but astonishingly the complainant has made compromise with the accused Qadar Meen. Hence there is no probability of conviction of the present accused at later stage after recording of entire/remaining evidence of prosecution. There is no motive behind the occurrence.

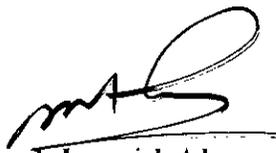
It is also pertinent to mention here that complainant has lodged FIR against unknown persons. Later on complainant has charged the accused Khana Gul and Soorat Khan on the information of near vicinity. Record further transpire that accused were not arrested at the spot. Source of information regarding involvement of accused in commission of the offence has not been disclosed. Moreover, neither complainant himself was the eyewitness of the occurrence nor any other person has seen the accused while committing the offence. Perusal of the record further reveals that FIR was registered against unknown persons. Later on, on 29.02.2024, complainant Habib Nawaz charged the accused for the commission of offence in his



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<p><i>Continued order 19</i></p>	<p>06.11.2024</p>	<p>164 Cr. PC statement. Furthermore, the date of occurrence is of 19.11.2023 while chalking of FIR against the accused on 17.12.2023, so there is delay of about one month in lodging of the FIR.</p> <p>In given circumstances, the instant case disposed of under Section 249-A Cr.P.C. Accused facing trial namely <b>Khana Gul son of Jamadar Khan and Soorat Gul son of Faqeer Khan</b> are hereby acquitted from the charges levelled against them. Their sureties stand discharged from the liability of bail bonds. Case property, if any, be kept intact till expiry of period of appeal and thereafter be dealt in accordance with law. Police record be returned forthwith to quarter concerned. File be consigned to record room after its necessary completion and compilation.</p> <p><u>Announced</u> 06.11.2024</p> <p style="text-align: right;">   <u>Muhammad Junaid Alam,</u>          Judicial Magistrate-II          Tehsil Courts, Kalaya, Orakzai       </p>
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