

Plaintiff present.  
Respondent ~~absent.~~  
Present *07.03.2020*

- a. Arguments on the issue framed vide order No.07 Dated:03.02.2020 heard and record perused. Today is the date fixed for the order on the same.
- b. Brief facts of the instant complaint are that the complainant has filed the instant complaint under section 145 Cr.P.C The Complainant Contended that his own son forcibly disposed him from his house. Now interfering in his properties.
- c. Complainant further contended that his son is no allowing him to sell out one of his field, of which he already entered into an agreement to sell with one Moulana Ishaq. The main relief sought by the complainant is to restrain his son from interfering in this agreement to sell with Moulanan Ishaq.

Muhammad Imtiaz  
Civil Judge/JM-II  
Srialke (Babar Mela)  
*07.03.2020*

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Or-----09

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07.03.2020

d. Respondent was summoned. He appeared and submitted reply wherein he totally denied the allegation of the Complainant.

e. Initial report from the SHO concern also requisite which was received and placed on file.

Parties in presence of their counsel heard and record perused.

f. Necessary ingredients for bringing law U/S 145 Cr.P.C into motion there must exist a breach of peace and there must be dispossession within previous two months of filing of complaint. There happened nothing in terms of breach of peace since the filing of complaint date and there is nothing available which could suggest the dispossession of any party within the previous two months. The dispute between the parties is of civil nature. Ingredients necessary for action u/s 145 Cr.P.C are not fulfilled.

g. It is also contended by the respondent that there is no imminent danger of the breach of peace as even none of the party has applied to the local police to bound them U/S 107 Cr.P.C for keeping peace. This contention also finds support from the record as nothing is available on the file.

h. Consequently, the petition is dismissed. Parties may approach to proper forum for redressal of their grievance, if so advised. File be consigned to record room after necessary completion.

**Announced:**  
07.03.2020

Muhammad Imtiaz  
Civil Judge/JM-II  
Orakzai (Qabar Nieta)  
(M. IMTIAZ)  
JM-II/MIMC Orakzai