

Accused namely

1. Taj Muhammad Khan S/O Piawo Khan, R/O Tehsil L/Orakzai, District Orakzai.
2. Jan Asghar S/O Itbar Khan, R/O Tehsil C/Orakzai, District Orakzai.
3. Sher Rahman S/O itbar Khan, R/O Tehsil C/Orakzai, District Orakzai.
4. Piawo Shah S/O Qutab Shah, R/O Tehsil C/Orakzai, District Orakzai.
5. Amir Askar S/O Mir Asghar, R/O Tehsil C/Orakzai, District Orakzai.
6. Suleman S/O Amir Askar, R/O Tehsil C/Orakzai, District Orakzai.

charged in case FIR No. 32, dated: 24/09/2019 registered U/S 15-AAKP at police station Kalaya, L/Orakzai present in custody on zamima Baay. APP Mr. Zohaib Ahmed Sher for the state present.

I. All Accused submitted an application for disposal of case wherein pleading their guilt. They waved their right U/S 241-A Cr.P.C willfully. Notice u/s 243 Cr.P.C given to the accused in response of which they placed themselves at the mercy of the court. Formal charge framed against the accused to which they plead guilty.

II. Perusal of file reveals that accused were apprehended at Takhtak, falling within the Criminal Jurisdiction of PS Kalaya, L/Orakzai, the ASHO recovered one Kalashnikov No. 17147313 with 02 live bullets of 303 bore from Accused No.01, 01 Rifle of Dungen bore No. BN4109, Rifle 7.62 bore with 03 live bullets from accuse No. 02, 01 Rifle of Dungen bore YN3625 from accused No. 03, 01 Rifle 303 bore No. 7377 and 01 Rifle 303 bore along with 130 live bullets of different bore from accused No. 04, 01 Rifle 12 bore with 05 live bullets and Rifle 303 bore No. 7778 from accused No. 05, On Pistol 30 bore Bearing No.MM6669 along with fixed Cartridge, without any valid license/ permit thus were booked in the instant FIR for offence falling U/S 15AA kp.

III. As the accused pleaded their guilt and has prayed for mercy of the court. Therefore, keeping in view the plea of guilt of the accused and while taking lenient view, accused namely Suleman S/O Amir Askar, Accused No. 06 has been found guilty of the charge level against him. Hence, convicted U/S 15 AA KP and sentence to imprisonment till rising of the court and fined Rs. 2000/- in default of which he shall undergo SI of 04 days.

IV. While accused No.01 to 05. (1) Taj Muhammad Khan (2) Jan Asghar (3) Sher Rahman (4) Piawo Shah and (5) Amir Askar, taking lenient

Muhammad Imtiaz
Civil Judge/JM-II
Orakzai (District Mela)
27/09/19

view and under circumstances of the case no punishment/sentence has been awarded to them and have been directed to be released on probation for 03 years starting from today 27.09.2019 and cease to have its effect 27.09.2022 unless varied by this court at any subsequent stage. In this respect Probation Order in Form-D has been made. The Probation Officer Orakzai Be informed immediately. Probation officer shall submit monthly report about the performance of the offenders directly to this court.

V.All accused (accused no. 01-05) are directed to submit Bond for keeping peace and to be a good behavior in Form-B; and Bond to observe the conditions of Probation Order to the tune of Rs. 80,000 with two local and reliable sureties to the satisfaction of probation officer as per law. A copy of judgment be given to the accused free of cost. While a copy of this order be also provided to the probation officer upon his arrival immediately.

VI.Case property shall stands forfeited to the state. However, SHO Concern is strictly directed to submit the details of case property; *and when dealt with*, the final report be forwarded to this court for information. File be consigned to record room after its necessary completion.

Announced
27/09/2019

Muhammad Intiaz
Civil Judge/JM-II
Orakzai (Babar Mehta)
27-08-19
Muhammad Intiaz
JM-II/MTMC
Orakzai