

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

MISC CRIMINAL NO. : 05/06 OF 2019
DATE OF INSTITUTION : 24.08.2019
DATE OF DECISION : 31.08.2019

ABDUL KABAR S/O SHATOOT KHAN R/O LANDI KOTAL
KHYBER AGENCY PRESENTLY SULTADAZ DARA ANJARI
FEROZ KHEL ORAKZAI AGENCY

.....(PETITIONER)

-VERSUS-

TOOTI S/O JABBAR R/O SKHA KHEL PRESENTLY SULTADAZ
DARA ANJARI FERROZ KHEL ORAKZAI AGENCY AND ONE
ANOTHER

..... (RESPONDENTS)

ORDER NO. 02
31.08.2019

Petitioner through his report dated 01.08.2019 reported to the Police Station Lower Kalaya regarding his injuries being caused on his upper lip, right side of chest and abdomen at the hands of respondent. The proceedings U/S 107/151 Cr.P.C only carried out against the respondent. Being aggrieved of the local Police, the petitioner approached the present court for registration of FIR.

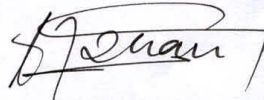
2. Comments of the local Police were called and in response they submitted that since the medico legal report of the petitioner is showing the opinion of the doctor as simple sharp injury hence, no FIR was lodged.


31-08-19
ASGHAR SHAH
District & Sessions Judge
Orakzai at Hangu

3. The hearing of arguments of the Learned counsel for the petitioner and that of DPP for the state would give the conclusion that there are three wounds caused to the petitioner wherein one is on the front chest which is five inches incised wound whereas the other is three inches incised wound on abdomen and a two inches incised wound was also found on the lower lip of the petitioner. As such all the wounds being incised would attract cognizable offences.

4. Therefore, the petition in hand is accepted and SHO PS lower Kalaya is directed to register the FIR against the respondent no. 1 Tooti under the relevant sections of law. Notice to this effect be issued to the SHO for compliance.

5. File be consigned to Sessions Record Room after its completion and compilation.



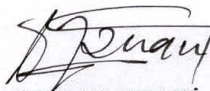
(ASGHAR SHAH)
Sessions Judge/Justice
of Peace, Orakzai
at Baber Mela

Announced
31.08.2019

CERTIFICATE

Certified that this order consists of two (02) pages. Each page has been read, corrected where-ever necessary and signed by me.

Dated: 31.08.2019.



(ASGHAR SHAH)
Sessions Judge/Justice
of Peace, Orakzai
at Baber Mela

31-08-19