

Order No. 03

23.12.2020

DPP, Umar Niaz for the state and Jabir Hussain Advocate for petitioner present. Comments of SHO already received and placed on file. Arguments heard and record perused.

(2). Petitioner, Muhammad Yousaf through petition u/s 22-A Cr.P.C requested for the registration of FIR against respondent no. 2 Noor Muhammad s/o Nizam Din for snatching the car of the petitioner at gun point. The SHO in his comments submitted that as per the version of the respondent recorded by him, the car of the petitioner has not been snatched but rather the petitioner has sold it out to respondent no. 2 for Rs. 860,000/- for the payment of one month wherein Rs. 10,000/- was paid in advance. The respondent has taken the plea that he has further sold it out in favour of one, Zar Wali Khan but the amount of the petitioner is outstanding against him.

Zar Wali
23/12/20
JUDGE
of Sessions Judge
District of Mangla

(3). It is surprising that despite allegation of cognizable offence, no proceedings were carried out upon the application of the petitioner and rather the version of the respondent have been placed on record without any version of the petitioner to be placed therein and without FIR being registered for the offence.

- (4). The contents of the petition, attracts the commission of cognizable offence, therefore, in the light of above, petition in hand is accepted and SHO PS Lower Orakzai is directed to register an FIR under the relevant sections of law against respondent no. 2 Noor Muhammad. Notice to this effect be issued to the SHO concerned alongwith copy of the order for compliance.
- (5). File be consigned to Session Record Room after its necessary completion and compilation.

Announced:
23.12.2020



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

23/12/20