

BA No.76/BA of 2020

ORDER-02

22-08-2020

Present:

Sana Ullah Khan Advocate for the accused/petitioners.

APP Syed Aamir Shah for State.

Complainant Hadayat Ullah, injured Saif Ullah, injured Anwar Ullah and Rehman Khan (father of injured Naveed Ullah), along with Usman Khan and Minawar Shah (elders of locality)

This order shall dispose of **post arrest bail application** of accused/petitioners **Adil & Zeeshan**; both sons of Rezeem Gul; belonging to Sheikhan-Samozai caste; residents of village Chilly Khel, Orakzai; who are confined in Jail, in case **FIR No. 88** dated 03-08-2020 u/ss. **324/34 PPC** of PS Lower Orakzai.

Brief facts of the instant case are that the accused/petitioners caused injuries to the complainant and the other three injured; while firing at them with intention to commit *qatl e amd*. The motive was some dispute over place of business. Hence the instant petition.

Today the complainant of the case and 02 injured appeared and submitted an affidavit of compromise. Their joint statement was recorded in court. They stated that they have patched up the matter with the accused and forgiven them in the name of Almighty Allah; by waiving their rights of Arsh and Daman etc. They showed no objection on conformation of instant bail and also on acquittal of accused at the time of trial. The affidavit and statement are placed on file. One of the injured, Naveed Ullah, could not appear in court due to his injury. The compromise statement on his behalf was recorded by his father Rehman Khan.

The offence is compoundable and the compromise seems to be genuine and in the best interest of the parties. Hence by accepting the compromise the instant bail petition is accepted and it is directed that the accused/petitioners be released on bail subject to furnishing bail bonds in sum of Rs.80,000/- (eighty thousand) each, from two sureties to the satisfaction of this court. Copy of this order be placed on record. Record be returned. File be consigned to record room after its completion and compilation.

ANNOUNCED

22-08-2020


JAMAL SHAH MAHSOOD
ASJ-I, Orakzai