

IN THE COURT OF BAKHT ZADA
ADDITIONAL SESSIONS JUDGE-I/JUDGE SPECIAL COURT, ORAKZAI
(AT BABER MELA)

SPECIAL CASE NO. : 26/03 OF 2024
DATE OF INSTITUTION : 12.12.2024
DATE OF DECISION : 20.03.2025

STATE THROUGH AFTAB HASSAN SHO, PS KUREZ BOYA.
.....(COMPLAINANT)

-VERSUS-

TASWEER ALI S/O FEROZ ALI, QAUM SIPOYE, TAPPA LAKHKARI KHEL.
.....(ACCUSED ABSCONDING)

ORDER NO. 08
20.03.2025

Accused, Tasweer Ali S/O Feroz Ali charged in
the case FIR No. 45, dated 01.08.2024, U/S 9(d) KP
CNSA, registered at PS Kalaya.

- (2). Facts of the case as per report of the complainant
Aftab Hassan SHO are that on 01.08.2024 at about 2030
hours, he along with constables Said Ullah Jan No. 1635,
Raheem Ali No. 492 along with driver Syed Hassan Raza
No. 674 were on patrolling duty laid barricade on main
road Sipoye near Dabli post. In meanwhile, motorcycle
boarded by two persons coming from Zerra side were
found suspicion and stopped for checking. Upon
deboarding the persons, the driver of motorcycle disclosed
his name as Tasweer Ali S/O Feroz Ali, R/O Qaum
Sipoye, Tappa Lakhkari Khel. His personal body search
was conducted, but nothing incriminating came out from
his possession, while person sitting on rear seat disclosed
his name as Surat Ali S/O Anees Ali, R/O Qaum Sipoye,
Tappa Lakhkari Khel. Upon his personal body search, one

Tasweer
20.3.25
BAKHT ZADA
Addl. District & Sessions Judge-1,
Orakzai at Hangu

7
STATE VS TASWEER ALI

FIR No. 45 | Dated: 01.08.2024 | U/S: 9(D) KP CNSA/512 Cr. PC | Police Station: Kurez Boya

chaddar blue colour in folded condition was checked and 04 packets chars wrapped in yellow scotch tape were recovered which were weighed through digital scale. Each packet came out to be 1000/1000 grams, making the total of 4000 grams. Upon weighing the chaddar, it came out to be 230 grams. 10-gram chars were separated from each packet with the help of sharp object, which was packed and sealed the same in parcel No. 1 to 4, while the remaining quantity of chars 3960 grams along with chaddar weighing 230 grams were packed and sealed into parcel No. 5. Video of the occurrence was prepared by driver Syed Hassan Raza and converted into USB and sealed the same into parcel No. 6. All the parcels were affixed with 03/03 seal monogram of "AH", while 01/01 seal monogram of the same was put inside each parcel. Motorcycle 125cc, red colour bearing registration No. 6181/Kohat, Model 2011, engine No. 6527690 and chassis No. U213132 was taken into possession vide recovery memo. Accused were arrested and their card of arrest was issued. Murasila was drafted at the spot. Murasila, card of arrest along with recovery memo were sent to PS through constable Said Ullah Jan for registration of case. All the proceedings were conducted in presence of marginal witnesses.

Said Ullah Jan
20.3.25
BAKHT ZADA
Addl: District & Sessions Judge
Orakzai at Hangu

- (3). Complete challan was submitted by the prosecution on 12.12.2024. Accused Tasweer Ali was Summoned, but as per report of DFC concerned wherein

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STATE VS TASWEER ALI

FIR No. 45 | Dated: 01.08.2024 | U/S: 9(D) KP CNSA/512 Cr. PC | Police Station: Kurez Boya

he stated that accused Tasweer Ali has gone abroad, to this effect his statement recorded as SW-01 and proceedings U/S 512 Cr. PC against absconding accused were initiated, while sureties of the accused were proceeded U/S 514 Cr. PC and prosecution was allowed to record evidence in absentia against the absconding accused U/S 512 Cr. PC.

(4). Prosecution produced and recorded the statements of as many as three (03) PWs and abandoned remaining PWs and prosecution closed its evidence within the meaning of section-512 Cr.PC and would produce the evidence after the arrest of accused.

(5). It is evident from the record that the above-named accused is deliberately avoiding his lawful arrest and there is no probability of his arrest in near future; hence, as per record, a prima facie case exists against the absconding accused Tasweer Ali. He is declared as proclaimed offender. Perpetual warrant of arrest be issued against him and SHO PS concerned is directed to enter the name of absconding accused in the register of proclaimed offender. All the legal course be adopted for his arrest and he be brought before the court as and when arrested. Case property be kept intact till final disposal of the case.

(6). File of this court be consigned to record after its necessary completion and compilation.

Dated: 20.03.2025

Javeri
20.3.25
BAKHT ZADA
Addl. District & Sessions Judge-1,
Orakzai at Hangu

Javeri
BAKHT ZADA
Additional Sessions Judge-I,
Orakzai at Baber Mela

CERTIFICATE

Certified that this order consists of three (03)
pages. Each page has been read, corrected wherever
necessary and signed by me.

Dated: 20.03.2025

Bakht Zada
20.3.25
BAKHT ZADA
Additional Sessions Judge-I,
Orakzai at Baber Mela