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**FORM "A"**  
**FORM OF ORDER SHEET**  
IN THE COURT OF MUHAMMAD JUNAID ALAM, JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI  
Case Title: \_\_\_\_\_ Vs \_\_\_\_\_

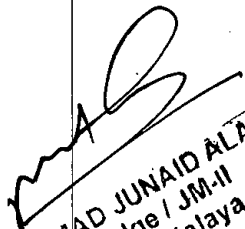
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order 04	18.07.2025	<p>Accused Fayaz Ali is on bail present while accused Sadiq Ali has been died and already proceeding against him is abated.</p> <p>Vide this order the Court intends to dispose of instant application filed u/s 249-A Cr.P.C. by accused/petitioner.</p> <p>Arguments already heard and record perused.</p> <p>Brief facts of the case are folded in FIR that SHO/complainant in the instant case alongwith other police officials was on routine patrolling were present at Kalaya Bazar, Orakzai. During patrolling two persons duly armed and recovered and took into possession one Kalashnikov bearing no. 3359 alongwith fixed charger and 20 cartridges of the same. The accused disclosed his name as Fayaz Ali. Similarly, upon the search of accused Sadiq Ali SHO/complainant recovered and took into possession one Kalashnikov bearing no. 16485 alongwith fixed charger and 17 cartridges of the same bore. The accused could not produce any valid license/permit. Two Kalashnikov alongwith fixed charger and 37 cartridges of the same bore were packed and sealed into parcel no. 01. 01/01 seals put inside each parcel while affixed 3/3 seals of monogram with the name of SH on parcel. SHO prepared recovery</p>

  
MUHAMMAD JUNAID ALAM  
Civil Judge / JM-II  
Orakzai at Kalaya

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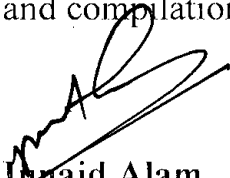
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	 MUHAMMAD JUNAID ALAM Civil Judge / JM-II Orakzai at Kalaya	<p>memo on the spot. SHO/complainant arrested the accused and issued their card of arrest. SHO/complainant charged the accused for the commission of offence. SHO/complainant sent Murasila, recovery memo and card of arrest through constable Syed Abbas Ali Shah to the PS. After registration of the instant case, the case file was handed over to investigation staff for investigation.</p> <p>Accused were arrested and later on, released on bail. Complete challan was put in court against the accused. Accused were summoned. Accused Fayaz Ali appeared before the Court while accused Sadiq Ali has been died. In this respect DFC submitted report that the accused Sadiq Ali has been died on 27.07.2022, hence, the proceedings against accused Sadiq Ali is abated. Provisions of Section 241-A Cr. PC was complied with. Formal charge was framed. Accused pleaded not guilty and they claimed trial.</p> <p>Record would transpire that no FSL report is not annexed by the prosecution, which makes the case of prosecution doubtful. It is also pertinent to mention here that the FIR was registered in 2021 and the case was put in court on 14.07.2025, which could show lack of interest in the prosecution case. There is no previous criminal history of accused facing trial.</p>
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		<p>There are so many dents and doubts in case of prosecution benefit of which goes to the accused. There is no probability of accused being convicted. Further proceedings would be a futile exercise and wastage of precious time of the court, therefore, application U/S 249-A Cr. PC is accepted and accused facing trial is acquitted from the charges levelled against him. He is on bail. His sureties stand discharged from their liability.</p> <p>Case property be dealt with in accordance with the law.</p> <p>Police file be returned while file of this court be consigned to record room after necessary completion and compilation.</p> <p><b><u>Announced.</u></b> 18.07.2025</p> <p style="text-align: right;"> <b><u>Muhammad Junaid Alam,</u></b> Judicial Magistrate-II, Tehsil Court Kalaya, Orakzai</p>
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