

IN THE COURT OF MUHAMMAD JUNAID ALAM,
JUDICIAL MAGISTRATE-II, TEHSIL KALAYA, ORAKZAI
Case No. 97/2 State Vs Hashim Khan, FIR No. 107 dated: 29.10.2024
U/S 324 PPC, PS Kalaya

Order. 10
29.08.2025

Accused is absconding. Complainant absent. PWs absent.


Today, the case was fixed for recording remaining evidence of prosecution, however, statement could not have recorded as PWs are not before the court today.

Complete challan u/s 512 Cr. PC was put in court against absconding accused namely Hashim Khan. Search witness namely Muhabat Ali appeared before the court and recorded his statement as SW-01. Accused is avoiding his lawful arrest. Thereafter, prosecution was allowed to produce its evidence within the meaning of section 512 Cr.PC. So far 02 PWs have recorded their statement, but thereafter, neither statement of remaining PWs have been recorded

nor complainant appeared before the court.

Perusal of record reveals that complainant namely Saeed Khan did not bother to appear before the court from 14.03.2025 till date fixed which shows lack of interest of complainant in the instant case.

As per section 249 Cr. PC when complainant did not appear before the court, Court has the power to stop the proceedings at any


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

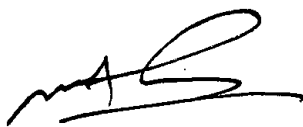
stage without pronouncing any judgement either of acquittal or conviction, and may thereupon release the accused.

In the given circumstances, court has decided to stop the instant case U/S 249 Cr. PC with the directions to SHO Police Station concerned to re-submit the case, if the complainant get interested in the prosecution of instant case.

Case property, if any be kept intact.

Copy of this order be placed on police file and the same be returned while file of this court be consigned to record room after its necessary completion and compilation.

Announced.
29.08.2025


(Muhammad Junaid Alam)
Judicial Magistrate-II,
Kalaya, Orakzai