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**IN THE COURT OF MUHAMMAD JUNAID ALAM**  
**JUDICIAL MAGISTRATE-II, TEHSIL COURTS KALAYA,**  
**DISTRICT ORAKZAI**

Criminal case No. \_\_\_\_\_ of 2025, **FIR No. 37 Dated: 29.04.2025 U/S: 15-AA Police**  
**Station: Kalaya, Lower Orakzai**

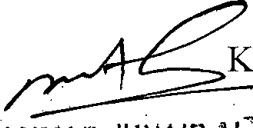
State Vs Rahman Wali

**Order No.01**  
**10.10.2025**

Complete challan received from prosecution. Be entered. APP for the state present. APP for the state recommended to discharge the instant challan. Accused Rahman Wali is on bail.

Record shows that complainant namely Shal Muhammad SHO has charged the accused namely <sup>Rehman wali</sup> ~~Muhammad Ullah~~ for commission of the offence U/S 15-AA, vide FIR No. 37 dated 29.04.2025 of PS

Kalaya.

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


Perusal of the case file reveals that the accused was booked under

Section 15-AA on the allegation of possessing an unlicensed firearm.

The weapon in question was recovered by the police during routine checking, and the accused was arrested on the spot. However, during the course of investigation, the accused produced an original license issued by the competent authority, duly verified by the licensing authority concerned. The report from the licensing authority also confirms that the said license was valid on the date of recovery and pertains to the same weapon allegedly recovered from the accused.

The learned APP contended that in view of the verification of the license, the basic ingredient of the alleged offence 15-AA possession of an unlicensed or illegal weapon is completely lacking. The recovery of a weapon lawfully licensed to the accused does not constitute an offence under the Arms Act. Hence, continuation of proceedings would be against the spirit of justice and an unnecessary burden on the judicial process.


It is a settled principle of criminal law that where no offence is made out from the available record and the prosecution itself acknowledges the legality of the possession, the accused cannot be compelled to face a fruitless trial.

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

In view of the above discussion and on the recommendation of the learned Assistant Public Prosecutor, this court is satisfied that no sufficient ground exists to proceed further against the accused. The instant challan is accordingly discharged, and the accused Rahman Wali stands discharged from the case. His sureties are hereby discharged from their liability.

File be consigned to the record room after due completion and compliance.

**Announced:**  
 10.10.2025

  
**Muhammad Junaid Alam,**  
 Judicial Magistrate -II,  
 Tehsil Court Kalaya, Orakzai