

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

Criminal case No. \_\_\_\_\_ of 2025, **FIR No. 86 Dated: 06.08.2025 U/S: 15-AA Police**  
**Station: Kalaya, Lower Orakzai**

State Vs Nawroz Ali

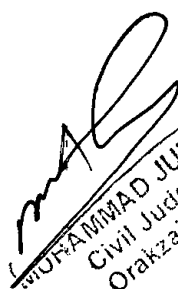
**Order No.01**  
**17.10.2025**

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

Record shows that complainant namely Imtiaz SHO has charged the accused namely Nawroz Ali for commission of the offence U/S 15-AA, vide FIR No. 86 dated 06.08.2025 of PS Kalaya.

The learned Assistant Public Prosecutor (APP) for the State appeared and submitted that the instant challan may be discharged. He contended that during the course of proceedings, the accused produced the original and valid license of the weapon allegedly recovered from his possession at the time of arrest. The learned APP further submitted that upon verification of the said license, it was found to be genuine and validly issued by the competent authority, covering the weapon in question. Hence, no offence is made out against the accused under the relevant provisions of law, and continuation of the prosecution would serve no lawful purpose.

Perusal of the case record reveals that the FIR was registered under the allegation of possession of an unlicensed weapon. However, the

  
**MUHAMMAD JUNAID ALAM**  
 Civil Judge / Jm-II  
 Orakzai at Kalaya

accused has now produced before this Court the original weapon license, which, on scrutiny, appears to correspond with the particulars of the recovered weapon, including its make, bore, and serial number. The prosecution has not disputed the authenticity of the license nor brought any material to show that the license is fake, expired, or otherwise invalid.


It is a settled principle that when an accused is able to produce a valid license for a recovered weapon, the very foundation of the alleged offence under the Arms Act or corresponding penal provisions stands negated. The existence of a valid license establishes lawful possession, and thus, no offence remains for adjudication.

In the present case, the prosecution has failed to bring forth any independent evidence to challenge the genuineness of the license or to show that the weapon was being used or possessed in violation of any legal restriction. Therefore, there is no sufficient evidence available on record to connect the accused with the commission of any offence.

Accordingly, the instant challan is hereby discharged. The accused namely Nawroz Ali is hereby discharged from the instant case. The accused is on bail. His bail bonds stand cancelled. Sureties are discharged from the liabilities of the bail bonds.

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