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**IN THE COURT OF SENIOR CIVIL JUDGE/JM ORAKZAI**

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Case No .....2/4 of 2025.  
Date of institution.....10.04.2025.  
Date of decision.....15.10.2025.

Case FIR No. 37, dated 31.08.2020, U/S 05 Explosive Substances Act. PS Ghiljo

**Order. 18**  
15.10.2025

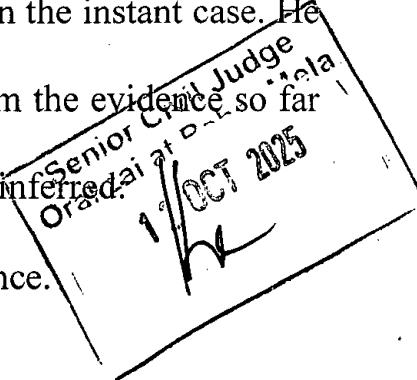
Sr.PP for the state present. Accused Abid produced in custody.  
Accused Sabireen exempted for today. Arguments on application u/s 249-A Cr.PC heard and record gone through.

Brief facts of case are that SHO received information about IED and rushed to the spot where he came to know that security forces have recovered one IED and they have disposed the same. Initially FIR was registered against unknown accused but later on, accused persons were charged for the commission of the offence.

After completion of investigation, complete challan was put in court against accused. Provisions of Section 241-A Cr. PC were complied with. Formal charge was framed. Accused pleaded not guilty and claimed trial. Prosecution was allowed to produce evidence against accused. So far, 03 PWs have been examined.

Saleem Khan SHO, was examined as PW-01. He partially investigated the case and submitted the case file to SHO for onward proceedings. PW-02 is the statement of Muharrir Gul Asghar. He incorporated the contents of murasila into FIR. PW-03 is the statement of Muhammad Ibrahim ASHO. He prepared site plan in the instant case. He recorded the statements of PWs u/s 161 Cr.PC. From the evidence so far recorded the following observations could be safely inferred.

- There is no direct witness of the incident/offence.



- (H)
- The alleged explosive device was found planted, and was not recovered from the persons of the accused, nor is there anything on record to connect them to the device.
  - The FIR was lodged against unknown persons, and after lapse of three months, the accused persons were nominated allegedly on the information of an undisclosed informant.
  - So the only material that could be categorized as 'evidence' that too with a stretch is the so-called information of an undisclosed informant.

In view of the above, there is no probability of accused being convicted even if the trial is proceeded to conclusion. Further proceedings would be a futile exercise and a waste time of the court, therefore, application U/S 249-A Cr. PC is accepted and accused facing trial namely Sabireen alias Abdullah and Abid alias Insar Saif Ullah are acquitted from the charges leveled against them. They are in custody, they be released if not required in any other case.

File be consigned to record room after necessary completion and compilation.

**Announced.**  
15.10.2025

  
**(Ijaz Mahsood)**  
Senior Civil Judge/JM,  
Orakzai at Baberela