

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


Criminal case No. _____ of 2025, FIR No. 50 Dated: 506 PPC & 15-AA Police Station:
Mishti Mela Orakzai

State Vs Imran Ullah etc.

Order No.01
30.10.2025

Complete challan along with discharge application received from prosecution. Be entered. Accused are on bail. Discharge application has been submitted by District Public Prosecutor.

Record shows that complainant namely Amir Khan ASHO have charged the accused namely Imran Ullah, Wajid Ullah, Farman Ullah and Arman Ullah for commission of the offence U/S 506 PPC & 15-AA vide FIR No. 50 dated 17.06.2025 of PS Mishti Mela.


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

As District Public Prosecutor has filed application for discharge of the accused U/S 5 (b), Prosecution Act, 2005 read with Section 494 Cr. PC. Prosecution has requested for discharge of the accused on the ground that sufficient evidence is not available on record to connect the accused with the commission of the alleged offence. Perusal of record reveals that the accused was charged for making aerial firing upon each other. However, neither the source of information was disclosed in the FIR nor any independent eye witness has been cited or examined during investigation. No empties were recovered from the spot to substantiate the allegation of aerial firing. Furthermore, the pistol allegedly


recovered from the accused is a licensed weapon, which has already been returned to him on superdari.

In view of the above facts and circumstances, and upon perusal of the investigation record, it appears that the available material is insufficient to establish any nexus of the accused with the alleged occurrence. Continuation of proceedings in absence of credible and corroborative evidence would amount to abuse of process of law.

Hence, the application moved by the learned DPP is accepted. The accused are hereby **discharged** from the instant case. Accused are on bail. Their sureties stand discharge from their liability. Case property, if any be dealt with in accordance with law.

Copy of the order be placed on police file as well as Judicial file. Instant file be consigned to record room after necessary completion and compilation.

Announced:
30.10.2025


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