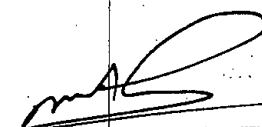


FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order 01	18.11.2025	<p>Complete challan submitted by prosecution. It be registered.</p> <p>Record shows that accused are charged in case F.I.R No. 04 dated: 01.02.2025 under section 188/34 Pakistan Panel Code, 1860 police station Mishti Mela, Orakzai. Allegations against the accused are that vide notification bearing endorsement No. 125/C/DC-OKZ, dated 10.02.2025, the Deputy Commissioner, District Orakzai imposed ban on the double riding in the District Orakzai and the accused nominated in the FIR violated the said order of the competent authority. On the strength of memo report, the above cited case was registered against the accused. Accused were arrested and later on, were released on bail by the court.</p> <p>As per law, no court can take cognizance of an offence punishable under section 188 PPC except on the complaint in writing of the public servant concerned or of some other public servant to whom he is subordinate. The relevant provisions of law are Section 195 (I) Cr. PC.</p> <p>As per Section 195 (I) Cr. PC, no court shall take cognizance of an offence punishable under sections 172 to 188 of the Pakistan Panel Code, except on the complaint in</p>


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

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Case Title: _____ Vs _____

writing of the public servant concerned or of some other public servant to whom he is subordinate.

In the instant case, F.I.R has been lodged against the accused by the ASHO, PS Mishti Mela. There is no order of competent authority for the registration of the case against the accused. Cognizance on the report of police is an abuse of process of law. Police officer was not authorized to register F.I.R against the accused for the violation of order of competent authority. APP for the state was confronted with the facts and circumstances of the case and he also conceded that F.I.R cannot be lodged against the accused on the report of a police official.

Keeping in view the above facts and circumstances and legal position, accused named above are hereby discharged from the charges leveled against them. They are on bail. Their sureties are discharged from their liabilities. Case property if any, be dealt with in accordance with law.

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



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