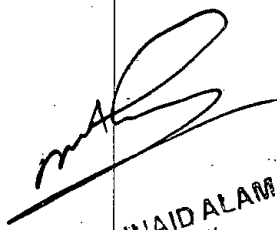


FORM "A"
FORM OF ORDER SHEET

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

Serial 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-28	24.11.2025	<p>None present for the State. Accused Abdur Raziq and Himat Khan on bail present while accused Sulaiman exempted. Accused Inab Khan is absconding. No one for complainant present.</p> <p>Vide this order the Court intends to dispose of the instant case under section 249-A Cr.PC.</p> <p>Brief facts of the case in hand are that complainant namely Muhammad Yaseen Tehsildar, Tehsil Central District Orakzai filed an application before the local police against the accused facing trial and absconding co-accused Inab Khan for obtaining forge domicile certificates. Upon the same application the local police obtained legal opinion from DPP, Orakzai against the accused. The contents of application are, that accused namely Sulaiman Khan, Inab Khan and Abdur Raziq have obtained forged domiciles certificates of District Orakzai. Upon the verification of alleged domicile certificates of accused mentioned above, it was found fake and forge. Furthermore, under the supervision of Additional District Commissioner Orakzai, the statements of accused were recorded, wherein they stated that the domiciles certificates were obtained by</p>


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

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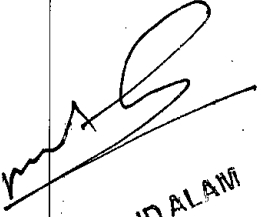
IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

accused Himat Khan in the lieu of compensation of Rs. 25000/-. Upon the application of complainant/Tehsildar Central Orakzai FIR was lodged against the accused.

Accused Sulaiman Khan, Abdur Raziq and Himat Khan were arrested and later on, released on bail. Complete challan was put in court against the accused. Accused were summoned. They appeared before the court. Provisions of Section 241-A Cr. PC were complied with. Formal charge was framed. Accused pleaded not guilty and claimed trial. while accused Inab Khan is absconding. Prosecution was allowed to produce evidence against accused. Prosecution produced only two witness. i.e. PW-01 (IO) and PW-02 (SHO) in the instant case.

Record reveals that the alleged occurrence took place in the year of 2012-13 & 17 while FIR was lodged on 26.12.2023.

It is also pertinent to mention here that in year of 2012-13 & 17 Federal and Provincial Laws were not extended to to Erstwhile FATA. Furthermore, the evidence of prosecution are reluctant to appear before the court for evidence. The case was put in court on 20.03.2024, since then only two prosecution witness are recorded their statements before the court. It is also noted that the almost witnesses of prosecution are pertained to District Administration i.e.

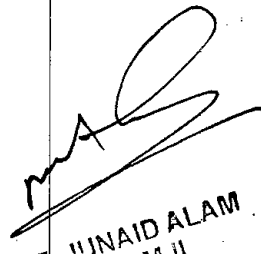

MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
Orakzai at Kalaya

FORM "A"
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IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI
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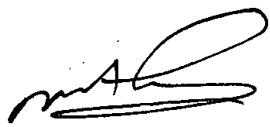
ADC, AC and Tehsildar of the concerned district, but they are failed to appear before the Court for a single date of hearing. Complainant in the instant case is Tehsildar of Tehsil Central District Orakzai, he is frequently absent from the court and had lack of interest to pursue the instant case. Furthermore, accused facing trial have no previous criminal history.

Record further transpire that The so-called forged domicile certificates have not been proved to be counterfeit through any expert opinion, nor has any competent authority of the issuing office been examined to substantiate the allegation of forgery. It is also worth mentioning here that the accused Abdul Raziq was charged in the instant case, he was in the age of 11 years, being a juvenile. It is also worth mentioning here that under juvenile Justice Act, 2016 also extended to the accused Abdur Raziq more liberally in light of the Juvenile Justice System Act, 2018. Since the available material does not disclose any reasonable probability of conviction, and further proceedings would amount to wastage of precious time of the Court. Hence, the Court is empowered under Section 249-A Cr.P.C. to discharge the accused at any stage of the trial where the charge appears to be groundless.


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Orakzai at Kalaya

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	<p>It is also pertinent to mention here that</p> <p>In given circumstances, the instant case disposed of under Section 249-A Cr.P.C. Accused facing trial namely Himat Khan, Abdul Raziq and Sulaiman are hereby discharged from the charges levelled against them. Their sureties stand discharged from the liability of bail bonds.</p> <p>Prima facie case exists against absconding co-accused namely Inab Khan, who intentionally avoiding his lawful arrest, hence, accused is named above is hereby declared as proclaimed offender. His name be entered in register/list of proclaimed offender.</p> <p>Case property, if any, be kept intact till expiry of period of appeal and thereafter be dealt in accordance with law.</p> <p>Police record be returned forthwith to quarter concerned.</p> <p>File be consigned to record room after its necessary completion and compilation.</p> <p><u>Announced</u> 24.11.2025</p> <p style="text-align: right;"> <u>Muhammad Junaid Alam,</u> Judicial Magistrate-II Tehsil Courts, Kalaya, Orakzai</p>
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