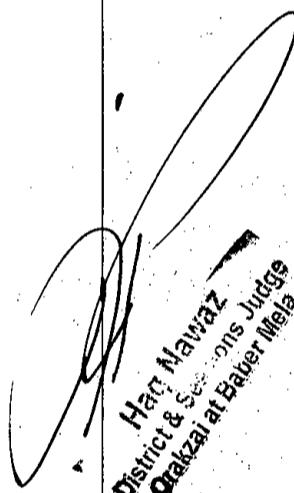
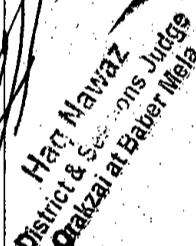


Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No. 25	13.02.2026	<p>Sr. PP, Abul Qasim for the State and Abid Ali Advocate for accused present. Accused Hamid Ullah produced in custody. Arguments on application u/s 265-K CrPC heard and record perused.</p> <p>This case was registered against the accused, Hamid Ullah s/o Muhammad Hayat, Caste Sheikhan, r/o village Kanganiye, District Orakzai vide FIR No. 70, Dated 03.12.2024 registered at Police Station Mishti Mela u/s 302 PPC.</p> <p>According to the prosecution case, the local police, while responding to the information regarding the incident, reached DHQ Hospital Mishti Mela on 03.12.2024 and found the dead body of Muhammad Naveed in the emergency room. The cousin of the deceased namely Abdullah reported the matter at 1850 hours that he along with his cousin and other inmates were present in their house on the eventful day. He further reported that the deceased, after having supper, left the house and went to the hujra and after some time, the children of their house went out to the hujra and saw Muhammad Naveed soaked in blood. They informed the complainant as well as other family members who went to the hujra and found Muhammad Naveed killed by unknown person by making firing upon him. He charged unknown accused for the commission of offence. However, he later on charged the accused for the commission of offence in his statement recorded u/s 164 CrPC on 11.12.2024.</p> <p>After completion of investigation, complete challan was submitted against the accused. He was summoned and copies were provided to him under Section 265-C CrPC. The accused was formally charged but he pleaded not guilty and claimed trial. The prosecution produced a total of 06 witnesses before the Court when the defense counsel submitted an application u/s 265-K CrPC for acquittal of the accused.</p>  

(18)

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Shahzad

vs Hamid Ullah

FIR no. 70, Dated: 03-12-2022, u/s 302 CrPC, PS Mohammed

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
<u>Order No. 25</u> <u>13.02.2026</u>		<p>After hearing both the parties and perusal of the record, it was found that the star witness of the occurrence is the complainant who has not seen the accused while committing the murder of the deceased. The complainant also admitted in his statement as PW-6 that there is no eyewitness of the occurrence. In addition, the crime empties and the crime weapon, allegedly recovered on the pointation of the accused, have been transmitted to the FSL for chemical examination, but the FSL reported that the one 30-bore crime empty Mark-C was not fired from 30-bore Pistol No. A416 in question. There is no other ocular or circumstantial piece of evidence available on record to connect the accused with the commission of offence. Hence, there is no likelihood of the conviction of the accused, even if the prosecution produced the remaining evidence before the Court.</p> <p>In such circumstances, the application is accepted and the accused Hamid Ullah s/o Muhammad Hayat, Caste Sheikhan, r/o village Kanganiye, District Orakzai is acquitted from the charges levelled against him u/s 265-K CrPC. The accused is in custody. He be released forthwith if not required in any other cause. The case property be destroyed after expiry of period provided for appeal/revision. File of this Court be consigned to record room after its necessary completion and compilation.</p> <p><u>Announced:</u> <u>13.02.2026</u></p>


 (HAQ NAWAZ)
 Sessions Judge, Orakzai
 at Baber Mela