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FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF NOOR UL HAQ, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI

Case Title: state vs Ajmeer

FIR No. 89 Dated: 29.08.2024 u/s 324,34 PPC PS: Kalaya

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 03	15.07.2026	APP for the state present. Prosecution has submitted cancellation challan against accused in case FIR No.89 dated: 29.08.2024 u/s 324,34 PPC PS Kalaya however, the instant challan was inadvertently registered for the purpose to proceed within the meaning of section 512 Cr.PC. Arguments on behalf of Assistant Public Prosecutor heard and record perused. On perusal of the investigation record reveals that the complainant, Muhammad Javid, alleged that accused Ajmer and Taj Muhammad subjected him to beatings and that accused Taj Muhammad made a pistol fire which hit the complainant on his left thigh, causing him an injury. However, during the course of investigation, the statement of the eye-witness, Ikram Ullah, was recorded, who narrated an entirely different version of the occurrence. According to the eye-witness, he was driving the motorcycle while the complainant Muhammad Javid was sitting behind him. They first reached Othman Khel Bazaar where both of them took a meal (rice), and thereafter proceeded towards their destination. During the journey, Muhammad Javid himself took out a pistol and fired 3 to 4 shots, whereupon one of the bullets accidentally struck his

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own left thigh, resulting in the injury.

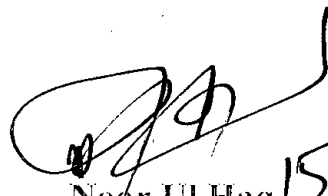
The statement of the eye-witness is materially inconsistent with the version advanced by the complainant in the FIR.

The investigation conducted by the police also supports the version of the eye-witness, and no reliable or independent material has been brought on record to connect the nominated accused with the commission of the alleged offence. Rather, the available evidence creates serious doubt regarding the truthfulness of the allegations leveled against the accused persons.

It is a settled principle of criminal jurisprudence that where the investigation reveals that the occurrence did not take place in the manner alleged by the complainant and there remains no sufficient material to proceed against the accused, acceptance of the cancellation report is justified.

In view of the above discussion, this Court is satisfied that the prosecution has rightly recommended cancellation of the case. Accordingly, the cancellation report submitted by the prosecution is accepted.

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



Noor Ul Haq

Judicial Magistrate-II,

Tehsil Courts, Kalaya, Orakzai

15/7/26