Order. No. 07
18.05.2023

Surety namely Abdul Manan and Hazrat Khan produced by DFC Ahmad Khel by executing warrant of arrest. Show cause notices u/s 514 Cr.PC given to the sureties. Reply to show cause notices submitted. Record gone through.

Record reveals that Abdul Manan and Hazrat Khan stood sureties for the accused Allah Noor for an amount of Rs. 50,000/- each in case FIR No. 15 dated 09.02.2021 u/s 15-AA PS Kurez Boya. During the trial, they failed to produce the said accused before the court, resultantly, accused was proceeded against U/S 512 Cr. PC and sureties were proceeded U/S 514 Cr. PC.

In reply to the show cause, sureties have contended that as soon as they received summon/notice of the court, they produced the accused before the court accordingly. Record shows that accused Allah Noor was produced before the local police by the sureties who produced the accused before the court.

There is nothing on record showing that the sureties have gained any financial benefits from the accused. Prima facie, they stood sureties for the accused on social ground. They produced the accused. Sureties have made genuine efforts, therefore, a lenient view is taken and sureties are burdened with penalty of Rs.3000/- each.

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

Announced
18.05.2023

ZAHIR KHAN
Judicial Magistrate-I, Kalaya
Orakzai