

IN THE COURT OF JUDICIAL MAGISTRATE-II, KALAYA, ORAKZAI

Bail Petition34/4 of 2025.

Date of institution.....13.05.2025.

Date of decision.....14.05.2025.

Order.No.02

14.05.2025

Complainant Rangeen Shah present. Record received. Attested W/N received, which is placed on file. Written arguments on behalf of counsel for accused/petitioner already received. Complainant stated that he has affected compromise with accused/petitioner and has pardoned the accused in the name of Almighty Allah, therefore, he has got no objection if accused/petitioner is released on bail.

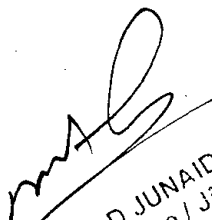
Complainant stated at the bar that he has affected compromise with accused/petitioner outside the court and has pardoned the accused in the name of Almighty Allah. He has got no objection if accused/petitioner is released on bail. To this effect statement of

complainant recorded wherein he reiterated the same contention.

Statement is duly signed and thumb impressed by complainant.

Accused/petitioner namely Nazeef Ullah S/O Sahib Shah R/O Qaum Mishti, Village Mishti Bazar District Orakzai is seeking his post arrest bail in case FIR No. 31, Dated: 12.05.2025 U/S 506,452 PPC & 15-AA, PS Mishti Mela, Orakzai.

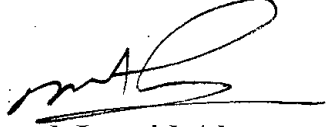
Although offence under Section 506 PPC is non compoundable, however, in plethora of judgments of the superior courts, it is held that


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

the factum of compromise could be considered as a ground for grant of bail in the interest of justice and equity. When complainant is not willing to prosecute the accused any further, the court would not compel the parties to do so as "you can take the horse till the water but you cannot make him drink".

Resultantly, application in hand is allowed. Accused/petitioner be released on bail on sole ground of compromise subject to furnishing bail bonds in the sum of Rs. 50,000/- with two reliable sureties each in the like amount to the satisfaction of this court. Copy of this order be placed on police as well as judicial record. Record be sent back to the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
14.05.2025


Muhammad Junaid Alam
JMIC-II, Tehsil Court Kalaya,
Orakzai

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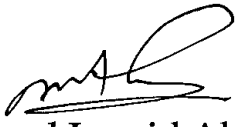
Statement of complainant namely Rangeen Shah S/O Wazir Khan R/O Mishti, Tappa Hiader Khel, Tehsil Central, District Orakzai.

Stated on oath that, I am complainant of case FIR No. 31 dated: 12.05.2025 U/S 506,452 PPC & 15-AA registered at Police Station Mishti Mela. I have charged accused Nazeef Ullah for the commission of the offence. Now, with the interventions of the elders of the locality, I have effected compromise with the above mentioned accused and have pardon him in the name of Almighty Allah. The compromise is without any force and coercion. Therefore, on the acceptance of compromise, if accused/petitioner is released on bail, I have got no objection. Copy of my CNIC is Ex-PA.

RO & AC
14.05.2025

Rangeen Shah S/O Wazir Khan _____
CNIC: 21601-2627175-5




Muhammad Junaaid Alam
Judicial Magistrate-II,
Kalaya, Orakzai