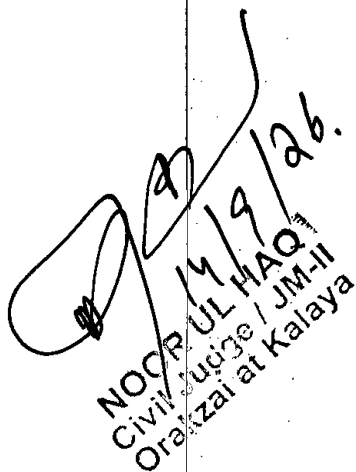


FORM "A"**FORM OF ORDER SHEET**

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

Case Title: Gul Noor vs Ashiq Khan

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 10	14.09.2026	Parties are present. Today, the case was fixed for further proceedings. Parties were heard today. Record perused. Briefly stated, the present proceedings were initiated under Section 145 Cr.PC in respect of a dispute between the parties concerning the subject matter/property in question. The purpose and object of proceedings under Section 145 Cr.PC is to prevent an imminent breach of peace arising out of a dispute concerning possession of immovable property and to maintain peace and tranquility until the rights of the parties are determined by the competent forum. Upon perusal of record, it transpires that the parties have already approached the Civil Court in respect of the same subject matter and a civil suit between them is presently pending adjudication. Thus, the substantive rights and claims of the parties are already sub judice before the competent Civil Court. Furthermore, documents appended with the file pertain to the lease/contract (Ijara) in question, which reveals that the complainant is not a shareholder in the property; rather, he claims his interest therein in the capacity of an Ijaradar (lessee/leaseholder). It is also evident from the record and the circumstances placed before the Court that, at present, there is no sufficient material to establish any apprehension of immediate breach of peace or threat between the parties warranting continuation of the present proceedings. The jurisdiction under Section 145 Cr.PC is preventive and emergent in nature and is intended to meet a situation where


 NOOR UL HAQ
 Civil Judge / JM-II
 Orakzai at Kalaya

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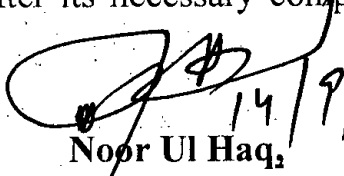
an actual or imminent apprehension of breach of peace exists.

In the circumstances, continuation of the present proceedings under Section 145 Cr.PC would serve no useful purpose. The parties are already before the competent Civil Court, where their respective rights and claims shall be determined in accordance with law. Nothing observed herein shall prejudice the case of either party before the Civil Court, and the observations made in this order are confined only to the question of continuation of proceedings under Section 145 Cr.PC.

Consequently, as there is presently no apprehension of breach of peace or threat requiring preventive intervention and as petitioner is not shareholder in the property, the instant petition under Section 145 Cr.PC is dismissed.

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

Announced:
14.09.2026


14/9/26
Noor Ul Haq,
Civil Judge/JM-II,
Tehsil Courts, Kalaya, Orakzai