

FORM "A"
FORM OF ORDER SHEET

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

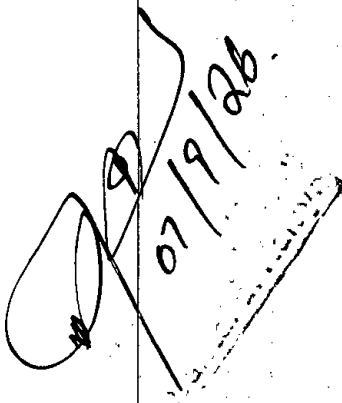
Case Title: _____ Vs _____

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-30	07.09.2026	APP for the State present. Accused Ameen Khan on bail alongwith counsel present. Learned counsel for accused Ameen submitted an application under section 249-A Cr. PC, which is placed on file. Vide this order the Court intends to dispose of instant application filed under section 249-A Cr.PC. Arguments of the learned counsel for the accused heard while APP for the State advanced his arguments. Brief facts as per contents of FIR, are that on 10.05.2024 at about 12:30 hours, the complainant/SHO alongwith police officials were laid barricade at main road Mishti Mela to Daboori. In the meanwhile, one person pedestrian coming from Mishti side in suspicious condition was stopped for the purpose of checking. On his body search, the SHO/complainant recovered and took into possession one plastic envelope in white color from the side pocket containing ice. On weighing through digital scale, it came out 55-grams ice. One gram sample of ice was separate for FSL and duly packed and sealed into parcel no. 01, while remaining stuff of ice i.e. 54-grams was duly packed and

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

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		sealed into parcel no. 02. Videography of the occurrence was made by complainant/SHO and saved in USB, which was packed and sealed into parcel no. 03. One seal was put inside each parcel while affixed 3/3 seals of monogram with the name of MY on the parcels. Accused disclosed his name as Abdul Sattar son of Rayat Khan. Accused was arrested and issued his card of arrest. Accused was charged for the commission of offence. Murasila was drafted on the spot. On the strength of Murasila FIR no. 23 dated 10.05.2024 under section 11 A KPCNSA PS Mishti Mela was registered against the accused. On 18.05.2024, accused Abdul Sattar in his statement recorded under section 161 Cr. PC, nominated the co-accused Ameen Khan in the instant case. Subsequently, on 18.07.2024, accused Ameen Khan was arrested. Later on, accused were released on bail. Complete challan was put in court against the accused facing trial. Accused were summoned. They appeared before the court. Provisions of Section 241-A Cr. PC were complied with. Formal charge was framed. Accused pleaded not guilty and claimed trial. Prosecution was allowed to produce evidence against accused. As per DFC report, dated 24.06.2026, accused Abdul Sattar
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has been died. In view of the death of the accused, the criminal proceedings against him are abated on account of his death.

Moreover, the accused facing trial Ameen Khan was not directly charged in the instant case, rather he was nominated as accused by the co-accused Abdul Sattar in his 161 statement. However, such statement of co-accused recorded under section 161 Cr. PC, is a police statement and by itself, does not constitute substantive evidence against accused Ameen Khan. It is also noted that prosecution has failed to point out any independent incriminating material against the accused. No recovery has been affected from his direct possession.

In given circumstances, there is no probability of conviction of the present accused at later stage after recording of entire/remaining evidence of prosecution.

Hence, the instant case disposed of under Section 249-A Cr.P.C. Accused facing trial namely Ameen Khan is hereby acquitted from the charges levelled against him. His sureties stand discharged from the liability of bail bonds. Case property, if any, be kept intact till expiry of period of appeal and thereafter be dealt in accordance with law. Police record be returned forthwith to quarter concerned.

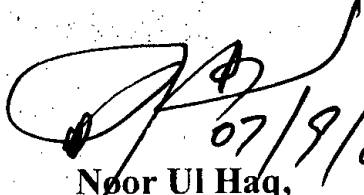
NOOR UL HAQ
JUDICIAL MAGISTRATE-II
at Kalaya
10/05/2024

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

Announced:
07.09.2026


07/9/26.
Noor Ul Haq,
Judicial Magistrate-II,
Tehsil Courts, Kalaya, Orakzai