

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

Criminal case No. of 2026, FIR No. 98 Dated: 15.07.2026, U/S:
392,34 Police Station: Kalaya, Lower Orakzai
State Vs Sohail etc.

Order No.01
08.10.2026

Complete challan along with discharge application received from prosecution. Be entered. Accused Sohail, Abdul Mutlib and Muhammad Saad alias Sinjab are on bail. Discharge application has been submitted by District Public Prosecutor.

Record shows that complainant namely Misyal Khan has charged accused namely Sohail, Abdul Mutlib and Muhammad Saad alias Sinjab for commission of the offence in case FIR No. 98 Dated: 15.07.2026, U/S: 392,34 Police Station: Kalaya, Lower Orakzai.

The learned District Public Prosecutor has filed application for discharge of the accused U/S 5 (b), Prosecution Act, 2005 read with Section 494 Cr. PC, on the ground that complainant party and main eye witnesses has patched up the matter with the accused at bail stage and they are the witnesses whose statements will lead the accused toward conviction but definitely they will extend benefit to accused during evidence in each aspect due to compromise.

In view of the submissions advanced by the learned DPP, it transpires that the complainant party and the material eye-witnesses have entered into a compromise with the accused at the bail stage, having got no objection also on their acquittal. The said witnesses are material to the prosecution case, and their testimony is likely to have a direct bearing on the determination of the guilt or

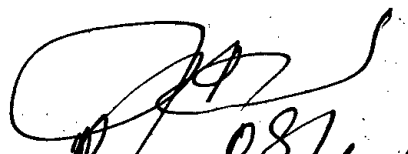
4

otherwise of the accused. In the circumstances, there appears to be little likelihood of the accused being convicted, as the material and star witnesses have already pardoned them. Consequently, the learned DPP's application for discharge is found to be meritorious and is hereby allowed. The accused Sohail, Abdul Mutlib and Muhammad Saad alias Sinjab are discharged from the instant case. Sureties of accused also released from liability.

Copy of the order be placed on police file as well as Judicial file. Instant file be consigned to record room after necessary completion and compilation.

Announced:

08.10.2026


Noor Ul Haq, 08/10/26
Judicial Magistrate -II,
Tehsil Court Kalaya, Orakzai