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

Criminal case No. of 2026, FIR No. 100 Dated: 15.07.2026, U/S: 506,427,34 Police Station: Kalaya, Lower Orakzai
State Vs Aman Ullah etc

Order No.01
29.10.2026

Complete challan along with discharge application received from prosecution. Be entered. Accused Aman Ullah and Bilal Ahmad are on bail while accused Sher Khan is absconding. Discharge application has been submitted by District Public Prosecutor.

Record shows that complainant namely SHO Hajat Hassan has charged accused namely Aman Ullah and Bilal Ahmad and Sher Khan for commission of the offence in case FIR No. FIR No. 100 Dated: 15.07.2026, U/S: 506,427,34 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 the role of the arrested accused namely Bilal and Aman Ullah is throwing stones but on the record, the damage estimation has not been done, moreover the motor car has not been taken into possession, therefore, the instant act of these two accused at present seems not to be proved.

Perusal of the record reveals that the specific role attributed to the arrested accused is that of pelting stones. However, the record reflects that no damage assessment or examination has been conducted to substantiate the alleged damage. Moreover, the alleged motor car has not been taken into possession by the investigating agency. Consequently, the allegations against

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the aforesaid accused remain unsubstantiated by the available material on record.

In view of the foregoing circumstances, the prosecution has failed to produce sufficient material connecting the accused with the commission of the alleged offence. Accordingly, the application filed by the learned DPP, Orakzai, is allowed, and accused Bilal and Aman Ullah are hereby discharged from the instant case. Sureties of accused also released from labiality.

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:
29.10.2026

28/10/26

Noor Ul Haq,
Judicial Magistrate -II,
Tehsil Court Kalaya, Orakzai