

IN THE COURT OF SHAUKAT AHMAD KHAN,
SESSIONS JUDGE/JUDGE SPECIAL COURT/JUDGE
JUVENILE COURT, ORAKZAI (AT BABER MELA)

SPECIAL CASE NO. : 1/2 (J) OF 2023
DATE OF INSTITUTION : 16.01.2023
DATE OF DECISION : 24.01.2023

STATE THROUGH IBRAHIM KHAN SHO, POLICE STATION
GHILJO

.....(COMPLAINANT)

-VERSUS-

SAEED ULLAH S/O NOOR WALI KHAN, AGED ABOUT 17 YEARS,
R/O CASTE SHEIKHAN, KHANGAR POOR, DISTRICT ORAKZAI

..... (ACCUSED FACING TRIAL)

Present: Umar Niaz, District Public Prosecutor for State.

FIR No. 29 **Dated:** 24.12.2022 **U/S:** 9 (d) of the Khyber
Pakhtunkhwa Control of Narcotic Substances Act, 2019

Police Station: Ghiljo

JUDGEMENT
24.01.2023

The above-named accused is charged for the offence u/s 9 (d) of the Khyber Pakhtunkhwa CNSA, 2019, vide FIR no. 29, dated 24.12.2022 of Police Station Ghiljo.


(2). As per contents of FIR, the complainant, Ibrahim Khan SHO along with other police officials having laid a picket on the spot, stopped a person on the basis of suspicion whose personal search led the complainant to the recovery of 1100 grams of chars from his trouser-fold.

(3). After completion of investigation, complete challan was put in court. The accused was summoned through Addendum-B from Sub-Jail Orakzai and copies

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of the record were provided to him in line with section 265-C CrPC. Today, the case was fixed for framing of charge; however, the accused submitted application for disposal of his case on the basis of plead guilty on the grounds, that he is a poor person and a sole bread earner of his family, cannot afford the expenses of litigation, and that being first offender, lenient view may be taken against him. Application is placed on file. In view of the application of accused, prosecution did not want to produce the evidence. Statement of the accused recorded u/s 342 Cr.P.C.

- (4). Arguments heard and record perused. Perusal of case file shows that the accused was having 1100 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) of the Khyber Pakhtunkhwa CNSA, 2019. Hence, he is convicted of the offence. But as the accused is first offender and there is no record of his previous involvement in such like offences. Besides the accused is juvenile and under the age of 18 years; therefore, he must have a chance of repentance. Keeping in view the aforementioned circumstances and the clean breast admission of the guilt of the accused, his poor financial status and recovery of only 1100 grams of chars by taking a lenient view, instead of sentencing him at once, he is placed on


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probation for a period of two years subject to the executing of bonds in the sum of Rs. 50,000/- with two sureties to the effect that the accused would commit no offence and to keep the peace and be of good behavior during the period of bond and to appear and receive the sentence, if called upon to do so during that period to the satisfaction of Probation Officer concerned. Accused is in custody. He be released forthwith, if not required in any other case. Case property i.e., chargs be destroyed in accordance with law after the period provided for appeal/revision. Consign.



Pronounced:
24.01.2023

SHAUKAT AHMAD KHAN)
Sessions Judge/Judge Special Court/Judge
Juvenile Court, Orakzai at Baber Mela

CERTIFICATE

Certified that this judgment consists of three (03) pages. Each page has been read, corrected wherever necessary and signed by me.

Dated: 24.01.2023

SHAUKAT AHMAD KHAN)
Sessions Judge/Judge Special Court/Judge
Juvenile Court, Orakzai at Baber Mela