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IN THE COURT OF SAYED FAZAL WADOOD
ADDITIONAL SESSIONS JUDGE, ORAKZAI
(AT BABER MELA)

CASE NO. : 27/3 OF 2022
DATE OF INSTITUTION : 16.12.2022
DATE OF DECISION : 18.02.2023

STATE THROUGH LAIQ SHAH Son Of NIAZ BAHADUR

.....(COMPLAINANT)

-VERSUS-

MUHAMMAD TARIQ SON OF LAIQ SHAH R/O QAUM MISHTI
TAPPA MAMIZAI, VILLAGE MADATI, DISTRICT ORAKZAI
.....(ACCUSED FACING TRIAL)

Present: Complainant Laiq Shah and Naid Wali, APP for State.

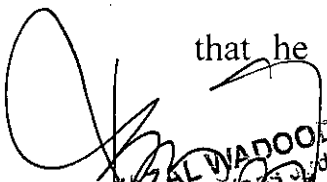
FIR No. 26 **Dated:** 14.07.2022 **U/S:** 15 AA
Police Station: Central Mishti Mela

JUDGEMENT
18.02.2023

The above-named accused is charged for the offence u/s 15 AA vide FIR No. 26, dated 14.07.2022 of Police Station Mishti Mela.


(2). As per record, during investigation of case of capital punishment, within the criminal jurisdiction of Police Station Central Mishti Mela Orakzai, one Kalashnikov No. 1975ZK5230 along with fixed charger with 11 live rounds 7.62 bore which is weapon of offence was recovered from accused. Consequently, the captioned FIR was registered that given birth to the subject case.

(3). After completion of investigation, complete challan was put in court. The accused was summoned who accordingly appeared before the Court and pleaded guilty for the reasons that he is a poor person, cannot afford the expenses of


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litigation, and that being first offenders and poor physical condition, 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 of the Code of Criminal Procedure 1898.

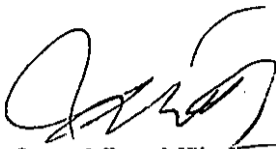
- (5). Perusal of case file shows that police recovered one Kalashnikov No. 1975ZK5230 along with fixed charger with 11 live rounds 7.62 bore from the possession of accused; therefore, he is held guilty of the offence punishable u/s 15AA. Hence, he is convicted of the offence. But as the accused is first offenders and there is no record of his previous involvement in such like offences and he has a poor physical condition; therefore, he must have a chance of repentance. Keeping in view the aforementioned circumstances and the clean breast admission of the guilt by the accused, poor financial status, by taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of one year 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 be dealt with as per law after expiry of


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period of appeal/revision. File of this Court be consigned to District Record Room Orakzai after necessary completion and compilation within span allowed for.


Announced:
18.02.2023


Sayed Fazal Wadood,
AD&SJ, Orakzai at Baber Mela

CERTIFICATE

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

Dated: 18.02.2023


Sayed Fazal Wadood,
AD&SJ, Orakzai at Baber Mela