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

SPECIAL CASE NO. : 2/21 OF 2021  
DATE OF INSTITUTION : 25.06.2021  
DATE OF DECISION : 22.02.2023

STATE THROUGH MALAK ABDUL JANAN KHAN SHO, PS KALAYA

.....(COMPLAINANT)

-VERSUS-

**RAFI ULLAH SON OF ABDUL WALI R/O QAUM BEZOT TAPPA MIR  
KALI KHEL, DISTRICT ORAKZAI** .....(ACCUSED FACING TRIAL)

**Present:** Naid Wali, APP for State.

**FIR No. 44**                      **Dated:** 04.04.2021      **U/S:** 9 (d) of the Khyber Pakhtunkhwa  
Control of Narcotic Substances Act, 2019  
**Police Station:** Kalaya

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**JUDGEMENT**  
22.02.2023

The above-named accused is charged for the offence u/s 9 (d) KP CNSA vide FIR No. 44, dated 04.04.2021 of Police Station Kalaya.

(2). As per contents of FIR, the complainant Abdul Janan SHO along with other police officials recovered 3000 grams of chars from possession of the accused. Consequently, the captioned FIR was registered that given birth to the subject case.

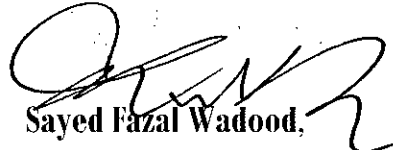
(3). After completion of investigation, complete challan was put in court. The accused was summoned who accordingly appeared before the Court and pleaded guilty for the reasons that he is a poor person, cannot afford the expenses of litigation, and that being first offender and Juvenile, lenient view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

**SAYED FAZAL WADOOD**  
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Orakzai, at Hangu

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(5). Perusal of case file shows that the accused was having 3000 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) of KP CNSA 2019. 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; 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 and recovery of only 3000 grams of chars and being Juvenile, by taking a lenient view, instead of sentencing him at once, he is placed on 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. Case property i.e., chars be destroyed in accordance with law after the period provided for appeal/revision. File of this Court be consigned to District Record Room Orakzai after necessary completion and compilation within span allowed for.


**Announced:**  
22.02.2023

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

**CERTIFICATE**

Certified that this Judgment consists of two (02) pages. Each page has been read over, corrected wherever necessary and signed by me.

Dated: 22.02.2023

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