

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

SPECIAL CASE NO. : 3/2(J) OF 2023  
DATE OF INSTITUTION : 22.02.2023  
DATE OF DECISION : 22.02.2023

STATE THROUGH IMTIAZ KHAN SHO, POLICE STATION DABORI  
.....(COMPLAINANT)

-VERSUS-

MUHAMMAD KHALID S/O ZAKIR ULLAH, AGED ABOUT 17  
YEARS, R/O CASTE ZAKHA KHEL, DISTRICT KHYBER  
..... (ACCUSED FACING TRIAL)

**Present:** Umar Niaz, District Public Prosecutor for State.  
: Sana Ullah Khan Advocate, the counsel for accused.

**FIR No. 19**                      **Dated: 15.10.2022**      **U/S: 9 (d) of the Khyber**  
**Pakhtunkhwa Control of Narcotic Substances Act, 2019**  
**Police Station: Dabori**

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**JUDGEMENT**  
**22.02.2023**

The above-named accused is charged for the offence u/s 9 (d) of the Khyber Pakhtunkhwa CNSA, 2019 vide FIR no. 19, dated 15.10.2022 of Police Station Dabori.

(2). As per contents of FIR, the complainant Imtiaz Khan SHO along with other police officials, having laid a picket on the spot, at about 1500 hours, stopped a person having a white colour plastic bag on his shoulder on way from Sambog. The search of the bag led the complainant to the recovery of 4000 grams of chars.


(3). After completion of investigation, complete challan was put in court. The accused was summoned who accordingly appeared before the court and copies of

Shaukat Ahmad Khan  
District & Sessions Judge,  
Orakzai at Baber Mela

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**STATE VS MUHAMMAD KHALID**  
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**Khyber Pakhtunkhwa CNSA 2019 |**  
**Police Station: Dabori**

the record were provided to the accused in line with section 265-C CrPC. The accused submitted copy of Form-B and school leaving certificate and stated that he is under 18 years of age and may be proceeded under Juvenile Justice System Act, 2018 which was conceded by the prosecution. Accordingly, the prosecution submitted separate challan under Juvenile Justice System Act, 2018 against the accused. The accused also submitted application for disposal of his case on the basis of plead guilty, for the reasons that he is a poor person, 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.

  
Shaukat Ahmad Khan  
District & Sessions Judge (4)  
Orakzai at Baber Mela  
22/10/23

Arguments heard and record perused. Perusal of case file shows that the accused was having only 4000 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) of the Khyber Pakhtunkhwa Control of Narcotics Substance Act, 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 of young age; therefore, he must have a chance of


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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 4000 grams of chars by taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of 01 (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. Case property i.e., chars be destroyed in accordance with law after the period provided for appeal/revision. Consign.




**Pronounced:**  
22.02.2023

  
**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: 22.02.2023

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