

8

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

SPECIAL CASE NO. : 13/3 OF 2023
DATE OF INSTITUTION : 08.03.2023
DATE OF DECISION : 27.03.2023

STATE THROUGH IBRAHIM KHAN SHO, PS GHILJO, ORAKZAI

.....(COMPLAINANT)

-VERSUS-

**MUHAMMAD ZUBAIR SON OF HASHIM GUL R/O QAUM AAKHEL LALOO
GARHI, DISTRICT ORAKZAI**

..... (ACCUSED FACING TRIAL)

Present: Ahmed Nisar, APP for State.

FIR No. 01 **Dated:** 07.01.2023 **U/S:** 9 (d) and 11A of the Khyber
Pakhtunkhwa Control of Narcotic Substances Act, 2019

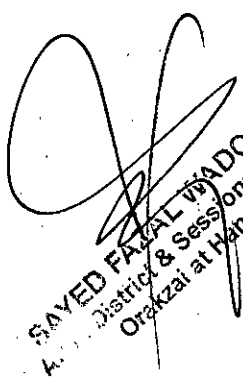
Police Station: Ghiljo

JUDGEMENT
27.03.2023

The above-named accused is charged for the offence u/s 9 (d) and 11 (a) of KP CNSA vide FIR no. 01, dated 07.01.2023 of Police Station Ghiljo.

(2). As per contents of FIR, the complainant Ibrahim Khan SHO along with other police officials recovered 2400 grams of chars and 22 grams of Ice Drug 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. Today, accused pleaded guilty for the reasons that he is a poor person and that being first offenders, lenient view may be taken against him. He requested that he cannot afford the expenses of litigation and his financial status is too much weak. He submitted application which is placed on file. In view of the application of accused, prosecution did

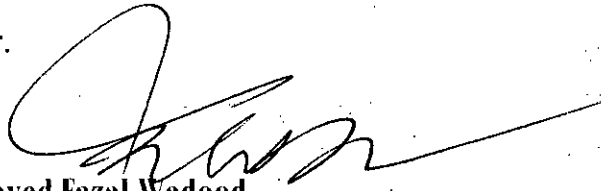

SAYED FAZAL WADOOD
District & Sessions Judge
Orakzai at Hangu

(9)

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 the accused was having 2400 grams of chars and 22 grams of Drug in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) and 11 (a) 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 2400 grams of chars 22 grams of ICE Drug, by taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of three 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.

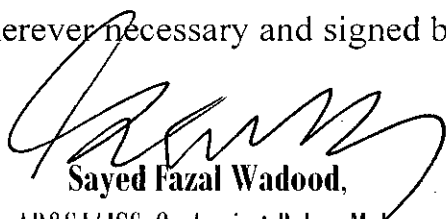
Announced:
27.03.2023


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: 27.03.2023


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