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IN THE COURT OF SHAUKAT ALL,
ADDITIONAL SESSIONS JUDGE-II, ORAKZAI AT HANGU

Criminal Appeal No. 01 of 2019
Noor Dad Khan vs. State

Order No. 03
18.04.2019

The appellant through his counsel Mr. Abid Ali Advocate present.

The appellant namely Noor Dad Khan s/o Hassan Khan r/o Landi Kotal, District Khyber has filed the instant criminal appeal against the order dated 24/10/2018 of District Judge/Deputy Commissioner, District Orakzai vide which the appellant has been convicted u/s 9 (C) CNSA read with 13 FIGR and sentenced him to undergo 2 year RI.

The appeal was fixed for arguments on maintainability on the point of jurisdiction of this court to entertain the instant appeal.

Today arguments of the counsel for the appellant heard and record perused.

The record reflects that the appellant has been convicted by the Deputy Commissioner/District Judge, Orakzai vide order dated 24/10/2018, u/s 9 (C) CNSA read with 13 FIGR and sentenced him to undergo 2 years RI with the benefit of 382-B Cr.P.C. This court is the trial court/Special Court for offences u/s 9 (C) CNSA and thus have no jurisdiction to entertain appeals against conviction and sentence u/s 9 (C) CNSA, therefore, the appellant may knock the door of competent jurisdiction to challenge his conviction and sentence u/s 9 (C) CNSA as the instant appeal against his conviction is not maintainable before this court.

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In view of the above the instant appeal is dismissed being not maintainable before this court due to want of jurisdiction.

File be consigned to District Record Room, Hangu after necessary completion and compilation.

Announced:
18.04.2019



(SHAUKAT ALI)
Additional Sessions Judge-II,
Orakzai, at Hangu