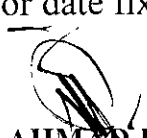



**IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA**


②

Case Title: State vs Muhammad Wali

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.01	26.09.2023	<p align="center">Register. Accused is on bail. He be summoned for 03.10.2023. Notice also be issued to his sureties for date fixed. Original record be requisitioned for date fixed.</p>
Order No.02	03.10.2023	<p align="center">   <b>(SHAUKAT AHMAD KHAN)</b>                      Sessions Judge/Judge Special                      Court, Orakzai at Baber Mela                      DPP, Umar Niaz for the State present. Accused Muhammad Wali on bail present. He submitted Wakalatnama in favour of Sana Ullah Khan Advocate. Placed on file. The prosecution submitted application for discharge of accused. Arguments on application heard.                 </p> <p>Accused <b>Muhammad Wali</b> s/o Sharif Khan is charged for the offence u/s 9 (d) of the Khyber Pakhtunkhwa Control of Narcotic Substances Act, 2019 vide FIR no. 13, dated 16.03.2023 of Police Station Kurez, wherein, as per contents of FIR, on 16.03.2023 the complainant Hassan Jan SHO along with constables Syed Abbas Ali, Junaid Ali and Khalid Ali during routine patrolling in official vehicle were present on the spot, where at about 1500 hours a person walking on foot from fields towards the main road having a white colour bag on his shoulder, on seeing the police party threw the bag and made his escape good from the spot. The search of the bag led the complainant to the recovery of 13 packets of chars,</p>

  
**Shaukat Ahmad Khan**  
 District & Sessions Judge,  
 Orakzai at Baber Mela  
 03/10/23

(3)

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Contin. Order No.02		<p>wrapped with yellow colour scotch tape, each weighing 1000 grams, making a total of 13000 grams while empty sack came out to be 33 grams.</p> <p>After completion of investigation, the accused was proceeded u/s 512 CrPC. After the arrest of accused, prosecution submitted supplementary challan against the accused facing trial. Accordingly, he was summoned who appeared before the court; however, the prosecution submitted application for discharge of the accused on the grounds mentioned therein.</p> <p>It is evident from the record that neither the accused was arrested on the spot nor any recovery has been effected from his personal possession. There is nothing available on file to show that as to how the local police was able to establish the identity of the accused named above.</p> <p>Hence, in view of what is discussed above, it is held that there is no ground to proceed against the above-named accused; therefore, on acceptance of the application of prosecution, the accused <b>Muhammad Wali</b> is discharged of the offence. Requisitioned record be returned while file of this Court be consigned to record room.</p> <p><b>Pronounced:</b> 03.10.2023</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge/Judge Special Court, Orakzai at Baber Mela</p>

