

IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI*Case FIR No. 72, dated 22.07.2023, U/S 15AA, PS Kalaya***Order. No. 09**

14.11.2023

APP for the state present. Accused Hayat Wali on bail present. Today the case was fixed for W/N on behalf of accused and evidence of prosecution, however, accused submitted application for plead guilty and requested for lenient view.

As per record, accused Hayat Wali has been charged for possessing one Kalashnikov along with fixed charger containing 03 cartridges of 7.62 bore vide case FIR No. 72, Dated: 22.07.2023 U/S 15AA, PS Kalaya.

Show cause notice u/s 243 Cr.PC was given to the accused and he left himself at the mercy of the court. Thus, on the basis of his plead guilty, the accused is hereby convicted for commission of the offence U/S 15AA. Keeping in view the whole-hearted plea of his guilt and his previous non-involvement in any such or any other criminal activity on his side, accused is sentenced to three years simple imprisonment and fine of Rs. 500/- for section 15AA. In default of payment of the fine, accused shall undergo one day simple imprisonment.

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ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai


There is nothing on record which could show previous involvement of accused in such like cases, therefore, the sentence ibid is suspended and converted into probation and he is placed on probation for the above period under the Probation Ordinance. He shall remain under the supervision of

the Probation Officer (male) for the above-mentioned period subject to furnishing bail bonds in the sum of Rs. 50,000/- with two local and reliable sureties, to the satisfaction of probation officer (male) Orakzai, with the following conditions.

1. That he shall not repeat the offence.
2. That he shall keep and maintain peace and order in the society.
3. That he must exhibit good behavior during the prescribed period of probation.
4. That he shall appear before the probation officer once in a month, which date is left to the discretion of the probation officer to be fixed.
5. That he shall not leave the country without permission of probation officer.
6. That if he violates the above conditions, the bonds will be recalled and he will be proceeded in accordance with the provision of the Ordinance *ibid*.
7. That in case of default by the convict, the direction regarding probation shall stand recalled and convict shall undergo imprisonment accordingly.

It is further added that the Probation Officer may involve the accused/convict in community services.

The Probation Officer (male) is directed to submit his report to this court about his character and conditions as aforesaid once in a quarter.



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Copy of this order be sent to the probation officer for compliance as per law. Case property be dealt with in accordance with law.

File be consigned to record room after its necessary completion and compilation.

Announced
14.11.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai