

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

SPECIAL CASE NO. : 28/3 OF 2021  
DATE OF INSTITUTION : 27.09.2021  
DATE OF DECISION : 27.01.2022

STATE THROUGH SHAL MUHAMMAD SHO, PS KALAYA

.....(COMPLAINANT)

-VERSUS-

**ADAM ULLAH SON OF WASIL KHAN R/O FERUZ KHEL TAPPA**  
**QASIM KHEL DISTRICT ORAKZAI**  
(ACCUSED FACING TRIAL ON BAIL)

**Present:** Counsel for accused and Amir Shah, DyPP for State

**FIR No. 104**                      **Dated:** 29.08.2021      **U/S:** 9 (d) of the Khyber  
Pakhtunkhwa Control of Narcotic Substances Act, 2019  
**Police Station:** Kalaya

**JUDGEMENT**  
27.01.2022

The above-named accused is charged for the offence u/s  
9 (d) KP CNSA vide FIR no. 104, dated 29.08.2021 of Police  
Station Kalaya.


- (2). As per contents of FIR, the local police of Police Station  
Kalaya, were on patrolling of the area, when accused was driving  
his Motorcar Bearing Registration No. YZ-397 Islamabad of  
white colour corolla coming from Feroz Khel side and was  
stopped by the local police of PS Kalaya for the purpose of  
checking. By search of the Motorcar, the local police recovered  
01 packet of chars from secret cavity made beneath the chassis  
plate of the Motorcar which was wrapped in yellow scotch tape.  
Upon weighing of packet, it came out 1200 grams.

  
**SAYED FAZAL WADOOD**  
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Consequently, the captioned FIR was registered that given birth to the subject case.

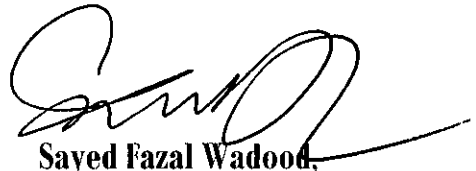
(3). After completion of investigation, complete challan was put in court. The accused was summoned who accordingly appeared before the Court and he pleaded guilty for the reasons that he is poor person, cannot afford the expenses of litigation, and that being first offender, lenient view may be taken 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 of the Code of Criminal Procedure 1898.

(5). Perusal of case file shows that the accused was having 1200 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) of KP CNSA 2019. Hence, he is convicted of the offence. But as the accused is first offender; juvenile; intending to travel abroad for earning livelihood which is within the interest of family in particular and interest of State in general and there is no record of his previous involvement in such like offences as well; 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 1200 grams of chars, by taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of two year subject to the executing of bonds in the sum of Rs. 80,000/- with two sureties to the effect that the accused would commit no offence and to

  
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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., chargs 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:**  
27.01.2022

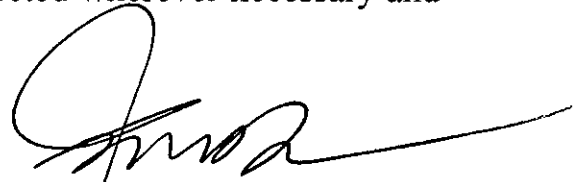


**Sayed Fazal Wadood,**  
AD&SJ/JSC, Orakzai at Baber Mela

**CERTIFICATE**

Certified that this Judgment consists of three (03) pages. Each page has been read over, corrected wherever necessary and signed by me.

Dated: 27.01.2022



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