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**STATE VS ZAHID**

**FIR No. 22 | Dated: 03.03.2022 | U/S: 9 (D) of the Khyber Pakhtunkhwa  
CNSA, 2019 | Police Station: Kalaya**

**IN THE COURT OF SHAUKAT AHMAD KHAN**  
**SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI**  
**(AT BABER MELA)**

SPECIAL CASE NO. : 11/3 OF 2022  
DATE OF INSTITUTION : 11.04.2022  
DATE OF DECISION : 18.04.2022

STATE THROUGH SHAL MUHAMMAD SHO, PS KALAYA

.....(COMPLAINANT)

-VERSUS-

ACCUSED ZAHID S/O SHAN KHEL, AGED ABOUT 30 YEARS, R/O  
CASTE QAMAR KHEL, SULTAN ZAI DARA

..... (ACCUSED FACING TRIAL ON BAIL)

**Present:** Umar Niaz, District Public Prosecutor for State.

**FIR No. 22**                      **Dated:** 03.03.2022      **U/S:** 9 (d) of the Khyber  
Pakhtunkhwa Control of Narcotic Substances Act, 2019  
**Police Station:** Kalaya

JUDGEMENT  
18.04.2022

The above-named accused is charged for the  
offence u/s 9 (d) of the Khyber Pakhtunkhwa CNSA,  
2019 vide FIR no. 22, dated 03.03.2022 of Police Station  
Kalaya.

- (2). As per contents of FIR, the complainant Shal  
Muhammad SHO alongwith other police officials during  
routine patrolling were present on the spot where at  
about 1000 hours a person having a blue colour plastic  
bag in his hand on way from Headquarter chowk was  
stopped for checking. The local police recovered 02  
packets of chars, each weighing 1000 grams from the

Shaukat Ahmad Khan  
District & Sessions Judge  
Orakzai - Baber Mela  
18/04/22

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said plastic bag, a total of 2000 grams of chars from his direct possession.

(3). After completion of investigation, complete challan was put in court. The accused was summoned who accordingly appeared before the court and submitted application for disposal of his case on the basis of plead guilty waving of his rights provided u/s 265-C Cr.P.C, for the reasons that he is a 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 Cr.P.C.

(4). Arguments heard and record perused. Perusal of case file shows that the accused was having only 2000 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) of the Khyber Pakhtunkhwa Control of Narcotic Substance Act, 2019. Hence, he is convicted of the offence. But as the accused is first offender and there is no record of his previous involvement in such like offences. Besides the accused is of young age; therefore, he must have a chance of repentance. Keeping in view the aforementioned circumstances and the clean breast admission of the guilt

Amjad Khan  
District Sessions Judge,  
Orakzai at Dabheri  
18/04/22

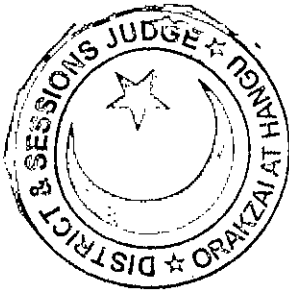
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of the accused, his poor financial status and recovery of only 2000 grams of chars by taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of 01 (one) year subject to the executing of bonds in the sum of 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. Consign.

**Pronounced:**  
18.04.2022




  
**SHAUKAT AHMAD KHAN)**  
Sessions Judge/Judge Special  
Court, Orakzai at Baber Mela

**CERTIFICATE**

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

Dated: 18.04.2022

  
**(SHAUKAT AHMAD KHAN)**  
Sessions Judge/Judge Special  
Court, Orakzai at Baber Mela