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State VS Jamshid Khan

Order...01
08.12.2023

Supplementary challan against the accused namely Jamshid Khan S/O Gul Akbar submitted through prosecution. Be entered in the relevant register.

Accused produced by police through jail warrant.

In respect of personal appearance of the accused, his thumb impression is obtained on the margin of order sheet.

Copy of FIR and other relevant documents are handed over to the accused U/S 241-A Cr.P.C.

The original file be requisitioned from Record Room of District Judiciary, Orakzai and be placed on file. Muharrir of the court is directed to do needful.

Formal charged framed today to which accused pleaded not guilty and claim trial. Accused is directed to engaged counsel and submit wakalatnama for next date.

Summons be issued to complainant/state for 12.12.2023.

File to come up for submission of wakalatnama and attendance of complainant for the date already fixed.

Sami Ullah

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Judicial Magistrate-I/HQ,
Orakzai (at Baber Mela)

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Learned Dy.PP for the state present.

Accused produced by police through jail warrant in person.

Father of accused also present.

The accused submitted an application for pleading his guilt and requested for decision in the case on the basis of his plead guilty. Accused pleaded his guilt and placed himself at mercy of the court.

Thus, on the basis of his plead guilty, the accused is hereby convicted for commission of the offence U/S 11-A CNSA. Keeping in

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Sami Ullah

Sami Ullah
Civil Judge/JM-I
Orakzai (at Baber Mela)

محمد رضا خان
ولہ گل اکبر
2601-4282405-9

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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 one year's simple imprisonment and fine of Rs. 3,00,000/- for offence committed Under section 11-A CNSA. In default of payment of the fine, accused shall undergo Twenty-Five days simple imprisonment. Benefit of section 382-B Cr.P.C is extended to the accused.

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 i.e. one year, under The Khyber Pakhtunkhwa Probation and Parole Act, 2021. 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. 60,000/- 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.

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Civil Judge/JM-I
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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 their character and conditions as aforesaid once in a quarter. Copy of this order be sent to the probation officer for compliance as per law.

Case property if any be dealt in accordance with law.

File be consigned to Record Room after its necessary completion and compilation.

Announced
12.12.2023


Sami Ullah
Judicial Magistrate-I,
Orakzai (at Baber Mela)