

*In the name of almighty Allah who has got unlimited jurisdiction over and beyond the universe.*

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

SPECIAL CASE NO. : 17/3 OF 2021  
DATE OF INSTITUTION : 27.07.2021  
DATE OF DECISION : 15.06.2022

STATE THROUGH ASHO AFTAB AHMED, PS KALAYA

..... (COMPLAINANT)

-VERSUS-

1. ABDUL WAHID SON OF ROBIA KHEL AGED ABOUT 17 YEARS, R/O QAUM AKA KHEL, TAPPA SANZAL KHEL, MANN TALAB, TEHSIL BARA, DISTRICT KHYBER.
2. RAHIM ULLAH SON OF SYED KHAN; AGED ABOUT 16 YEARS, R/O QAUM DAULAT KHEL, TAPPA UMAR KHEL, TEERAH MAIDAN, DISTRICT ORAKZAI.

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

**Present:** Muhammad Zubair, Assistant Public Prosecutor for State.  
: Sana Ullah Advocate for accused.

**FIR No. 75**      **Dated:** 14.06.2021      **U/S:** 9 (d) of the Khyber Pakhtunkhwa  
Control of Narcotic Substances Act, 2019  
**Police Station:** Kalaya

JUDGEMENT  
15.06.2022

The above-named accused are charged for the offence u/s 9 (d) KP CNSA vide FIR No. 75, dated 14.06.2021 of Police Station Kalaya.

- (2). As per contents of FIR, the complainant along with other police officials were present on barricade, where two persons were riding on Motorcycle and were stopped on suspicion, driver of the Motorcycle disclosed his name as Rahim ullah. He was searched which led the complainant to the recovery of 2000 grams of chars.

Similarly, the second person who was setting on rear seat of the Motorcycle disclosed his name as Abdul Wahid. He was also

**SAYED FAZAL WADOOD**  
Additional Sessions Judge  
Orakzai

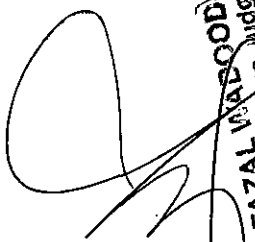
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searched which led the complainant to the recovery of 3000 grams of chars.

(3). After completion of investigation, complete challan was put in court. The accused were summoned, copies of the documents were provided to him u/s 265-C of the Code of Criminal Procedure, 1898. Charge was framed against them to which they pleaded not guilty and claimed trial.

(4). The prosecution was directed to produce evidence. Today the case was fixed for evidence of the prosecution; however, the accused submitted application for disposal of their case on the basis of plead guilty for the reasons that they are Juvenile and ready for social services, having poor financial status and that being first offenders, lenient view may be taken against them. Application is placed on file. Statements of the accused recorded u/s 342 of the Code of Criminal Procedure, 1898.

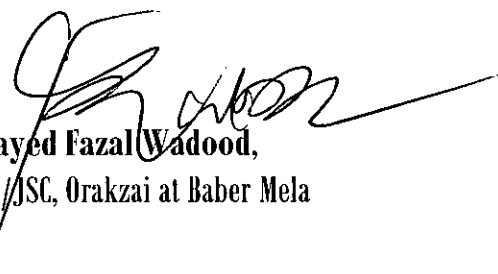
(5). Arguments heard and record perused. Perusal of case file shows that though the accused have pleaded not guilty to the charge already framed against them; however, they have confessed their guilt vide their application submitted today. The accused were having 2000 grams and 3000 grams of chars separately in their possession; therefore, they are held guilty of the offence punishable u/s 9 (d) of KP CNSA. Hence, they are convicted of the offence. But as the accused are first offender and there is no record of their previous involvement in such like offences. Besides, the accused are juvenile and having poor financial status; therefore, they must have a chance of repentance and reformation. Keeping in view the

  
**SAYED FAZAL MAHMOOD**  
Addl. District & Sessions Judge  
Oranzai at Mangla

aforementioned circumstances and the clean breast admission of the guilt of the accused, by taking a lenient view, instead of sentencing them at once, they are placed on probation for a period of two years 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 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 be dealt with as per law after expiry of period of appeal/revision.

(6). File be consigned to District Record Room after necessary completion and compilation within span allowed for.

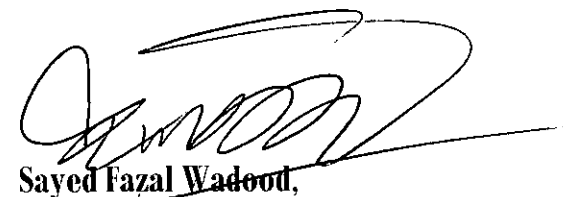
**Announced:**  
15.06.2022

  
**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, corrected wherever necessary and signed by me.

Dated: 15.06.2022

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