




**IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA**

(3)

Case Title: State vs Fazal Saadiq

Serial No of order or proceedings 1	Date of Order Proceedings 2	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary. 3
Order No.01	04.08.2022	<p>Complete Challan along with application for discharge of accused received from the office of DPP, Orakzai for the purpose of trial. Register. Case file be put up for arguments on application for discharge on 05.08.2022.</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge/Judge Special Court, Orakzai at Baber Mela</p>
Order No.02	05.08.2022	<p>DPP, Umar Niaz for the State present. Arguments on application for discharge of accused heard.</p> <p>Accused Fazal Siddique s/o Noor Shah Gul is charged for the offence u/s 9 (d) of Khyber Pakhtunkhwa Control of Narcotic Substances Act, 2019 and 468/471 PPC vide FIR no. 33, dated 01.12.2021 of PS Kurez Boya wherein, as per contents of FIR, the local police acting upon the information regarding smuggling of narcotics, laid a picket on the spot where at about 1315 hours three/four unknown persons boarding a motorcar on way towards the spot, on seeing the police party abandoned the motorcar and made their escape good from the spot. The search of the motorcar led the complainant to the recovery of 25 packets of chars, each weighing 1200 grams (total of 30,000 grams</p> <p></p>

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Contin. Order No.02		<p>of chars). The names of the accused were revealed to local police as Iltaf Hussain, Munawar and 02 unknown accused. Later on, the present accused was charged in the instant case as one of the unknown accused on the basis of information.</p> <p>Perusal of the case file shows that the accused has not been named in the FIR rather he has been charged in the instant case on the basis of information but the source of information or satisfaction has not been disclosed. Moreover, no recovery of chars or any other incriminating material has been made from the possession of the accused. There is nothing available on file as to show that how the local police were able to establish the identity of the accused named above.</p> <p>In view of the what is discussed above, it is held that there is no ground to proceed against the accused Fazal Siddique; therefore, on acceptance of the application of prosecution, the accused named above is discharged of the offence u/s 9 (d) CNSA.</p> <p><b>Pronounced:</b> 05.08.2022</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge/Judge Special Court, Orakzai at Baber Mela</p>

