

IN THE COURT OF SYED OBAIDULLAH SHAH
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI
(AT BABER MELA)

SPECIAL CASE NO. : 13/3 OF 2024
DATE OF INSTITUTION : 14.03.2024
DATE OF DECISION : 22.03.2024

STATE THROUGH MUHAMMAD YOUNAS SHO, POLICE
STATION KUREZ

.....(COMPLAINANT)

-VERSUS-

ABDULLAH S/O MANSAB ALI, AGED ABOUT 43/44 YEARS, R/O
DARWI KHEL, KHADIZAI, DISTRICT KOHAT

..... (ACCUSED FACING TRIAL)

Present: Javed Akhtar, Senior Public Prosecutor for the State.

FIR No. 07 **Dated:** 21.02.2024 **U/S:** 9 (c) of the Khyber
Pakhtunkhwa Control of Narcotic Substances Act, 2019
Police Station: Kurez

JUDGMENT
22.03.2024

The above-named accused is charged for the offence u/s 9 (c) of the Khyber Pakhtunkhwa CNSA, 2019 vide FIR No. 07, dated 21.02.2024 of Police Station Kurez.

- (2). As per contents of FIR, the complainant Muhammad Younas SHO along with other police officials during routine patrolling were present on the spot where at about 1830 hours a person walking on foot from Palusai towards the spot, was stopped by complainant, whose personal body search led the complainant to the recovery of 01 packet of chars weighing 1000 grams from his trouser-fold.


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Pakhtunkhwa CNSA 2019 | Police Station: Kurez

(3). After completion of investigation, complete challan was put in court. The accused was summoned, who accordingly appeared before the court and copies of the record were provided to him in line with section 265-C CrPC. Today, the case was fixed for framing of charge but accused facing trial submitted application for disposal of his case on the basis of plead guilty 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.

(4). Arguments heard and record gone through.

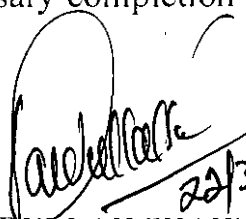
(5). Perusal of the case file reveals that the accused was having only 1000 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (c) of the Khyber Pakhtunkhwa CNSA, 2019. Hence, he is convicted of the offence. But as the accused is first offender and there is no record of his previous involvement in such like offences. Keeping in view the aforementioned circumstances and the clean breast admission of the guilt of the accused, his poor financial status and recovery of only 1000 grams of chars by taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of two (02) years subject to the executing of bonds in the sum of Rs.


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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.

- (6). Judgment announced. File of this court be consigned to record room after its necessary completion and compilation.

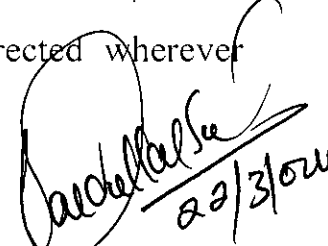
Dated: 22.03.2024


(SYED OBAIDULLAH SHAH)
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CERTIFICATE

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

Dated: 22.03.2024


(SYED OBAIDULLAH SHAH)
Sessions Judge/Judge Special
Court, Orakzai at Baber Mela

