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STATE VS TEHSEEN  
FIR No. 10 | Dated: 16.02.2024 | U/S: 9 (d) of the Khyber  
Pakhtunkhwa CNSA 2019 | Police Station: Kalaya

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

SPECIAL CASE NO. : 3/2 (J) OF 2024  
DATE OF INSTITUTION : 21.05.2024  
DATE OF DECISION : 21.05.2024

STATE THROUGH NASIR AHMAD SHO, POLICE STATION  
KALAYA

.....(COMPLAINANT)

-VERSUS-

TEHSEEN ALI S/O JAMID ALI, AGED ABOUT 16 YEARS, R/O  
CASTE BAR MUHAMMAD KHEL, CHARBAGH, TEHSIL LOWER,  
DISTRICT ORAKZAI

..... (ACCUSED FACING TRIAL)


**Present:** Javid Akhtar, Senior Public Prosecutor for the State.  
: Sana Ullah Khan Advocate for accused.

**FIR No. 10**                      **Dated: 16.02.2024**      **U/S: 9 (d) CNSA** of the  
Khyber Pakhtunkhwa Control of Narcotic Substances Act, 2019  
**Police Station: Kalaya**

JUDGMENT  
21.05.2024

The above-named accused is charged for the  
offence u/s 9 (d) of the Khyber Pakhtunkhwa CNSA,  
2019 vide FIR No. 10, dated 16.02.2024 of Police  
Station Kalaya.

(2).                      As per contents of FIR, the complainant Nasir  
Ahmad SHO along with other police officials in official  
vehicle having laid a picket, were present on the spot  
where at about 1200 hours a person holding a blue colour  
plastic shopper in his right-hand walking on foot from  
village Aliri was stopped but nothing incriminating was  
recovered from his personal search. The search of the  
shopper led the complainant to the recovery of 02

  
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STATE VS TEHSEEN

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packets of chars wrapped with yellow colour scotch tape,  
each weighing 1000 grams, making a total of 2000  
grams.

(3). After completion of investigation, complete  
challan was put in court. The accused was summoned,  
copies of the record were provided to him u/s 265-C  
CrPC. The accused submitted application for disposal of  
his case on the basis of plead guilty on the grounds, that  
he is a poor person and cannot afford the expenses of  
litigation besides he is of young age, and that being first  
offender, lenient view may be taken against him.  
Application is placed on file.

(4). Arguments heard and record gone through.

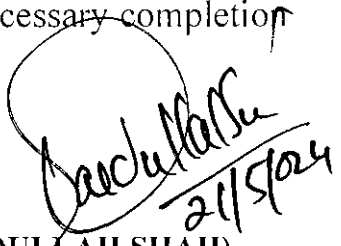
(5). Perusal of the case file reveals that the accused  
was having only 2000 grams of chars in his possession;  
therefore, he is held guilty of the offence punishable u/s  
9 (d) of the Khyber Pakhtunkhwa CNSA, 2019. Hence,  
he is convicted of the offence. But as the accused is first  
offender and there is no record of his previous  
involvement in such like offences. Besides the accused  
is of young age; therefore, he must have a chance of  
repentance and reformation. 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 2000 grams of chars by

  
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taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of one (01) 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., chargs 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.

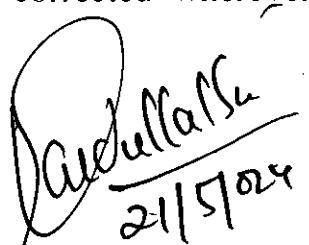
Dated: 21.05.2024

  
(SYED OBAIDULLAH SHAH)  
Sessions Judge/Judge Special Court/Judge  
Juvenile 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: 21.05.2024

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

