

(7)

**STATE VS MUHAMMAD SHAKEEL**  
**FIR No. 98 | Dated: 18.09.2024 | 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, ORAKZAI**  
**(AT BABER MELA)**

SPECIAL CASE NO. : 29/3 OF 2024  
DATE OF INSTITUTION : 23.10.2024  
DATE OF DECISION : 12.11.2024

STATE THROUGH MUHAMMAD YOUNAS SHO, POLICE STATION  
KALAYA

.....(COMPLAINANT)

-VERSUS-

MUHAMMAD SHAKEEL S/O WAKEEL KHAN, AGED ABOUT 24  
YEARS, R/O WALIYE ZAKHA KHEL, MOHALLA UMAR KHEL,  
LANDI KOTAL, TEHSIL LANDI KOTAL, DISTRICT KHYBER

..... (ACCUSED FACING TRIAL)

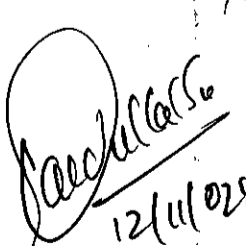
**Present:** Umar Niaz, District Public Prosecutor for the State

**FIR No. 98**                      **Dated: 18.09.2024**      **U/S: 9 (d) of the Khyber**  
**Pakhtunkhwa Control of Narcotic Substances Act, 2019**  
**Police Station: Kalaya**

JUDGMENT  
12.11.2024

The above-named accused is charged for the  
offence u/s 9 (d) of the Khyber Pakhtunkhwa CNSA,  
2019 vide FIR No. 98, dated 18.09.2024 of Police  
Station Kalaya.

- (2). As per contents of FIR, the complainant,  
Muhammad Younas SHO along with other police  
officials in official vehicle, during routine patrolling  
were present on the spot where at about 1400 a  
suspicious person holding a white colour plastic bag in  
his right hand on way towards the picket was stopped.  
The complainant recovered 2000 grams of chars upon  
checking of the said plastic bag.

  
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(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 and he was charge sheeted but he pleaded not guilty and claimed trial. Today, the case was fixed for prosecution evidence; however, the accused submitted application for disposal of his case on the basis of plead guilty on the grounds mentioned therein. 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 and recovery of only 2000 grams of chars by 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

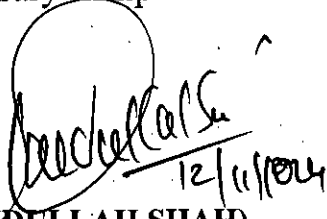
  
12/11/24  
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sureties to the effect that the accused would commit no offence and to keep the peace and be of good behavior during the period of bond and to appear and receive the sentence, if called upon to do so during that period to the satisfaction of Probation Officer concerned. Accused is on bail. His bail bonds stand cancelled and his sureties are discharged of the liabilities of the bail bonds. Case property 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.

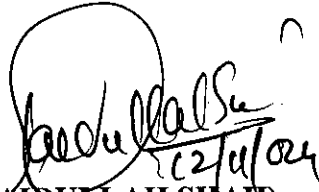
Dated: 12.11.2024

  
(SYED OBAIDULLAH SHAH)  
Sessions Judge/Judge Special  
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: 12.11.2024

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

