

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

SPECIAL CASE NO. : 1/3 OF 2025
DATE OF INSTITUTION : 04.02.2025
DATE OF DECISION : 19.02.2025

STATE THROUGH SALEEM KHAN SHO, POLICE STATION
GHILJO

.....(COMPLAINANT)

-VERSUS-

MATI ULLAH S/O DILAWAR KHAN, AGED ABOUT 24/25 YEARS,
R/O GANDI KHAN KHEL, SERAYE NOURANG, DISTRICT LAKI
MARWAT

..... (ACCUSED FACING TRIAL)


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

FIR No. 31 **Dated: 20.11.2024** **U/S: 9 (d) of the Khyber**
Pakhtunkhwa Control of Narcotic Substances Act, 2019
Police Station: Ghiljo

JUDGMENT
19.02.2025

The above-named accused is charged for the offence u/s 9 (d) of the Khyber Pakhtunkhwa CNSA, 2019 vide FIR No. 31, dated 20.11.2024 of Police Station Ghiljo.

- (2). According to the contents of the FIR, the complainant, Saleem Khan SHO along with other police personnel set up a picket on the crime scene during routine patrolling. At about 1400 hours, a suspicious person on way from Ghiljo towards the spot, was stopped and a white colour plastic shopper in his left-hand was found, from which 01 packet of chars weighing 1055 grams was recovered.


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Pakhtunkhwa CNSA 2019 | Police Station: Ghiljo

(3). After completion of investigation, complete challan was put in court. After being summoned, the accused appeared before the court and submitted application for disposal of his case on the basis of plead guilty for the reasons; that he is impoverished, cannot afford the expenses of litigation, and that being first offender, lenient view may be taken against him. He also waived off his rights under section 265-C CrPC. Application is placed on file.

(4). Arguments heard and record gone through.

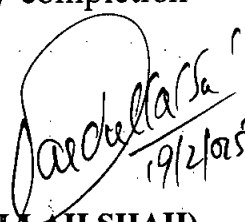
(5). Perusal of the case file reveals that the accused was having only 1055 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) of the Khyber Pakhtunkhwa CNSA, 2019. Hence, he is convicted of the offence. But as the accused is first offender and there is no record of his previous involvement in such like offences. 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 1055 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 sureties to the effect that the accused would commit no offence and to keep the peace and be


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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.

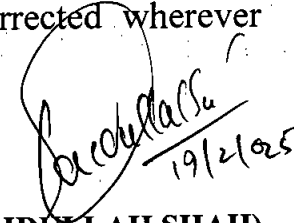
Dated: 19.02.2025


(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: 19.02.2025


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

