

STATE VS SHAMS UR REHMAN
FIR No. 45 | Dated: 28.04.2023 | U/S: 9(D) KP CNSA/512 Cr. PC | Police Station: Kalaya

IN THE COURT OF BAKHT ZADA
ADDITIONAL SESSIONS JUDGE-I/JUDGE SPECIAL COURT, ORAKZAI
(AT BABER MELA)

SPECIAL CASE NO. : 10/CNSA OF 2023
DATE OF ORIGINAL INSTITUTION : 07.08.2023
DATE OF PRESENT INSTITUTION : 10.10.2024
DATE OF DECISION : 19.03.2025

STATE THROUGH AFTAB HASSAN ASHO, PS KALAYA.
.....(COMPLAINANT)

-VERSUS-

SHAHZEB S/O NOOR JAN, R/O QAUM AFRIDI, DISTRICT KHYBER
.....(ACCUSED ABSCONDING)

ORDER NO. 38
19.03.2025

Accused, Shahzeb. S/O Noor Jan charged in the
case FIR No. 45, dated 28.04.2023, U/S 9(d) KP CNSA,
registered at PS Kalaya.

- (2). Facts of the case as per report of the complainant
Aftab Hassan ASHO are that he along with constables
Rafi Ullah No. 325, Junaid Ali 1607 were present at
barricade laid on metaled road near Sheraz Garhi and
were busy in checking vehicles. A Motorcycle Honda 125
without number red in colour coming from Sultanzai side,
on which two persons were riding. The person seated
behind was having a sack in his lap and one small size in
his possession. On seeing police party, the driver of the
motorcycle took a U-turn and tried to escape. The police
officials chased the motorcycle through private vehicle.
At some distance, the motorcycle fell and person sitting
on rear seat flee away, while motorcycle rider was

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overpowered and on checking the sacks, 45 packets of chars wrapped in yellow scotch tape were recovered and on weighing the same, each packet came out 1000 grams, making a total of 45000 grams from which 10/10 grams were separated for FSL analysis and were sealed into parcels no. 1 to 45 while remaining quantity was sealed into parcel no. 46. Similarly, on the search of the small sack containing chars gardah on weighing the same came out 5000 grams from which 10/10 grams were separated for FSL analysis and were sealed into parcel no. 47 while remaining chars was sealed into parcel no. 48. 1/1 stamp of monograms "AA" was put inside each parcel, while 3/3 stamps of the same monograms were affixed on all the parcels. All the case property along with motorcycle was taken into possession vide recovery memo. Video of the spot proceeding was conducted which was saved and converted into USB. Accused disclosed his name as Shams Ur Rehman S/O Muhammad Yousaf, R/O Qaum Stori Khel, Village Tarkho Saam and was cursorily interrogated who disclosed the name of person who flee the spot as Shahzeb S/O Unknown, Qaum Afridi. Accused Shams Ur Rehman was arrested and his card of arrest was issued. Complainant/ASHO prepared recovery memo and drafted Murasila for registration of FIR and was sent to PS through Constable Junail Ali. All the proceedings were conducted in presence of marginal witnesses.

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(3). Complete challan was submitted by the prosecution on 07.08.2023. Accused Shahzeb was absconding. DFC Ahmad Khel was summoned as SW, who recorded his statement as SW-01 and proceedings U/S 512 Cr. PC against absconding accused were initiated and prosecution was allowed to record evidence in absentia against him U/S 512 Cr. PC.

(4). Prosecution produced and recorded the statements of as many as seven (07) PWs and prosecution closed its evidence on 21.11.2024.

(5). It is evident from the record that the above-named accused is deliberately avoiding his lawful arrest and there is no probability of his arrest in near future; hence, as per record, a prima facie case exists against the absconding accused Shahzeb. He is declared as proclaimed offender. Perpetual warrant of arrest be issued against him and SHO PS concerned is directed to enter the name of absconding accused in the register of proclaimed offender. All the legal course be adopted for his arrest and he be brought before the court as and when arrested. Case property be kept intact till final disposal of the case.

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

Dated: 19.03.2025

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19.3.25

BAKHT ZADA
Additional Sessions Judge-I,
Orakzai at Baber Mela

CERTIFICATE

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

Dated: 19.03.2025

Bakht Zada
19.3.25

BAKHT ZADA
Additional Sessions Judge-I,
Orakzai at Baber Mela