

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

SPECIAL CASE NO. : 14/3 OF 2025
DATE OF INSTITUTION : 14.04.2025
DATE OF DECISION : 14.04.2025

STATE THROUGH ARIF ULLAH KHAN SHO, POLICE STATION
DABORI

.....(COMPLAINANT)

-VERSUS-

SURAT KHAN S/O HAMISH GUL, AGED ABOUT 41 YEARS, R/O
CASTE ZAKHA KHEL, UTMAN KHEL, DISTRICT KHYBER

..... (ACCUSED FACING TRIAL)

Present: Abul Qasim, Senior Public Prosecutor for the State.

FIR No. 03 **Dated:** 21.01.2025 **U/S:** 9 (d) of the Khyber
Pakhtunkhwa Control of Narcotic Substances Act, 2019

Police Station: Dabori

JUDGEMENT

14.04.2025

The above-named accused is charged for the
offence u/s 9 (d) of the Khyber Pakhtunkhwa CNSA,
2019, vide FIR no. 03, dated 21.01.2025 of Police
Station Dabori.

- (2). As per contents of FIR, the complainant, Arif
Ullah Khan SHO accompanied by other police personnel
set up a picket on the crime scene, where at about 1100
hours a person holding a shopper in his right-hand,
approaching towards the picket from Dabori was stopped
who revealed his identity as Surat Khan. Nothing
incriminating was recovered from his personal search.
Whereas the search of the shopper led the complainant
to the recovery of 1050 grams of chars.

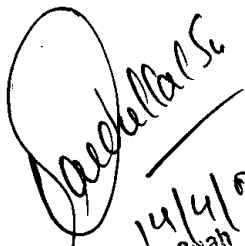
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(3). After completion of investigation, complete challan was put in court upon direction of the court on the basis of application submitted by the accused, for disposal of his case on the basis of plead guilty waiving of his rights provided u/s 265-C CrPC on the grounds mentioned therein. Application is placed on file. The accused was summoned through Addendum-B from Sub-Jail Orakzai.

(4). Arguments heard and record perused.

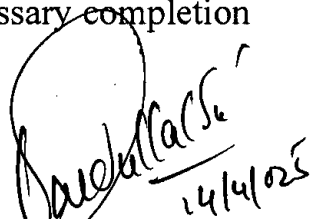
(5). Perusal of case file shows that the accused was having 1050 grams of chars in his possession; therefore, he is held guilty of the offence punishable u/s 9 (d) of the Khyber Pakhtunkhwa CNSA, 2019 and convicted of the offence. But as the accused is first offender and there is no record of his previous involvement in such like offences. Hence, he must have a chance of repentance. 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 1050 grams of chars by taking a lenient view, instead of sentencing him at once, he is placed on probation for a period of 01 (one) year subject to the executing of bonds in the sum of Rs. 50,000/- with two sureties to the satisfaction of Probation Officer concerned to the effect that the accused would commit no offence and to keep the peace and be of good


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behavior during the period of bond and to appear and receive the sentence, if called upon to do so during that period. Accused is in custody, he be released, if he submits the required bond, subject to that if he is not required in any other case. Case property be dealt with in accordance with law.

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

Dated: 14.04.2025

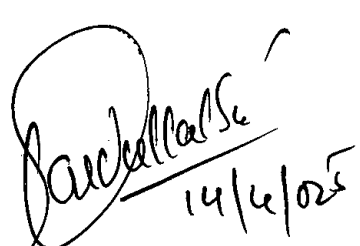

(SYED OBAIDULLAH SHAH)
Sessions Judge/Judge Special
Court, Orakzai at Baber Mela

CERTIFICATE

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

Dated: 14.04.2025




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