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Crl.P.No.65-P/2017-SCJ
SUPREME COURT OF PAKISTAN

Dated: Peshawar 24/8/2021

From:

The Assistant Registrar,
Supreme Court of Pakistan,
Branch Registry, Peshawar.

To:

The Registrar,
Peshawar High Court,
Peshawar.

SUBJECT: CRIMINAL PETITION NO.65-P OF 2017
The State through Director ANF, PeshawarPetitioner(s)

VERSUS

Imran DilawarRespondent(s)


***On appeal from the Judgment/Order of the Peshawar
High Court, Peshawar dated 18.10.2017 passed in
Cr.A.No.607-P of 2014.***

Dear Sir,

I am directed to enclose herewith a certified copy of the Order of this Court dated **08.07.2021** dismissing the above cited Criminal Petition in the terms stated therein for information and further necessary action.

2. Please acknowledge the receipt of this letter along with enclosure.

Encl: Order


(NAZIR MUHAMMAD)
ASSISTANT REGISTRAR
Supreme Court of Pakistan,
Branch Registry, Peshawar.

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Mazhar Alam Khan Miankhel
Mr. Justice Qazi Muhammad Amin Ahmed

Criminal Petition No.65-P/2017

(Against the judgment dated 18.10.2017 passed by the Peshawar High Court
Peshawar in Cr. A. No.607-P of 2014)

The State through Director ANF

...Petitioner(s)

Versus

Imran Dilawar

...Respondent(s)

For the Petitioner(s): Mr. Muhammad Tariq Shah,
Special Prosecutor, ANF.

For the Respondent(s): N.R.

Date of hearing: 08.07.2021

ORDER

Qazi Muhammad Amin Ahmed, J.- On a spy information, the petitioner, on wheels, was intercepted by a contingent of Anti-Narcotic Force, Peshawar on 11.01.2014; seven kilograms of opium and four kilograms of *Charas*, concealed in secret cavities of the car; upon indictment, he was condemned to imprisonment for life by a learned Judge Special Court (CNS) at Peshawar with fine of Rs.200,000/-, vide judgment dated 25.10.2014; a learned Division Bench of the Peshawar High Court reduced the sentence from life imprisonment to five years rigorous imprisonment vide impugned judgment dated 18.10.2017; he seeks leave to appeal therefrom on a variety of grounds ranging from false implication, non-availability of support from the public and a forensic report with deficient protocols.

2. Heard. Record perused.

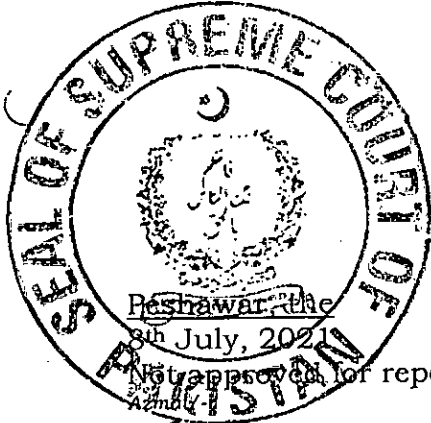
3. We have gone through the evidence to find the witnesses in a comfortable unison on all the details of the episode; petitioner's red-handed arrest with seizure of a considerable cache of the contraband from a vehicle driven by him are circumstances heavily looming over his culpability; people seldom come forward to perform their civic responsibilities and official witnesses are no less credible or trustworthy provided their statements rang true, as is the case in hand. Forensic report substantially details the procedure adopted by the analyst to

ATTESTED

Assistant Registrar
Supreme Court of Pakistan
Peshawar.

undertake the analysis, unambiguously confirming the narcotic character of the contraband, a conclusion that went unrebutted/unchallenged during the trial. The petitioner has already been dealt with leniently by the High Court by way of reduction in sentence. In the totality of circumstances, we are not persuaded to take a view other than the one concurrently taken by the Courts below. Petition fails. Leave declined.

Sd/- Mazhar Alam Khan Miankhel, J.
Sd/- Qazi Muhammad Amin Ahmed, J.



Not approved for reporting

23-8-21

Certified to be true copy

Assistant Registrar
Supreme Court of Pakistan
Peshawar.

24-8-21