

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**

Mr. Justice Manzoor Ahmad Malik  
Mr. Justice Qazi Muhammad Amin Ahmed

**Jail Petition No.847 of 2018**

(Against judgment dated 15.11.2018 of the  
Lahore High Court Rawalpindi Bench  
passed in CrI. Appeal No.539/2017)

***Shazia Bibi***

*...Petitioner(s)*

**Versus**

***The State***

*...Respondent(s)*

For the Petitioner(s): Malik Jawwad Khalid, ASC

For the State Mr. Muhammad Jaffar,  
Additional Prosecutor General,  
Punjab.

Date of hearing: 08.1.2020.

**JUDGMENT**

**Qazi Muhammad Amin Ahmed, J.** Shazia Bibi, petitioner herein, was apprehended with 4-kilograms of cannabis during a random search on 28.12.2016 by a police contingent of Attock Khurd; she was on board a public vehicle hailing from Peshawar; forensic report established narcotic character of the contraband; upon conclusion of trial, convicted under Section 9(c) of the Control of Narcotic Substances Act, 1997, she was sentenced to four years rigorous imprisonment with a direction to pay Rs.20,000/- as fine or to undergo four months simple imprisonment in lieu thereof, vide judgment dated 23.2.2017, upheld in appeal vide impugned judgment dated 15.11.2018, *vires* whereof, are being assailed on the grounds that she has been targeted as a scapegoat by the police to settle score with her husband, a driver by profession, on loggerheads with the police over illegal demands. It is next argued that the case was liable to be thrown out for prosecution's failure to come up with complete details/*protocol* of forensic tests, carried out to establish the

nature of contraband allegedly recovered. Learned Law Officer faithfully defended the impugned judgment.

2. Heard. Record perused.

3. Quantity recovered, rather substantial in volume/weight, cannot be possibly foisted upon a female to victimize her husband, himself a most suitable target, if at all the police had an axe to grind. All the prosecution witnesses including those of recovery have been found by us well within tune with one another; soon after her arrest, with the assistance of a female staffer, she was produced before a Magistrate who remitted her into judicial custody, a most opportune occasion to raise protest; her silence goes a long way to rebut the belatedly related story that otherwise may not find a buyer. Argument that the forensic report sans protocol is beside the mark as well inasmuch as tests carried out by the analyst are vividly mentioned therein, reproduced for the convenience of reference:-

*"Test Performed on Received Item(s) of Evidence*

1. Top load balance was used for weighing.
2. Chemical Spot Tests were used for Presumptive Testing.
3. Gas Chromatography-Mass Spectrometry was used for confirmation.

*Results and Conclusions*

*Item # 01 3982 gram(s) of dark brown resinous material in sealed parcel contains  
**Charas.**"*

Above details mentioned in the forensic report substantially/sufficiently qualify to meet the statutory requirements. Findings concurrently arrived by the Courts below, being well within the remit of law, do not call for interference. Petition fails. Leave declined.

**Judge**

**Judge**

Islamabad

8<sup>th</sup> January, 2020

Not approved for reporting

Azmat/-