

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

**PRESENT:**

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

**Criminal Petition No.610 of 2020**

*(Against the judgment dated 21.5.2020 passed by  
the Lahore High Court Lahore in Crl. Misc.  
No.20425-B/2020)*

***Muhammad Noman Munir***

*...Petitioner(s)*

**Versus**

***The State & another***

*...Respondent(s)*

For the Petitioner(s): Syed Qamar Hussain Sabzwari, ASC

For the Respondent(s): N.R.

Date of hearing: 10.07.2020.

**ORDER**

**Qazi Muhammad Amin Ahmed, J.**- Surprised at 12:30 p.m. on 23.1.2020 by a contingent of Police Station Kotwali Sialkot, Muhammad Noman Munir, petitioner herein, was found in possession of cannabis weighed as 1380 grams with a lethal combination of 07 grams of heroin; courts below declined his request for admission to bail.

Submissions at the bar range from absence of a witness from the public to a quantity bordering slightly beyond the volume covered by section 9 (c) of the Control of Narcotic Substances Act, 1997.

2. Heard.

3. 1380 grams of cannabis with 07 grams of heroin squarely fall within the mischief of the section *ibid* that attracts prohibition embodied in section 51 of the Act *ibid* and as such the argument being presumptuous is beside the mark. Insofar as non-association of a witness from the public is concerned, people collected at the scene, despite request abstained to assist the law and it is so mentioned in the crime report itself, a usual conduct symptomatic of societal apathy towards civic responsibilities.

Even otherwise, the members of the contingent being functionaries of the State are second to none in their status, with their acts statutorily presumed, *prima facie*, as *intra vires*. Refusal by the Courts below being well within the remit of law calls for no interference. Petition fails. Leave declined.

Judge

Judge

Islamabad, the  
10<sup>th</sup> July, 2020  
Not approved for reporting  
*Azmat/-*