

IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI

Superdari Petition No /4 of 2023.

Date of institution.....13.02.2023.

Date of decision.....15.02.2023.

*Case FIR No. 49, dated 14.12.2022, U/S 15AA, 17AA, PS Mishti Mela***Order. No.03**
15.02.2023

None present for the state. Petitioner present. Original Registration Book produced before the court. Original seen and returned. Copy retained. Record already received. Written arguments of petitioner already placed on file.

Petitioner, namely Safi Ullah S/O Ghilaf Khan, R/O Qaum Malak Din Khel, Tappa Daulat Khel, Tehsil Bara, District Khyber is seeking return of motorcar bearing registration No. NT982, Chassis No. 974370; Engine number B435830 blue colour, model 2008 along with registration book and key which is taken into possession by the local police in case FIR No.49 dated 14.12.2022 U/S 15AA, 17AA, Police Station Mishti Mela. Petitioner has annexed sale deed and bargain receipt with the petition.

Per registration book, original owner of the vehicle is Askari Leasing Limited and per sale deed and bargain receipt, one Waseem Akhtar S/O Jahan Khan, R/O Rawalpindi sold the motorcar to petitioner in lieu of Rs. 450,000/-, however, the registration book was not taken into possession by the local police which is evident from Murasila and recovery memo.

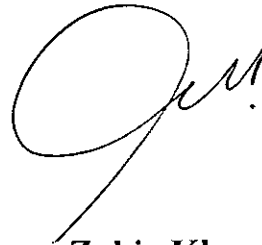
15/02/2023
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

Record reveals that motorcar in question was taken into possession by the local police in the above cited case. From the secret cavities of the said vehicle, large number of live bullets of different guns have been recovered. The vehicle is case property of the case and it is yet to be exhibited in trial. Complete challan against the accused has already been put in court and case is fixed for attendance of accused on 16.02.2023. Resultantly, petition stands dismissed.

Pertinent to mention that petitioner would be at liberty to move the court for Superdari of the vehicle once the vehicle is exhibited.

The instant file be consigned to record room after completion and compilation.

Announced
15.02.2023



Zahir Khan
Judicial Magistrate-I, Tehsil Kalaya,
District Orakzai