

Order...01

17.03.2023

Superdari application submitted through counsel Mr. Najmal Hussain Bangash Advocate. Be entered in the relevant register.

Notice be issued to the complainant/concerned SHO to produce relevant record on 24.03.2023.

Sami Ullah

Sami Ullah
Judicial Magistrate-I,
Orakzai at Baber Mela.

Order...02

24.03.2023

Present:

Petitioner in person.

SPP for the state.

Record received which is placed on file.

Arguments of the SPP heard on the instant petition while petitioner sought time for arguments due to non-availability of his counsel. Granted.

File be put up for arguments by the counsel for the petitioner on 27.03.2023.

Sami Ullah

Sami Ullah
Judicial Magistrate-I,
Orakzai (at Baber Mela)

Order...03

27.03.2023

Petitioner alongwith counsel present. None for the state present. ASHO present. Arguments on behalf of counsel for petitioner heard. Record already received.

Petitioner, namely Abdul Shakoor S/O Sunab Gul is seeking return of motorcycle bearing Registration No. Y1303, chassis No.

Continued...

Sami Ullah

Sami Ullah
Civil Judge/JM-I
Orakzai at (Baber Mela)

Order...03
Continued.
27.03.2023

HKFHEL1648, Engine No. HKFOVE1937, Model 2016 taken into possession by the local police in case FIR No.10 dated 11.03.2023 U/S 9ACNSA PPC, Police Station Kuriz Boya.

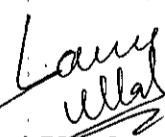
Record reveals that motorcycle in question was taken into possession by the local police in the instant case. Petitioner has not annexed any documentary proof regarding ownership of the vehicle in question. Contents of FIR reveals that the motorcycle in question bears registration No. 0326, Kohat and is white in colour while petitioner seeks return of motorcycle bearing registration No. Y1303, Kohat and photocopy of registration certificate reveals that it is in red colour. During course of arguments learned counsel for petitioner submitted that registration number of the vehicle in question is wrongly mentioned in FIR and in recovery memo. However, this fact cannot be ascertained at this stage and by available record on file.

Moreover, copy of registration of motorcycle in question annexed with the petition reveals that the same is not registered on the name of petitioner and petitioner has not annexed any other document by which it can be ascertained that he is the owner of the same. Therefore, petitioner failed to produce any documentary proof regarding ownership of the motorcycle in question, hence the Superdari petition in hand is hereby **Dismissed.**

Record be returned back to the quarter concerned.

File be consigned to record room after completion and compilation.

Announced
27.03.2023


Sami Ullah
Judicial Magistrate-I,
Orakzai at Baber Mela.