

IN THE COURT OF ASGHAR SHAH
SESSIONS JUDGE, ORAKZAI
(AT BABER MELA)

CRIMINAL REVISION CASE NO. : 4/10 OF 2020
DATE OF INSTITUTION : 28.02.2020
DATE OF DECISION : 03.03.2020

MUHAMMAD ISMAIL S/O PEER GUL, CASTE MISHTI, CENTRAL ORAKZAI, PRESENTLY BABER MELA, HANGU

.....(PETITIONER)

-VERSUS-

STATE THROUGH COMPLAINANT SHO LOWER ORAKZAI

..... (RESPONDENT)

Present: Abid Ali Advocate, for petitioner.
: Umar Niaz District Public Prosecutor for state.

FIR No. 6 Dated: 07.02.2020 **U/SS:** 324/427 PPC
Police Station: Lower Orakzai

ORDER:
03.03.2020

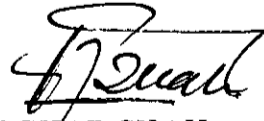
In the aforesaid mentioned case, complainant, Muhammad Ismail reported against the unknown accused for making firing at him with the intention of killing. The local police in the instant case also taken into possession the motor-car of the complainant bearing registration no. IDJ/4251 which he was driving at the time of occurrence.

(2). Petitioner, submitted an application in the court of Judicial Magistrate-II, Orakzai for the return of motorcar in question but the same was turned down by the said court vide order dated 21.02.2020. Hence, the revision in hand.

Asghar Shah
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ASGHAR SHAH
District & Sessions Judge,
Orakzai at Hangu.

- (3). I have heard the learned counsel for the petitioner and DPP for the State and thereby conclude that investigation with regard to motorcar in question is complete and the same is no more required for further investigation besides there is no rival claimant of the same at the moment. The original registration and other documents are in possession of the petitioner (photocopies placed on file while original seen and returned). The petitioner is the last possessor and prima facie owner of the vehicle in question.
- (4). Therefore, for the stated reasons above, the revision in hand is accepted, impugned order of the Judicial Magistrate-II is set aside and motorcar in question is hereby return to the petitioner on bail subject to furnishing bail bonds in sum of Rs. 200,000/- with two sureties each in the like amount to the satisfaction of this court. The petitioner will be bound not to dispose of the vehicle in question till the conclusion of the case and to produce the same as and when required.
- (5). File be consigned to Sessions Record Room after its necessary completion and compilation.

Announced
03.03.2020


ASGHAR SHAH
Sessions Judge,
Orakzai at Baber Mela
03/03/20.

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CERTIFICATE

Certified that this judgment consists of three (03) pages.
Each page has been read, corrected where-ever necessary and
signed by me.

Dated: 03.03.2020



ASGHAR SHAH
Sessions Judge,
Orakzai at Baber Mela

03/03/20