

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

Petition No... 80/4 of 2023.

Date of institution.....08.09.2023.

Date of decision.....20.09.2023.

Order...03
20.09.2023

None present for the state. Petitioner Hashmat Ullah present. Written arguments submitted. Accused Naveed along with counsel present. Accused Naveed and counsel for accused stated that they have got no objection if the superdari petition in hand is accepted. Statement of accused separately recorded. Record is before the court in connection with trial of accused. Arguments heard and record perused.

Petitioner, namely Hashmat Ullah S/O Yousaf Khan R/O Qaum Feroz Khel, tehsil Lower, District Orakzai is seeking return of 06 mun (240 kg) steal taken into possession by the local police in case FIR No.125 dated 27.12.2022 U/S 379/34 PPC Police Station Kalaya.

Record reveals that steal in question was taken into possession by the local police in the above cited case and is in the custody of local police of PS Kalaya. Accused Naveed and counsel for accused stated that they have got no objection if the superdari petition in hand is accepted. Statement of accused separately recorded. Per record, petitioner is the last possessor and there is no rival claimant. The steal is dumped in open space in PS which is likely to be rusted, damaged and deteriorated.

Resultantly, application is accepted and it is directed that the steal in question be handed over to the petitioner, subject to surety bonds to the tune



20/09/2023

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

of Rs. 80,000/- with two sureties to the satisfaction of SHO Police Station concerned. Petitioner shall produce the same as and when required. Copy of the order be placed on file.

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

Announced
20.09.2023



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