

Or-----03
02.09.2021

APP for the state present. Petitioner alongwith counsel present. Record received.

Through my this single order, I intend to dispose off an application for Superdari of the motorcycle, Hi-Speed, Registration No. F-1017, Hangu, seized by the PS Mishti Mela, L/Orakzai U/S 16AA, in the FIR No. 16, Dated: 16.06.2021, filed by the petitioner.


Arguments heard and record perused.

After hearing of arguments and perusal of the record, I am of the opinion that the vehicle in question has been impounded from the one Hazrat Bilal and Said Rehman, upon which they were carrying a Rocket Launcher M-72 along with 06 Shells and 08 Detonators. Resultantly, the accused were charged u/s 5-Exp and 7-ATA but later on both the sections were deleted by the prosecution and a new section of 16AA has been added and the challan has been put in court.

Further, the present petitioner is claiming the ownership of the motorcycle impounded by the local police in the present case on the basis of the original documents in his possession and Iqrar nama through which he is claiming to have purchased the same but the Iqrar nama has been issued on 26.07.2021 while it is written in Iqrar nama that the sale has taken place on 20.02.2021 which is very unreasonable and illogical. Also, as per the record, the motorcycle in question has been impounded by the local police on 26.06.2021, then how it is possible that the same is purchased by the present petitioner on 26.07.2021. Thus, in the light of the aforesaid findings, the present petition is **dismissed**.

Copy of this order be placed on original record. Requisitioned record be returned to the **Camp Court Kalaya** while file of this court be consigned to the record room after its necessary completion and compilation.

Announced
02.09.2020


Rehmat Ullah Wazir
JM-I/MTMC,
Orakzai (at Baber Mela)