

8

Case Title: Aslam Khan VS State

Or-----01
13.10.2021

The instant superdari petition is submitted by the learned counsel for the Petitioner. It be registered.

Notice be issued to state and record be requisitioned for

2/

15/10/2021.



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

Or.....02
15.10.2021

APP for the state present. Petitioner along with counsel present. Record received.

Arguments heard. Record perused.

Petitioner **Aslam Khan s/o Meer Afzal** seeks Superdari of **one Pick-Up vehicle**, Bearing Registration No. **C-5004/Dir** taken into possession by local police of PS: Mishti Mela, L/Orakzai vide **Case FIR No. 34, Dated: 10.09.2021 U/S 324,365,511,34 PPC.**

Hearing the arguments of learned counsel and perusing the record it appears that petitioner is the owner of the aforesaid **Pick-Up vehicle** Bearing Registration No. **C-5004/Dir** and he produced the original documents of the said car alongwith Iqrar Nama. The car is no more required to the local police for investigation or any other purpose. There is no rival claimant of the car at present. Moreover, there is strong apprehension of the damage to the car if kept in the PS for indefinite period.


Rehmat Ullah Wazir
Civil Judge (MTMC)
Orakzai (at Baber Mela)

Also, it is on record that the said vehicle was given on Superdari vide order no. 02, Dated: 02.10.2021 taken into custody by the same police station in case FIR No. 28, Dated: 06.09.2021 U/S 324,427,34 PPC but the same was not handed over to the petitioner and astonishing is the fact that the same vehicle is shown

7

as being used in the present case despite the fact that the same was in the custody of police.

In view of above, Instant Superdari petition is **Accepted** subject to furnishing surety bond in sum of **Rs. 10,00,000/- (Ten Lacs)** along with two local reliable and resourceful sureties, each in the like amount to the satisfaction of S.H.O of PS Mishti Mela, L/Orakzai.

Record be returned to quarter concerned. A copy of this order shall be placed on Judicial as well as on Police file. File of this court be consigned to record room after its necessary completion and compilation.

Announced
15.10.2021



(Rehmat Ullah Wazir)
Judicial Magistrate-I
Orakzai (at Baber Mela)