

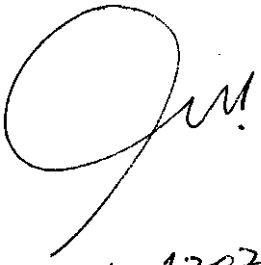
4
Order...04
25.10.2022

APP for the state present. Petitioner along with counsel present. Record already received. Arguments heard and record perused.

Petitioner, namely Kalish Khan S/O Sharbat Khan R/O Quom Stori Khel, Tappa Mala Khel, Vilage Dang Garhi, Khwa Mamora Tehsil Lower, District Orakzai is seeking return of Tractor bearing Marker's name. MF-240, Chassis No. 1231-26, Engine No. 589512-H taken into possession by the local police in case FIR No.101 dated 12.10.2022 U/S 324 PPC, Police Station Kalaya.

Record reveals that Tractor in question was taken into possession by the local police in the above cited case. Per record, one Azhar Hussain was the first owner of the vehicle and it was purchased by petitioner through sale deed dated 29.06.2007 from one Aslam Khan. Taj Muhammad, son of petitioner is last possessor. He is present before the court and stated that he has got no objection if the vehicle is handed over to petitioner on Superdari. Statement of Taj Muhammad separately recorded which is duly signed and thumb impressed by him. Complainant also present. He also endorsed statement of Taj Muhammad. Petitioner produced original certificate of registration in respect of vehicle copy of which is annexed with the petition. Original was seen and returned. Vehicle in question is parked in open space exposed to vagaries of weather. Detention of vehicle in question in police custody for indefinite period would also achieve no useful purpose.

As petitioner produced original documents regarding the vehicle in question and the same is no more required to the local police for investigation, resultantly, the application is accepted and it is directed that the vehicle in


25/10/2022
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

5

question be handed over to the petitioner, subject to surety bonds to the tune of Rs. 600,000/- with two sureties to the satisfaction of SHO Police Station concerned. Petitioner shall produce the same as and when required. Record be return back to the quarter concerned. Copy of the order be placed on file.

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

Announced
25.10.2022



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