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**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT
ORAKZAI, AT BABAR MELA**

Superdari Petition No. 21/4 of 2022
Muhammad Ayaz Vs State

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	24/08/2022	<p>Petitioner in person along with Jabir hussain Advocate and Mr. Zubair APP for State are in attendance.</p> <p>2. This is the disposal of Superdari petition presented by petitioner Muhammad Ayaz son of Jang Ali resident of Quom Mani Khel Tappa Sabora Khel Tehsil lower District Orakzali, for return of Vehicle Motor Car bearing registration No. BRF-558 with chassis No. 9545507, Engine No. 2843720; seized by local Police in FIR No. 72 dated 26-07-2022 registered under Section 302/324/148/149 of the Pakistan Penal Code 1860.</p> <p>3. Learned counsel for petitioner and learned Assistant Public Prosecutor for State were heard at length and file gone through.</p> <p>4. Brief facts of the case are such that complainant along with other family member were travelling in above mentioned car in the Speen Zairat area located within the Criminal Jurisdiction of Police Station Kalaya. The accused have opened indiscriminate firing over the car and resultantly father and brother of complainant had murdered. The complainant sustained injuries and reported the incident. The Vehicle referred above has been taken into possession by local Police; therefore, application for return of Vehicle is presented which is under consideration.</p> <p>5. Perusal of case file reflects that the vehicle in question is neither weapon of offence nor used in commission of offence. Petitioner is last possessor of the vehicle. There is no rival clement as well and retaining the Vehicle in Police Station will serve no purpose except decay.</p> <p>6. For what has been discussed above, instant Superdari</p>


SAYED FAZAL WADOOD
Addl. District & Sessions Judge
Orakzai at Hangu

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petition stands allowed. The Vehicle bearing No. BRF-558 shall be returned to petitioner subject to furnishing surety bonds to the tune of Rs. 03 lacs, with 02 sureties, each in the like amount to the satisfaction of SHO of Police Station Kalaya. The petitioner will remain bound to produce the Vehicle whenever required to Police or Court. The SHO concern shall prepare the photographic profile of the vehicle before its delivery to the petitioner.

7. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

8. Announced in open Court.



Sayed Fazal Wadood,
AD&SJ/JSC, Orakzai at Baber Mela