

7

IN THE COURT OF SHAUKAT AHMAD KHAN
SESSIONS JUDGE, ORAKZAI (AT BABER MELA)

CR. MISC. APPLICATION NO. : 6/4 OF 2022
DATE OF INSTITUTION : 21.11.2022
DATE OF DECISION : 29.11.2022

HAIDER SHAH S/O MEENA DAR, R/O SHALOBAR QAMBAR KHEL

..... (PETITIONER)

-VERSUS-

STATE THROUGH SHO POLICE STATION DABORI

..... (RESPONDENT)

Present: Noor Karim Advocate for petitioner.
: Umar Niaz District Public Prosecutor for State.

FIR No. 22
U/S: 15AA

Dated: 25.10.2022
Police Station: Dabori

ORDER:
29.11.2022

Petitioner, Haider Shah seeks return of motorcar having registration No. LXB8414, model 1996, chassis No. 715823 and engine No. B177273 taken into possession by the local police in the subject case FIR, wherein, as per contents of FIR, Imtiaz Khan SHO along with other police officials acting on information regarding smuggling of arms and ammunitions via motorcar, laid a picket at Arhanga check-post where a motorcar bearing No. LXB-8414/Lahore driving by the accused/petitioner Haider Shah along with his co-accused Sahib Noor occupying front seat of the motorcar, was stopped wherein 01 Kalashnikov bearing no. 1953-716778 with one fixed and one spare charger along with 900 rounds of 7.62 bore, 1045 rounds of Dangar bore (Draganov) and 360

Shaukat Ahmad Khan
District & Sessions Judge,
Orakzai at Baber Mela
29/11/22

8

rounds of 7.62x54 mm were recovered from a secret cavity of the motorcar.

- (2). Arguments heard and record perused.
- (3). Perusal of case file shows that the petitioner is the last possessor of the motorcar in question. The petitioner is in possession of the original documents of the motorcar in question allegedly purchased by him from the original owner. At present there is no rival claimant. Moreover, the investigation in the instant case is complete and the motorcar in question is no more required for further investigation.
- (4). Hence, the petition in hand is accepted and the motorcar in question be returned to the petitioner subject to furnishing two surety bonds in the sum of Rs. 600,000/- to the satisfaction of Judicial Magistrate/MOD concerned that the petitioner would be bound to produce the same as and when required to the court.
- (5). File be consigned to Record Room after its necessary completion and compilation.

Pronounced
29.11.2022



SHAUKAT AHMAD KHAN
Sessions Judge, Orakzai
at Baber Mela