

**IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI**

Petition No... ..52/4 of 2024.  
Date of institution.....12.07.2024.  
Date of decision.....13.07.2024.

**Order..02**  
**13.07.2024**

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

Petitioner namely Muhammad Khan S/O Safi Ullah Khan R/O Qaum Sultan Zai, tappa Abdul Aziz Khel, District Orakzai is seeking return of motorcar bearing registration No.LE-887, Chassis No. NZE120-6054776 taken into possession by the local police in case FIR No.50 dated: 27.06.2024 U/S 15-AA Police Station Kalaya.

**ZAHIR KHAN**  
**Civil Judge/JM**  
**Kalaya Orakzai**

*Handwritten signature and date*  
13/07/2024

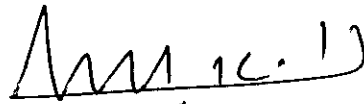
Record reveals that motorcar in question was taken into possession by the local police in the above cited case and is in the custody of local police of PS Kalaya. Copies of the relevant documents are annexed with the petition. Original registration card produced and returned after examination. Petitioner is the last possessor of the said vehicle. There is no rival claimant of the vehicle. The vehicle is parked in open space which is likely to be rusted, damaged and deteriorated. Detention of vehicle in question in police custody for indefinite period would also achieve no useful purpose. Release of the vehicle on superdari to the petitioner will not create any vested right in his favor qua the vehicle as superdari is only a temporary arrangement for the custody of the property during pending inquiry/trial.

4

As petitioner is the last possessor and 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 question be handed over to the petitioner, subject to surety bonds to the tune of Rs. 1200,000/- each with two sureties to the satisfaction of SHO Police Station concerned. Petitioner shall produce the same as and when required. Record be returned 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**  
13.07.2024



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