

**IN THE COURT OF SYED OBAIDULLAH SHAH,**  
**SESSIONS JUDGE, ORAKZAI (AT BABER MELA)**

CR. MISC. APPLICATION NO. : 10/4 OF 2024  
DATE OF INSTITUTION : 05.09.2024  
DATE OF DECISION : 03.10.2024

USMAN KHEL S/O ZULFA KHAN, R/O CASTS STORI KHEL, TAPA  
LALBI KHEL, TEHSIL LOWER, DISTRICT ORAKZAI

..... (PETITIONER)

-VERSUS-

STATE THROUGH SHO POLICE STATION KALAYA

..... (RESPONDENT)

**Present:** Faqir Muhammad and Muzamil Shah Advocates for  
petitioner.  
Umar Niaz, District Public Prosecutor for the State.

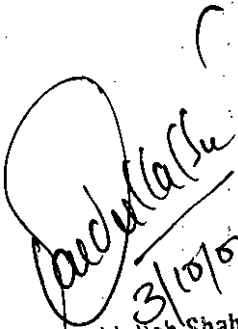
**FIR No. 14**  
**U/S: 279/337-G/322/427**

**Dated: 11.03.2024**  
**Police Station: Kalaya**

**ORDER:**  
03.10.2024

DPP, Umar Niaz for the State present. Petitioner  
Usman Khel along with his counsels present.

(2). The above-named petitioner seeks return of a Toyota  
Corolla Motorcar bearing Registration No. JX-776, Chassis  
No. EE1115038341 and Engine No. 4EF1 of white colour  
taken into possession by the local police in the subject case  
FIR, wherein, as per contents of FIR, on 11.03.2024 the  
local police on the basis of information regarding the  
occurrence reached THQ Hospital Kalaya, where the injured  
Mukhtiar Alam with a dead body of his cousin, Nazim made  
a report to the police to the fact that on that day he along  
with his cousin were present at Yarzali Khan shop for  
purchasing household articles where at about 1300 hours a

  
3/10/24  
Syed Obaidullah Shah  
District & Sessions Judge  
Orakzai at Baber Mela

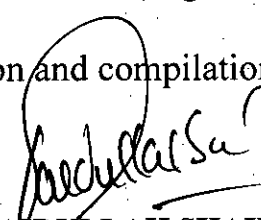
person harshly and negligently driving a motorcar lost control over the vehicle and hit them, resulting in the death of Nazim while he received injuries besides damaging the shop.

The petitioner present before the court produced original registration documents of the motorcar which were seen and returned. Copy of the same is placed on file.

- (3). Arguments heard and record gone through.
- (4). Perusal of the case file reveals that since the investigation in the instant case is complete and the motorcar in question is no more required for further investigation besides the petitioner has produced documents regarding the same which prima facie reveals his ownership of the motorcar in question and more so at the moment, there is no rival claimant as well as the same is not involved/required in any other case.
- (5). In these circumstances, 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. 1,000,000/- to the satisfaction of SHO concerned.
- (6). Order announced. File of this court be consigned to

record room after its necessary completion and compilation.

Dated: 03.10.2024

  
**SYED OBAIDULLAH SHAH**  
Sessions Judge, Orakzai.  
at Baber Mela

