

Case Title: Sarteef Khan VS State

Or-----03

30/01/2020

*Petitioner/Complainant along with his counsel Mr. Abid Ali Advocate Present.
DPP for the State Present.*

1. Arguments heard. Record perused.
2. Petitioner **Sarteef Khan S/O Zarman Shah** Caste: Sheikhan, R/O Umar Zai P/O Mishti Mela, Tehsil: Central, District Orakzai presently R/O Shaheeda Banda, Orakzai Chowk, Tappi Tehsil and District Kohat seeks Superdari of **Ten (10) Ton Coal** taken into possession by local police of PS: Kalaya, L/Orakzai, District Orakzai vide **Case FIR No. 48 Dated: 11.12.2019 U/S 341/387/506/34 PPC.**
3. Petitioner is the **complainant** in the instant case, on whose report the instant case was registered. He produced before the court that original challan No. 667 Dated: 27/11/2019 of vehicle No. 7440 which was supposed to transport the coal from the coal mine. The said challan also shows that *Prima facie* petitioner is also ^{30/01/2020} ~~the~~ one of the owner of the coal mine. He further produced before the court the Daily Dairy/Roznamcha kept for the business purpose showing the date, Driver's name, Vehicle's No, Quantity of coal and agent's name. copies of all those documents be placed on file. Original be returned to the petitioner.
4. All the above documents produced, hearing the arguments of learned counsel and perusing the record it appears that petitioner is the owner of the coal. The coal is no more required to the local police for investigation or any other purpose. There is no rival claimant of the coal at present. Moreover, there is strong apprehension of damage to the coal if kept in the PS for indefinite period.
5. In view of above, Instant Superdari petition is **Accepted** subject to furnishing surety bond in sum of **Rs. 100,000/- (One Lac)** along with two local reliable and resourceful sureties, each in the like amount to the satisfaction of S.H.O of PS Kalaya L/Orakzai.
6. Record be returned to quarter concern. A copy of this order shall be placed on Judicial as well as on Police file. File of this court be consigned to record room after its necessary completion and compilation.

Announced

30/01/2020

Muhammad Imtiaz
Civil Judge/JM
(M. Orakzai at Babar No.)

JM-II/MTMC, Orakzai