

IN THE COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI

Petition No... 52/SA of 2025.

Date of institution... 02.09.2025.

Date of decision... 04.09.2025.

Order...02
04.09.2025

Sr.PP for the state present. Petitioner along with counsel present.

Record received.

Petitioner namely Fazal Amin S/O Abdul Manan R/O Nasrat Khel, Kohat is seeking return of motorcycle Honda 125, bearing registration No. FD-9951, Kohat, Model 2023, Engine No. T706362, chassis No. EC388535, taken into possession by the local police in case FIR No.47 dated 28.08.2025 U/S 15-AA Police Station Kurez Boya. Petitioner produced original registration book. Copies thereof are annexed with the petition. Original seen and returned after examination.

Record reveals that motorcycle in question was taken into possession by the local police in the above cited case. There is no rival claimant of the motorcycle. Release of the motorcycle on superdari to the petitioner will not create any vested right in his favor qua the motorcycle as superdari is only a temporary arrangement for the custody of the property during pending trial. The motorcycle is parked in open space which is likely to be rusted, damaged and deteriorated. Detention of motorcycle in question in police custody for indefinite period would also achieve no useful purpose. The same is no more required to the local police for investigation. Although, petitioner is not the last possessor, however, original documents are in possession of the petitioner. Resultantly, the application is accepted and it is directed that the

Senior Civil Judge
Orakzai
Rahim Mela
[Signature]

(4)

motorcycle in question be handed over to the petitioner, subject to surety bonds to the tune of Rs. 200,000/- with two sureties to the satisfaction of SHO Police Station concerned. Petitioner shall produce the same as and when required. Copy of the order be placed on file.

The instant file be consigned to record room after completion and compilation.

Announced
04.09.2025



Ijaz Mahsood
Senior Civil Judge/JM, Orakzai