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IN THE COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER
MELA

Petition No.....66/SA of 2025.

Date of institution.....20.11.2025.

Date of decision.....24.11.2025.

Order...02
24.11.2025

Sr.PP for the state present. Petitioner No. 1 along with counsel present. Record is already before the court of Hon'ble District and Sessions Judge, Orakzai. Record received and returned back. Arguments heard and record perused.

Petitioner no.1 namely Ghulam Sarwar S/O Ali Sarwar R/O Qaum Ibrahim Zai, tappa Mastan Ali, District Orakzai is seeking return of Suzuki bearing registration No. B9476, Kohat, Engine No.247292, Chassis No. 351958 taken into possession by the local police in case FIR No.68 dated: 14.11.2025 U/S 14 foreign act, PS Kurez Boya while petitioner No. 2 Khair Rehman S/O Muhammad Yousaf is seeking the return and handover of chain pulley (Kuppi), Rods, pipe fittery and ropes to petitioner No.1. To this effect, his affidavit is placed on file.

Record reveals that Suzuki and other articles mentioned above were taken into possession by the local police in the above cited case and are in the custody of local police of PS Kurez Boya. Original documents produced and returned after examination. Petitioner No. 1 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 and other articles mentioned above in question in police

Senior Civil Judge
Orakzai at Mela
24 NOV 2025

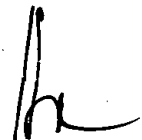
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custody for indefinite period would also achieve no useful purpose. Release of the vehicle and other articles on superdari to the petitioner No. 1 will not create any vested right in his favor qua the vehicle and other articles as superdari is only a temporary arrangement for the custody of the property during pending inquiry/trial.

As petitioner No. 1 is the last possessor of the vehicle in question and the same as well as other articles are no more required to the local police for investigation, resultantly, the application is accepted and it is directed that the vehicle and other articles mentioned above in question be handed over to the petitioner No.1, subject to surety bonds to the tune of Rs. 1500,000/- each with two sureties to the satisfaction of SHO Police Station concerned. Petitioners shall produce the same as and when required. Copy of this order be placed on file.

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

Announced
24.11.2025


Ijaz Mahsood
Senior Civil Judge/JM,
Orakzai