

SUPREME COURT OF PAKISTAN

PRESS RELEASE

SC DIRECTS ALL PPOs AND IG ISLAMABAD TO SUPPLY THE LISTS OF ALL VEHICLES, TAKEN IN TO CUSTODY AS A CASE PROPERTY

A three member bench headed by the Hon'ble Chief Justice of Pakistan Mr. Justice Iftikhar Muhammad Chaudhry and two other Hon'able Judges namely Mr. Justice Raja Fayyaz Ahmed and Mr. Justice Ch. Ijaz Ahmed heard the Criminal Petition No. 169 of 2009 (Juma Khan VS State and nine others) regarding the usurp of case property vehicle by the police.

Mr. Kanwar Intizar Muhammad Khan, Advocate Supreme Court appeared before the Court on behalf of petitioner on 05-05-2009.

The Bench passed following order:-

It is contended by the learned counsel for the petitioner that the petitioner is the victim of highhandedness of the police, as his vehicle has been taken over forcibly by the police and is in their personal use as it is evident from the report of Judicial Magistrate. The concluding para therefrom is reproduced herein below:-

“The statement of police officials recorded in this court shows that on the oral order of Nasir Akbar the then District Police Officer, DI Khan, Zawar Hussain, ASI and Tajuddin Driver got the vehicle in question for personal use of the then DPO, DI Khan as their signatures are present on Exh-CW1 (Registrar No. 19). Later on, the then DPO Nasir Akbar gifted the vehicle in question to DIG, Operation Peshawar, namely Syed Suleman, which was later on recovered after the issuance of letter to Inspector General Police NWFP, Peshawar for recovery of vehicle in question and later on, on the basis of FSL report FIR No. 134 ibid was registered only for the purpose of custody of the vehicle in question by the local police.”

2. Issue notice to the respondents, as well as; to the police officers whose names are mentioned in the above report of Judicial magistrate. They are directed to appear and explain their position in respect of above conclusion. Notice to the above police officers shall be sent through the Secretary, Ministry of Interior, Government of Pakistan, Islamabad.

3. The petition is barred by 26 days. An application has been moved seeking for condonation of delay. However, its fate will be decided after hearing the respondents, as well as; the officers whose names have been mentioned in the concluding para reproduced hereinabove.

4. In the meanwhile, Inspectors General of Police of all the provinces and Capital Territory, Islamabad are directed to supply the lists of all the vehicles, which have been taken into custody as a case property or under Section 550 Cr.P.C. and explain whether these vehicles are in the use of police force or have been parked safely till decision of the related cases.

5. A general notice be also issued to the public whose vehicles have been taken over by the police and kept in any police station or elsewhere, who may submit applications in this behalf before the next date of hearing.

6. Adjourned to 13.5.2009.

**(Shahid Hussain Kamboyo)
Public Relations Officer**