




Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1073/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/06/2022	<p>The appeal of Mr. Ijaz Ahmad resubmitted today by Mr. Taimur Ali Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	4-7-22	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>6-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p> CHAIRMAN</p>
	7 <sup>th</sup> July, 2022	<p>Appellant in person present.</p> <p>Counsel are on strike. To come up for preliminary hearing on 08.09.2022 before S.B.</p> <p> (Kalim Arshad Khan) Chairman</p>

The appeal of Mr. Ijaz Ahmad Ex-LHC no. 1498 Police Post Chato PS Lund Khwar Mardan received today i.e. on 17.06.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Affidavit may be got attested by the Oath Commissioner.
- 4- Annexures of the appeal may be attested.
- 5- Index of the appeal is incomplete which may be completed.
- 6- Annexures of the appeal are illegible which may be replaced by legible/better one.
- 7- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 8- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2067 /S.T,

Dt. 20/6 /2022

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Taimur Ali Khan Adv.  
High Court Peshawar.

① Respected Sir

① Removed

② Removed

③ Removed

④ Removed

⑤ Removed

⑥ Annexure of appeal are replaced by legible one

⑧ Removed

Resubmitted after compliance



30/6/2022.

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECKLIST

Case Title: Ajaz Ahmed vs Police Deptt.

S.#	Contents	Yes	No
1.	This appeal has been presented by: _____	/	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	/	
3.	Whether Appeal is within time?	/	
4.	Whether the enactment under which the appeal is filed mentioned?	/	
5.	Whether the enactment under which the appeal is filed is correct?	/	
6.	Whether affidavit is appended?	/	
7.	Whether affidavit is duly attested by competent oath commissioner?	/	
8.	Whether appeal/annexures are properly paged?	/	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	/	
10.	Whether annexures are legible?	/	
11.	Whether annexures are attested?	/	
12.	Whether copies of annexures are readable/clear?	/	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	/	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	/	
15.	Whether numbers of referred cases given are correct?	/	
16.	Whether appeal contains cuttings/overwriting?	/	
17.	Whether list of books has been provided at the end of the appeal?	/	
18.	Whether case relate to this Court?	/	
19.	Whether requisite number of spare copies attached?	/	
20.	Whether complete spare copy is filed in separate file cover?	/	
21.	Whether addresses of parties given are complete?	/	
22.	Whether index filed?	/	
23.	Whether index is correct?		/
24.	Whether Security and Process Fee deposited? on _____		/
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on _____		/
26.	Whether copies of comments/reply/rejoinder submitted? on _____		/
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on _____		/

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: \_\_\_\_\_

Tajinder Ali Khan

Signature: \_\_\_\_\_



Dated: \_\_\_\_\_

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

SERVICE APPEAL NO. 1073/2022

Ijaz Ahmad

V/S


Police Deptt:

-----  
**INDEX**

S. No.	Documents	Annexure	P. No.
01.	Memo of appeal	-----	01-05
02.	Affidavit	-----	06
03.	Copy of FIR	A	07
04.	Copies of BBA order dated 10.12.2020 and cancellation order dated 22.12.2020	B&C	08-09
05.	Copy of inquiry report	D	10
06.	Copies of show cause notice and reply to show cause notice	E&F	11-12
07.	Copies of order dated 07.01.2021 and departmental appeal	G&H	13-14
08.	Copies of affidavit, bail out order dated 03.01.2022 affidavit and order dated 11.01.2022	I,J,K&L	15-20
09.	Copies of order dated 31.05.2021, revision and order dated 02.06.2022	M,N&O	21-23
10.	Vakalat Nama	-----	24

APPELLANT

THROUGH:

  
(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT  
PESHAWAR  
Cell No. 03339390916

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

SERVICE APPEAL NO. \_\_\_\_\_ /2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 335

Date: 17-6-2022

Ijaz Ahmad Ex-LHC No.1498,  
Police Post Chato PS Lund Khwar, Mardan.

(APPELLANT)

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Mardan Region Kohat.
3. The District Police Officer, Mardan.

(RESPONDENTS)

-----

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 07.01.2021, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE, AGAINST THE ORDER DATED 31.05.2021, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REFLECTED AND AGAINST THE ORDER DATED 02.06.2022, WHEREBY THE PENALTY OF DISMISSAL FROM SERVICE WAS CONVERTED INTO COMPULSORY RETIREMENT FROM SERVICE ON THE REVISION OF THE APPELLANT.

*Filed to day*  
*Registrar*

17/6/2022 PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 07.01.2021, 31.05.2021 AND 02.06.2022 MAY KINDLY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO HIS SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

**RESPECTFULLY SHEWTH:**

**FACTS:**

1. That the appellant has appointed in the respondent department in the year 2008 and was performing his duty with great devotion and honesty, whatsoever, assigned to him and no complaint has been filed against him regarding his performance.
2. That the appellant was posted as In-charge Police Post Chato, a falsely criminal case was registered against the appellant vide FIR No.491 dated 08.12.2020 U/S 324/34 PPC PS Kharki. **(Copy of FIR is attached as Annexure-A)**
3. That the appellant applied for BBA which was granted on 10.12.2020, however his BBA was cancelled on 22.12.2020 and was arrested in the said FIR. **(Copies of BBA order dated 10.12.2020 and cancellation order dated 22.12.2020 are attached as Annexure-B&C)**
4. That the appellant was suspended and one sided inquiry was conducted against the appellant as he was behind the bar and was never associated him with the inquiry proceeding, but despite that the inquiry officer gave his finding that the inquiry officer reached to the conclusion that the alleged official (appellant) has rendered himself involve in criminal case and his role was also proved by collecting information through secret sources and thoroughly discussing the matter with SHO and IO of the case and recommended the appellant for major punishment. **(Copy of inquiry report is attached as Annexure-D)**
5. That show cause notice was issued, which was replied by the father of the appellant as the appellant was behind the bar. In the reply to the show cause notice the father of the appellant requested that till the decision of the criminal case pending against his son, the inquiry may be kept pending and no action may kindly be taken against his son till the decision of the criminal case pending against his son. **(Copies of show cause notice and reply to show cause notice are attached as Annexure-E&F)**
6. That without issuing charge sheet to the appellant, without conducting regular and proper inquiry against the appellant and without waiting to the decision of criminal case pending against the appellant, the appellant was dismissed from service vide order dated 07.01.2021 and that order was communicated to the appellant to the jail as the appellant was in Jail during the passing of dismissal order dated 07.01.2021. The appellant filed departmental appeal against the

dismissal order dated 07.01.2021 on 28.01.2021. (Copies of order dated 07.01.2021 and departmental appeal are attached as Annexure-G&H)

7. That the complainant submitted an affidavit in the competent court of law in which they submitted that they have no objection on the bail of the appellant on which the Honourable Court granted bail on 03.01.2022 and the complainant party also filed affidavit in the competent court of law in which mentioned that they nominated the appellant in the FIR on the basis of suspicion and has satisfied regarding his innocence on which the competent court of law acquitted the appellant in the criminal case on 11.01.2022. (Copies of affidavit, bail order dated, 03.01.2022 affidavit and order dated 11.01.2022 are attached as Annexure-I,J,K&L)
8. That the departmental appeal of the appellant was rejected on 31.05.2021, however the rejection order dated 31.05.2021 was never communicated to the appellant in Jail as the appellant was in Jail at the time of rejection of his departmental appeal and after release from the Jail the appellant went to the office of respondent No. 2 to know about the fate of his departmental appeal on which the officials of the office of respondent No.2 told the appellant that his departmental appeal has been rejected on 31.05.2021 and the appellant received the rejection order on 14.01.2022. The appellant after receiving the rejection order dated 31.05.2021 on 14.01.2022 filed revision on 17.01.2022 and on the revision of the appellant the penalty of dismissal from service was converted into the penalty of compulsory retirement from service vide order dated 02.06.2022. (Copies of order dated 31.05.2021, revision and order dated 02.06.2022 are attached as Annexure-M,N&O)
9. That the appellant has no other remedy except to file the instant service appeal in this Honourable Tribunal on the following grounds amongst others.

#### **GROUND:**

- A. That the impugned orders dated 07.01.2021, 31.05.2021 and 02.06.2022 are against the law, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B. That inquiry conducted against the appellant was not according to the prescribed procedure as the appellant was behind the bar and was never associated with the inquiry proceeding, which is violation of

law and rules and as such the impugned orders are liable to be set aside on this ground alone.

- C. That no opportunity of defence was provided to the appellant during inquiry proceeding, which is violation of Article-10A of the Constitution of Pakistan.
- D. That the inquiry office wholly depend on the discussion of the SHO concerned and IO of the case and if the inquiry officer depend on the discussion/statements of the concerned SHO and IO of the case then the interest of justice demand that the departmental proceeding against the appellant should be kept till the decision of the criminal case pending against the appellant.
- E. That the inquiry office in his finding mentioned that the role of the appellant was proved by collecting information through secret sources, but as per superior court judgments no one be punished on the secret inquiries/sources and by punishing the appellant on information through secret source is clear violation of the superior courts judgments.
- F. That the appellant was acquitted by the competent court of law vide order dated 11.01.2022 and there remain no ground to penalize the appellant on the basis of criminal in which he was acquitted.
- G. That the FIR was lodged against the appellant and as per Police Rules 1934, the appellant should be suspended till the conclusion of criminal pending against him, but without waiting to the conclusion of criminal case, the appellant was removed from service, which is violation of Police Rules 1934.
- H. That CSR-194 is also clear in the matter that when FIR was lodged against the civil servant, he should be suspended till the conclusion of criminal case, but without waiting to the conclusion of criminal case, the appellant was dismissed from service, which is violation of CSR-194.
- I. That as per Superior Court judgments, mere filling of FIR does not proves a person to be guilty of the commission of offence, rather he would be presumed innocent unless convicted by the court of competent jurisdiction.



J. That the appellant has been condemned unheard and has not been treated according to law and rules.

K. That the appellant seeks permission of this Honourable Tribunal to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

*Ijaz*  
APPELLANT

Ijaz Ahmad

THROUGH:

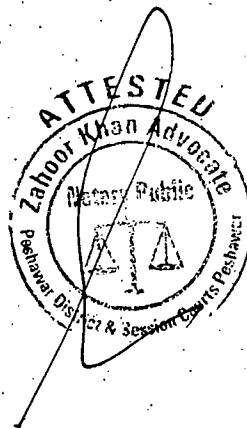
*Zahoor Khan*  
(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT

**CERTIFICATE:**

It is certified that no other similar service appeal between the parties has been filed earlier.

*Ijaz*  
DEPONENT



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

SERVICE APPEAL NO. \_\_\_\_\_/2022

Ijaz Ahmad

V/S

Police Deptt:

**AFFIDAVIT**

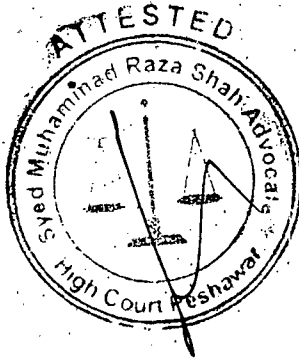
I, Ijaz Ahmad Ex-LHC No.1498, Police Post Chato PS Lund Khwar, Mardan (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this august Court.

*Ijaz*  
**DEPONENT**

Ijaz Ahmad  
(APPELLANT)

CNIC:16102-3645071-9

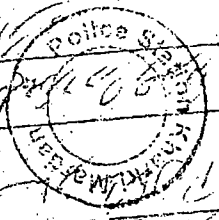
Cell# 0346-4512383



8-12-2012  
51.81.12

Handwritten notes in Urdu, likely a report or list of items, including mentions of 'DHO' and 'KPKU'.

1	Handwritten Urdu text	Handwritten Urdu text
2	Handwritten Urdu text	Handwritten Urdu text
3	Handwritten Urdu text	Handwritten Urdu text
4	Handwritten Urdu text	Handwritten Urdu text
5	Handwritten Urdu text	Handwritten Urdu text
6	Handwritten Urdu text	Handwritten Urdu text
7	Handwritten Urdu text	Handwritten Urdu text
8	Handwritten Urdu text	Handwritten Urdu text
9	Handwritten Urdu text	Handwritten Urdu text
10	Handwritten Urdu text	Handwritten Urdu text



Handwritten signature and date: 324/34

Handwritten notes at the bottom of the page, including 'KPKU' and other illegible text.

7

A

B  
no 7869  
20 (8)

**IN THE COURT OF ABDUL BASIT  
ADDITIONAL SESSIONS JUDGE, MARDAN AT KATLANG**

**Order--01**  
10.12.2020

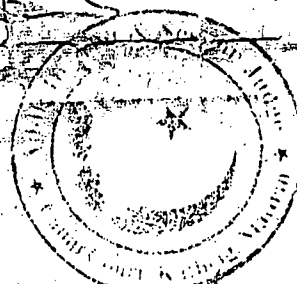
Pre-arrest bail filed through counsel. Be entered in relevant register.

~~The petitioner Ijaz Ahmad s/o Musafar Khan r/o Ajo, Talht~~  
**Bhai, District Mardan** apprehends his arrest and seek ing pre-arrest bail in case FIR No. 491 dated: 08.12.2020 U/S 324/34 PPC registered with Police Station Kharki, Mardan.

The accused/petitioners contend malafide, false implication and ulterior motive on part of prosecution. The record is not before the court except attested photocopy of FIR supported by an affidavit, therefore, the ad-interim pre-arrest bail is allowed to accused/petitioners subject to furnishing bail bonds in the sum of Rs. 100,000/- with two local & reliable sureties each in the like amount to the satisfaction of this court. The petitioners are directed to join the investigation. Notice to the prosecution/complainant and for record for 14.12.2020.

S//  
(Abdul Basit)  
Addl: Sessions Judge, Mardan at Katlang

Forwarded to SHO concerned for information.



10/12/2020

بمستند - بلوچ - منعم علیہ - منعم علیہ  
345/RBA - 10/12/20 - 22/12/20 - 30/12/20

3

اعجاز  
سید

منعم علیہ الدین صاحب المدعا سید  
منعم علیہ الدین صاحب المدعا سید  
منعم علیہ الدین صاحب المدعا سید  
منعم علیہ الدین صاحب المدعا سید



Order-005  
22.12.2020

Accused/petitioner on ad-interim pre-arrest bail alongwith counsel is present. Sr.PP, Javed Ur Rehman, for the State is present. Complainant through brother. Ghufraan Ullah, alongwith learned counsel is present.

Accused/petitioner Ijaz Ahmad s/o Musafar Khan r/o Alo, Takht Bhai, District Mardan is seeking confirmation of his pre-arrest bail in case FIR No. 491, dated: 08.12 2020 registered U/S 324/34 PPC at police station Kharki, Mardan.

Brief facts of the case are that Muhib Ullah, complainant, reported that on the day of occurrence he along with his brother were present at the place of occurrence and Musafar, Asad and Ijaz were present at the roof of their house; that Ijaz duly armed with pistol fired at them, due to which he got hit and injured on left side of his abdomen whereas Musafar and Asad threw bricks from the roof, from which his brother Nawab Ullah sustained injuries on his head; hence, the FIR.

Arguments heard and record perused.

As per available record, accused/petitioner is directly charged by the complainant in the FIR. The accused/petitioner has failed to point out any malafide, ill-will or ulterior motive on the part of the prosecution. At the moment, no substantial material does exist on file, which may suggest either mala-fide or ill-will of the complainant or innocence of the accused/petitioner. In the absence of any ill-will or ulterior motive, on the part of the prosecution, the grant of extraordinary concession to accused/petitioner in the shape of confirmation of ad-interim order of pre-arrest bail would amount to obstructing the investigation process and to unearth the real facts to the limelight. No exceptional ground exist to grant extra-ordinary relief of ad interim pre-arrest bail at this stage, as such, the bail before arrest of the accused/petitioner is not arguable for the purpose of bail, hence, the same is dismissed and the ad interim pre-arrest bail granted earlier on 10.12.2020 to accused/petitioner is hereby recalled. Copy of this order be placed on judicial and police files.

File consigned to the record room after completion and compilation, while requisitioned record be returned forthwith.

Certified To Be True Copy  
08 JUN 2022  
Examiner Copying Branch  
Session Court Mardan

Announced  
22.12.2020

(Abdul Basit)  
Addl: Sessions Judge, Mardan at Katiang

Abdul Basit  
Additional District & Sessions Judge,  
Katiang

OFFICE THE  
DEPUTY SUPERINTENDENT OF POLICE,  
CITY CIRCLE MARDAN.

Phone: 0937-9230129 Email: sdpo.citymdu@gmail.com

Dated: 29.12.2020.

Diary No. 1873/B.

To: The Worthy District Police Officer,  
Mardan.

Subject: DEPARTMENTAL ENQUIRY AGAINST LHC IJAZ AHMAD NO.1498.

Memo: Kindly refer to your office diary No.449/PA dated 14.11.2020.

STATEMENT OF ALLEGATION:-

Whereas, LHC Ijaz Ahmad No.1498, while posted at PP Chato PS Lund Khwar (Now under suspension Police Lines Mardan), has been charged in a case wide FIR No.491 dated 08-12-2020 u/s 324/34 PPC PS Kharki.

PROCEEDING:-

During enquiry proceeding the following steps were taken:-

- > Statement IO/ OII PS Kharki was recorded.
- > Case file was studied.
- > The matter was also discussed with SHO concerned.

STATEMENT OF OII PS KHARKI SI SAHIB DAD KHAN

The IO of the case Sahib Dad SI/OII stated in his written statement that complainant of the case Muhibullah s/o Sher Dad Khan r/o Alo formally charged alleged official Ijaz Ahmad s/o Musafir Khan r/o Alo. The alleged official managed BBA from concerned court on 10-12-2020 who after cancellation of BBA on 22-12-2020 was arrested and thoroughly interrogated followed by acquiring one day police custody. His statement was recorded u/s 161 CrPc wherein stating that they had dispute on land with complainant party and on the day of occurrence, he was present at home that verbal altercation started between them that reached to brawl and scuffle and finally he (alleged official) shot complainant Muhibullah with his pistol that resulted in his injuries. The said pistol was taken later by his brother Asad co-accused of the case. For recording his statement u/s 164 CrPc, the said official was taken to the court who deviate there from his former statement and was thereby sent to judicial lock up.

FINDING:

During the process of enquiry, the enquiry officer reached to conclusion that the alleged official has rendered himself involve in criminal case and his role was also proved by collecting information through secret sources and thoroughly discussing the matter with SHO concerned & IO of the case.

RECOMMENDATION.

Keeping the above mentioned facts in view, he is recommended for Major Punishment, if agreed!

Encl: (2)

FCN  
20.12.2020  
Muhammad Iqbal Jan  
Deputy Superintendent of Police,  
City Circle Mardan



OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)



No. 202 /PA

Dated 30/12/2020

**FINAL SHOW CAUSE NOTICE**

**LHC Ijaz Ahmed No. 1498**, while posted at P.P. Chato (now under suspension & in Central Jail Mardan), has been charged in a case vide FIR No. 491 dated 08.12.2020 U/S 324, 34 PPC P.S. Kharki.

In this connection, during the course of Departmental Enquiry, conducted by Mr. M. Inam Jan SDPO City Mardan vide his office letter No.1873/S dated 29-12-2020, in pursuance of this office Statement of Disciplinary Action/Charge Sheet No.449/PA dated 14-12-2020, holding responsible you of gross misconduct & recommended for major punishment.

Therefore, it is proposed to impose Major/Minor penalty as envisaged under Rules 4 (b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I Dr. Zahid Ullah (PSP) District Police Officer Mardan, in exercise of the power vested in me under Rules 5 (3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975 call upon you to Show Cause Finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within 07 days of receipt of this Notice, failing which; it will be presumed that you have no explanation to offer.

You are liberty to appear for personal hearing before the undersigned.

Received by \_\_\_\_\_

Dated: \_\_\_\_/\_\_\_\_/2020

  
(Dr. Zahid Ullah) PSP  
District Police Officer  
Mardan

Copy to FI Police Lines Mardan (Attention Reader) to deliver this Notice upon the alleged official & the receipt thereof shall be returned to this office within (05) days positively for onward necessary action.

1/01/2021  
11:55 AM

Handwritten notes in Arabic script, possibly a header or title.

Handwritten notes in Arabic script, possibly a sub-header or section title.

Please provide  
PA  
1/01/2021

- ① Handwritten notes in Arabic script, starting with a circled number 1.
- ② Handwritten notes in Arabic script, starting with a circled number 2.
- ③ Handwritten notes in Arabic script, starting with a circled number 3.
- ④ Handwritten notes in Arabic script, starting with a circled number 4.
- ⑤ Handwritten notes in Arabic script, starting with a circled number 5.

Handwritten notes in Arabic script.

Handwritten notes in Arabic script, possibly a summary or conclusion.

12

Handwritten notes in Arabic script at the bottom of the page.





OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: dromcn@gmail.com



No. 64-68 /PA

Dated 07/01/2021

ORDER ON ENQUIRY OF LHC IJAZ AHMAD NO.1498

This order will dispose-off a Departmental Enquiry under Police Rules 1975, initiated against the subject official, under the allegations that while posted at Police Post Chato PS Lund Khair (now under suspension & Central Jail Mardan), was placed under suspension vide this office OB No.2210 dated 11-12-2020, issued vide order/endorsement No.6991-94/OSI dated 11-12-2020 on account of charging in a case vide FIR No.491 dated 11-12-2020 U/S 324/34 PPC PS. Kharki & proceeded against departmentally through Mr. Muhammad Inam Jan SDPO City Mardan vide this office Statement of Disciplinary Action/Charge Sheet No.449/PA dated 14-12-2020, who (E.O) after fulfilling necessary process, submitted his Finding Report to this office vide his office letter No.1873/S dated 29-12-2020, holding responsible the alleged official of misconduct & recommended for major punishment.

On 30-12-2020, LHC Ijaz Ahmad was served with a Final Show Cause Notice under Khyber Pakhtunkhwa Police Rules-1975, issued vide this office No.202/PA dated 30-12-2020, to which, he was bound to submit his reply within the stipulated time of (07) days, but he failed to comply with, meaning that he has nothing to offer in his defence.

Final Order

Keeping in view the above discussion, I am of the considered opinion that LHC Ijaz Ahmad is guilty of misconduct, therefore, awarded him major punishment of dismissal from service from the date of suspension with immediate effect, in exercise of the power vested in me under Police Rules-1975.

OB No. 1141

Dated 07/01/2021

(Dr. Zaid Ullah) PSP  
District Police Officer  
Mardan

Copy forwarded for information & n/action to:-

- 1) The Regional Police Officer Mardan, please.
- 2) The SP/Inv: Mardan & DSP/HQrs Mardan.
- 3) The Superintendent Central Jail Mardan.
- 4) The P.O & E.C (Police Office) Mardan.
- 5) The OSI (Police Office) Mardan with ( ) Sheets.



16102-2254605-3

16102-2254605-3

03/01/2021  
SANDHIA  
SANDHIA  
SANDHIA

923

Handwritten signature and text in Urdu.

Handwritten signature and text in Urdu.

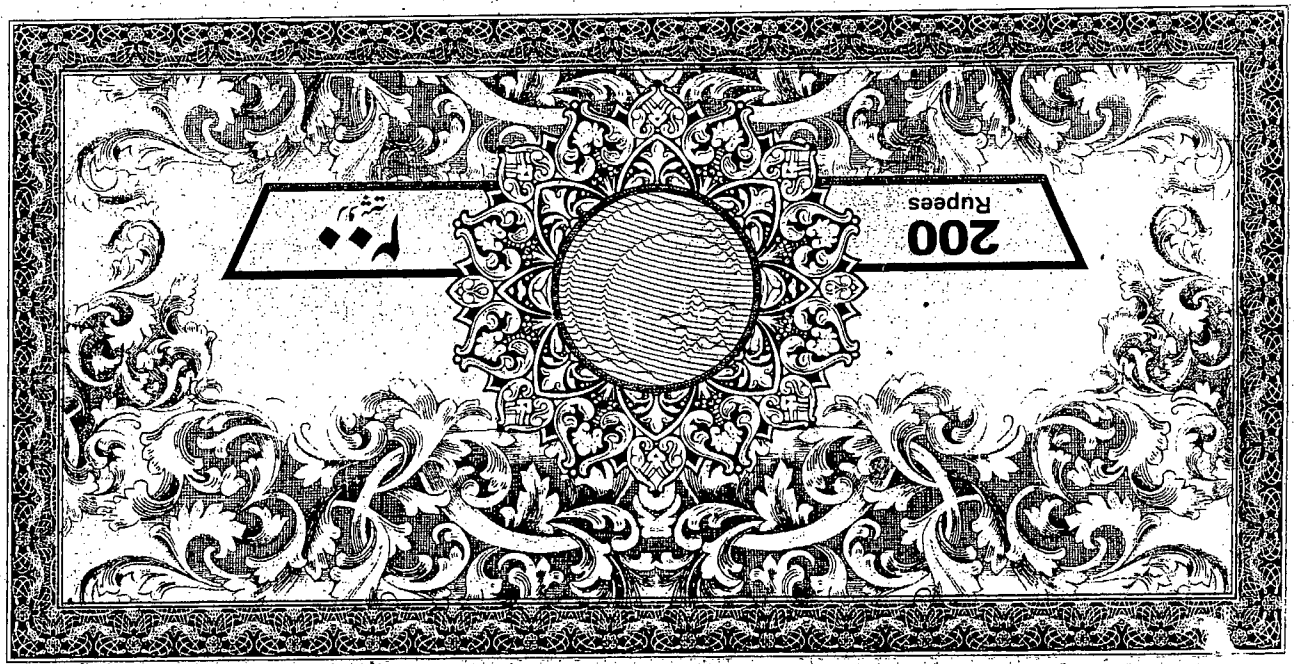
03/01/2022

Handwritten text in Urdu, likely a letter or report, containing several lines of text.

NOE in Connection with Board

324/34 (2020) 817  
491

Handwritten signature and text in Urdu.



15

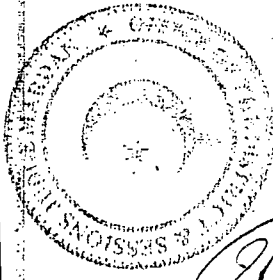
نوبت اولیٰ در دسترس قرار می دهد و در صورت لزوم به مراجع ذیصلاح ارسال خواهد شد. - NOC

تاریخ: 03/01/2022  
شماره: 740/ع

تاریخ: 03/01/2022  
شماره: 740/ع

تاریخ: 03/01/2022  
شماره: 740/ع

Mardan Treasury Mardan  
02 DEC 2021  
DATE OF ISSUE



4855/22  
21/5/22  
15000

IN THE COURT OF ARBAB WAHEED ALAM, JUDICIAL MAGISTRATE, MARDAN AT

KATLANG,  
Bail petition No. 3/BA of 2022

Hz Ahmad vs the state  
Case FIR No. 491, dated 08/12/2020  
U/S 324 PPC, PS Kharaki  
Order --- 01  
03-01-2022

Instant bail petition submitted through counsel. It be registered.

accused/petitioner through counsel and learned APP for the state present. Record requisitioned from the court of learned ASJ Katlang.

Through this order I shall dispose of the instant bail petition.

submitted by the accused/petitioner Hz Ahmad son of Musafar Khan (R/O. Ato. Tehsil Katlang, District Mardan in case FIR No. 491 dated 08/12/2020

U/S 324 PPC, PS Kharaki on the fresh ground of compromise

Arguments heard and record perused

At the very outset of the proceeding complainant injured Mstib Ullah

and injured Nawab Ullah submitted an affidavit PA wherein stated that

through intervention of the elders of the locality the matter has been patched

up, they have got no objection on the acceptance of instant bail petition. On

the back of affidavit the joint statement of the complainant Mstib Ullah and

Nawab Ullah, CMC copy of the complainant is EX. PB, while of the injured

Nawab Ullah is EX. PC

Keeping in view the above stated facts, without touching merit of the

case, the accused/petitioner is admitted to bail, subject to furnishing of bail

bonds in the sum of Rs. 80,000/- (Eighty thousand only) with two local and

reliable sureties each in the like amount to the satisfaction of this Court. Record

be sent back to quarter concerned. Record be sent back to quarter concerned.

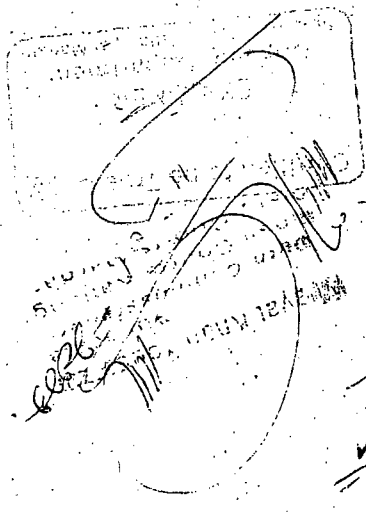
File be confined to record room after its necessary completion and

Announced  
03-01-2022

(Arbab Waheed Alam)  
Judicial Magistrate Katlang

Examined To Be True Copy  
06 JUN 2022  
Session Court Mardan

062136626  
9647  
4/6/22  
9/6/22  
03-P  
1 VIII  
2  
7-6-22  
Signed of copy  
Date of Delivery



11/10/2002  
16100256685-3

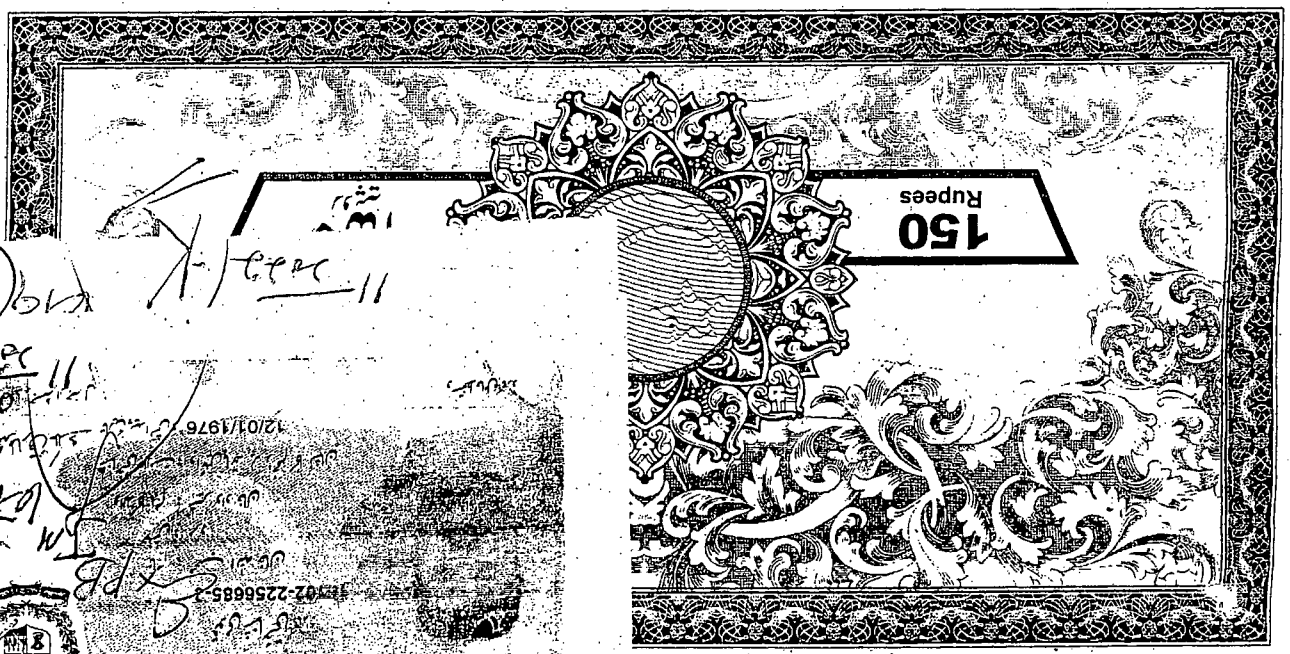
Handwritten text in Urdu script, appearing to be a list or account of items and their values.

Handwritten notes on the left side of the page, including a date: 12/10/2002.

Handwritten text in Urdu script, including a signature and some numerical figures.

Handwritten text in Urdu script, including a signature and some numerical figures.

150  
10  
2002



Handwritten notes and a signature in the bottom left corner, including a date: 11/10/2002.

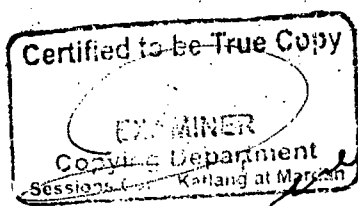
بیان صاحب اللہ، نور اللہ پسران شیراز خان ساکن  
الو تحصیل کائنات جھنگ میں بر حلف

پولیس بیان کیا FIR نمبر 491 زیر دفعہ 324  
337 ACU، حوض 12/08 بہاولپور ملزمان کو گرفتار کیا گیا

مذکورہ کی گواہی اور میرا گواہی نور اللہ اسی دفعی ہوا تھا۔  
مذکورہ کی گواہیوں سے مابین و یقین لائیں نام۔

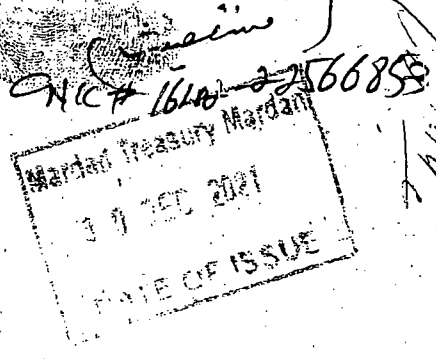
موجودہ ہے اگر عدالت حضور اور ملزمان مدد کو باعزت  
طوری بہری زندہ چاہیے تو محس کوئی عذر دے کر ان  
میں سے ہم سے عدالت حضور اور کو درخواست کریں

ملزمان مدد کو باعزت طوری بہری زندہ حکم  
صادر فرمایا جاوے، اسی نسبت بیان ملحق Ex A  
Ex B اور Ex C کے ساتھ



16102-5212979-1

11/02/2021



شکر دست تسلیم کیا

نور اللہ  
CNIC# 16102-5212979-1

جوزہ شکر خیر  
کائنات

مذکورہ بیان اور گواہیوں کے ساتھ  
مذکورہ کی گواہیوں سے مابین و یقین لائیں نام۔

35  
IN THE COURT OF ARBAB WAHEED ALAM, JUDICIAL MAGISTRATE, KATLANG.

11/1/22 ← 12/6/21 103/2  
State vs Musafar etc Case FIR No. 491 , dated 08/12/2020, U/Ss 324/337-A(ii) PPC  
PS Kharki.

Order----20  
11.01.2022

Learned counsel for accused present and submitted an application for early hearing. Case file requisitioned and brought into today cause list.

SPP for the state, complainant in person and all the accused on bail present.

At the very outset of the proceedings complainant Muhib Ullah & Nawab Ullah (both injured) appeared before the court and submitted an affidavit Ex. PA, wherein stated that they have charged the accused facing trial on the basis of suspicion. The accused party has satisfied them regarding their innocence. On the back of the affidavit Ex. PA, the joint statement of the complainant and injured Nawab Ullah also recorded. CNIC copy of the complainant is Ex. PB and that of the injured Nawab Ullah is Ex. PB/1.

In view of the above stated facts, as the complainant/victim and injured Nawab Ullah who are star witnesses of the case do not want further proceedings in the case and they have got no objection on the acquittal of the accused.

Further vide mad No.4 dated 08/12/2020 u/s 506(i) PPC  
PS Kharki accused Nawab Ullah, Ghufran, Inayat Ullah, Imran



(Arbab Waheed Alam)  
Civil Judge/Judicial Magistrate  
Mardan at Katlang

Certified to be True Copy

EXAMINER  
Copying Department  
Sessions Court Katlang at Mardan



Order-20(continued)

Dated: 11.01.2022

20

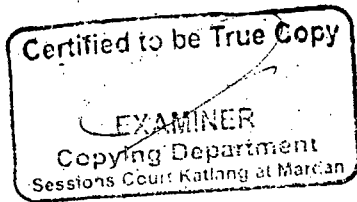
& Waqas sons of Sher Dad were charged by Mst. Zulfan Begum. The complainant Mst.Zulfan Begum submitted an affidavit Ex. PA, wherein stated that she has got no objection on the acquittal of the accused.

✓ By now, time and again it is held by superior courts that compromise is good ground for acquittal of accused. Hence, by acceptance of, the accused facing trial are acquitted from the charges of instant case. They are on bail. Their sureties are absolved from liability of bail bonds. ✓

File be consigned to record room after its necessary completion and compilation.

Announced.  
11.01.2022.

(Arbab Waheed Alam)  
Judicial Magistrate, Katlang.



(Arbab Waheed Alam)  
Civil Judge/Judicial Magistrate  
Mardan at Katlang

Name of Applicant	13/1/22
Date of Presentation of Application	13/1/22
Date on which Application was heard	13/1/22
No. of Warrants	P. 6
Court Fees	1/24
Urgent Fee	7
Signed of Copyist	[Signature]
Date of Delivery	13/1/22

ORDER.

This order will dispose-off the departmental appeal preferred by Ex-LHC Ijaz Ahmad No. 1498 of Mardan District against the order of District Police Officer, Mardan, whereby he was awarded major punishment of dismissal from service vide OB: No. 44 dated 07.01.2021 by the District Police Officer, Mardan. The appellant was proceeded against departmentally on the allegations that he while posted at Police Post Chato Police Station, Lund Khawar was found involved in a case vide FIR No:491 dated 08.12.2020 U/S 324/34-PPC Police Station, Kharki District Mardan.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Sub Divisional Police Officer (SDPO) City, Mardan was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Mardan, wherein he has recommended the delinquent Officer for major punishment.

He was issued Final Show Cause Notice, but failed to submit his reply. Therefore, he was awarded major punishment of dismissal from service vide OB: No. 44 dated 07.01.2021.

Feeling aggrieved from the order of District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 26.05.2021.

From the perusal of the enquiry file and service record of the appellant, it has been found that the allegations of misconduct against the appellant have been proved beyond any shadow of doubt. Hence, the retention of appellant in Police Department will stigmatize the prestige of entire Police Force. Moreover, the delinquent Officer is challaned in case vide FIR No.491 dated 08.12.2020 U/S 324/34-PPC Police Station, Kharki District Mardan and as per the report of Incharge Investigation, Police Station, Kharki the delinquent Officer is guilty of the offence. Therefore, order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Yaseen Farooq, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed being devoid of merit.

Order Announced.

  
Regional Police Officer,  
Mardan.

No. 2749 /ES, Dated Mardan the 31 - 5 - /2021.

Copy forwarded to District Police Officer, Mardan for information and necessary w/r to his office Memo: No. 50/LB dated 17.02.2021. His service record is returned herewith.

(\*\*\*\*\*)

رجسٹرڈ سے 31/5/2021

14.1.22  
2802

ORDER.

M (21)

This order will dispose-off the departmental appeal preferred by Ex-LHC Ijaz Ahmad No. 1498 of Mardan District against the order of District Police Officer, Mardan, whereby he was awarded major punishment of dismissal from service vide OB: No. 44 dated 07.01.2021 by the District Police Officer, Mardan. The appellant was proceeded against departmentally on the allegations that he while posted at Police Post Chato Police Station, Lund Khawar was found involved in a case vide FIR No.491 dated 08.12.2020 U/S 324/34-PPC Police Station, Kharki District Mardan.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Sub Divisional Police Officer (SDPO) City, Mardan was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Mardan, wherein he has recommended the delinquent Officer for major punishment.

He was issued Final Show Cause Notice, but failed to submit his reply. Therefore, he was awarded major punishment of dismissal from service vide OB: No. 44 dated 07.01.2021.

Feeling aggrieved from the order of District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 26.05.2021.

From the perusal of the enquiry file and service record of the appellant, it has been found that the allegations of misconduct against the appellant have been proved beyond any shadow of doubt. Hence, the retention of appellant in Police Department will stigmatize the prestige of entire Police Force. Moreover, the delinquent Officer is challaned in case vide FIR No.491 dated 08.12.2020 U/S 324/34-PPC Police Station, Kharki District Mardan and as per the report of Incharge Investigation, Police Station, Kharki the delinquent Officer is guilty of the offence. Therefore, order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Yaseen Farooq, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed being devoid of merit.

Order Announced.

  
Regional Police Officer,  
Mardan.

No. 2749 /ES, Dated Mardan the 31 - 5 - /2021.

Copy forwarded to District Police Officer, Mardan for information and necessary w/r to his office Memo: No. 50/LB dated 17.02.2021. His service record is returned herewith.

(\*\*\*\*\*)

اعلیٰ دست سے پتہ اور وصول ہو  
14.1.22  
2802

N (22)

بحضور جناب انسپکٹر جنرل پولیس خیبر پختونخوا پشاور

عنوان:- درخواست مراد بحالی ملازمت بحوالہ FIR علت نمبر 491

مورخہ 08/12/2020 بحرم 324/34/PPC تھانہ خرکی ضلع مردان۔

جناب عالی!

مودبانہ گزارش ہے کہ:-

(1) سائل تحصیل کائٹنگ ضلع مردان کارہائشی و پیدائشی ہے۔

(2) یہ کہ مورخہ 08/12/2020 کو سائل بحیثیت LHC چاٹو چوکی تھانہ لونڈ خوڑ تعینات تھا

سائل کوشک کی بناء پر مقدمہ علت نمبر 491 مورخہ 08/12/2020 بحرم 324/34/PPC تھانہ خرکی میں چارج کیا گیا اور بعد از ضمانت قبل از گرفتاری منسوخ ہونے پر جیل بھیج دیا گیا (نقول ہمراہ لف ہے)

(3) سائل کی غیر موجودگی میں محکمانہ کارروائی کا آغاز ہوا سائل کے والد نے پولیس حکام بالا

کو درخواست گزاری کہ تاحکم عدالت کارروائی کو التواء میں رکھا جائے (نقول لف ہے)

(4) سائل کے خلاف محکمانہ کارروائی میں انصاف سے کام نہیں لیا گیا اور باوجود اس کے کہ

سائل پابند سلاں تھا۔ سائل کو ذاتی طور پر پیش ہونا دکھا کر سائل کو ملازمت سے سبکدوش کر دیا گیا (نقل ہمراہ لف ہے)

(5) یہ کہ مدعیان مقدمہ نے بعد ازاں عدالت کے سامنے اقرار کیا کہ سائل کوشک کی بناء پر مقدمہ

متذکرہ بالا میں ملوث کیا گیا تھا جو کہ اب ان کو تسلی ہو گئی ہے کہ سائل وقوعہ متذکرہ میں ملوث نہیں تھا (کاپی ہمراہ لف ہے)

(6) یہ کہ عدالت نے سائل کو باعزت بری کر دیا گیا ہے جو کہ اس بات کا ثبوت ہے کہ سائل

مذکورہ جرم کا مرتکب نہیں ہوا ہے اور سائل کے کیس میں انصاف کے تقاضوں کو پورا نہیں کیا گیا ہے۔

(7) سائل نے جب DIG صاحب مردان کو بھی درخواست گزاری لیکن کوئی سنوائی نہیں کی

گئی۔

لہذا بذریعہ درخواست ہذا استدعا کی جاتی ہے کہ سائل کو معطلی کی تاریخ سے ملازمت

پر بحال کر کے جملہ مراعات واپس کئے جائیں جو کہ سائل کا جائز قانونی حق بنتا ہے

تا حیات دعا گورہوں گا

العارض

0346-4512383

مردان 17-1-2022

۲۰۲۲

آپ کا تابع دار اعجاز احمد LHC نمبر 1498 ڈسٹرکٹ پولیس مردان



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

23

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-LHC Ijaz Ahmad No. 1498. The petitioner was dismissed from service by District Police Officer, Mardan vide OB No. 44, dated 07.01.2021 on the allegations that he while posted at Police Post Chato Police Station Lund Khawar was found involved in a case vide FIR No. 491, dated 08.12.2020 u/s 324/34-PPC Police Station Kharki District Mardan. His appeal was rejected by Regional Police Officer, Mardan vide order Endst: No. 2749/ES, dated 31.05.2021.

Meeting of Appellate Board was held on 19.05.2022 wherein petitioner was heard in person. Petitioner contended that he is innocent and the court acquitted him of the charges.

Perusal of court judgment revealed that complainant party submitted an affidavit in the court wherein stated that they have charged the accused on the basis of suspicion and now accused party has satisfied them regarding their innocence.

In view of his long service of 12 years, 06 months & 17 days the Board decided that his penalty of dismissal from service is hereby converted into compulsory retirement from service.

Sd/-

**SABIR AHMED, PSP**

Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 1219-25 /22, dated Peshawar, the 2 / 6 /2022.

Copy of the above is forwarded to the:

1. Regional Police Officer, Mardan. One Service Roll and one Fauji Missal of the above named Ex-LHC received vide your office Memo: No. 1373/ES, dated 18.02.2022 is returned herewith for your office record.
2. District Police Officer, Mardan.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdc: E-IV CPO Peshawar.

(DR. ZAHID ULLAH) PSP  
AIG/Establishment,

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

