

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT, ABBOTTABAD.

Service Appeal No. 4985/2021

Date of Institution ... 03.05.2021
Date of Decision ... 13.06.2022

Muhammad Qasim, Constable No.91, District Police Torghar.
... (Appellant)

VERSUS

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and two
others.

... (Respondents)

Muhammad Aslam Tanoli,
Advocate ... For appellant.

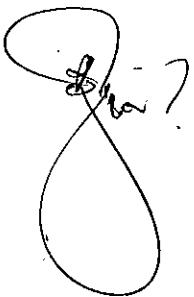
Noor Zaman Khan Khattak,
District Attorney ... For respondents.

Rozina Rehman ... Member (J)
Fareeha Paul ... Member (E)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the prayer
as copied below:

“On acceptance of instant service appeal, all the 03
orders dated 18.09.2019, 03.08.2020 and 14.04.2020 of
the respondents may graciously be set aside and
appellant be restored his 03 stages in pay and rank of
Head Constable from the date of reduction/reversion
with grant of all consequential service back benefits.”



2. Appellant was a Head Constable. He was awarded major punishment of reduction in pay by three stages and was reverted from officiating Head Constable to Constable (C-1) vide order dated 18.09.2019. It is the legality and validity of this order which has been challenged by him in the present service appeal U/S 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.

3. The relevant facts in the background are that a false complaint was filed against appellant while posted as Head Constable at Police Station District Torghar by one Shahbaz Khan before the Khyber Pakhtunkhwa Provincial Police Officer, Peshawar. The same was sent to DPO Torghar and which was marked to the SDPO Kanda for inquiry and report. On the receipt of the inquiry report, final report was submitted by DPO Torghar to Khyber Pakhtunkhwa Provincial Police Officer, Peshawar. The appellant was served with a charge sheet and then a final show cause notice was issued which was replied but without taking into consideration the reply submitted by the appellant, major punishment of reduction in pay by three stages and reversion from officiating Head Constable to Constable (C-1) was awarded by the DPO Torghar. He filed departmental appeal which was rejected, where-after, he filed a mercy petition which was also rejected, hence, the presents service appeal.

4. We have heard Muhammad Aslam Tanoli Advocate learned counsel for appellant and Noor Zaman Khan Khattak, learned District Attorney for respondents and have gone through the record and the proceedings of the case in minute particulars.

5. Muhammad Aslam Tanoli Advocate learned counsel appearing on behalf of appellant inter-alia submitted that orders dated 18.09.2019,

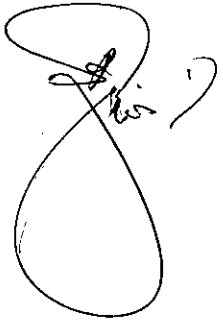


03.08.2020 and 14.04.2021 being illegal, against rules and regulations are liable to be set aside; that no proper departmental inquiry was conducted and the appellant was not afforded any opportunity of defense; he was not given the opportunity of cross-examination of the complainant and he was also condemned unheard. Learned counsel further contended that the appellate authority also failed to abide by the law, rules and regulations and the impugned order passed by the appellate authority is contrary to the law as laid down in Police Rules and Article 10-A of the Constitution of Islamic Republic of Pakistan, 1974. It was further argued that the District Police Officer awarded major punishment without any proof and that none of the witnesses supported the complaint but even then major punishment was awarded.

6. Conversely, learned District Attorney contended that the appellant had taken illegal gratification amounting to Rs.30000 from one Shahbaz Khan who filed complaint before the Inspector General of Police alleging therein that he alongwith his father was going to Oghi, when in the meanwhile, appellant stopped his vehicle, arrested his father and demanded bribe amounting to Rs.400000/- for releasing his father and handing over his vehicle. He submitted that appellant was charge sheeted and proper departmental inquiry was initiated and he was given the chance to defend himself. His reply to show cause notice was not satisfactory, therefore, the competent authority after taking into consideration all the facts, awarded him major penalty according to law.

7. From the record, it is evident that on 21.04.2019, ASI Muhammad Naseem of Police Station Karor during Nakabandi stopped a vehicle

bearing Registration No.US 963/ICT driven by one Muhammad Faheem son of Firdos, accompanied by another person namely Waseem son of Usman and on his inquiry, they could not produce any documents regarding the vehicle. He took the same into possession U/s 523/550 Cr.PC being suspected. He also arrested both the persons U/S 54 Cr.PC. He initiated inquiry into the matter U/S 156(3) Cr.PC with permission of the court. During inquiry, he got verified the registration number having found only at front side of the vehicle from the concerned ETO. He also got examined the vehicle from Forensic Science Laboratory, Peshawar. As per report of ETO Islamabad, the registration number of the above mentioned vehicle was stated as bogus/fake. The local police, therefore, registered a case vide FIR No.86 dated 22.05.2019 U/S 419, 420, 468, 471 PPC at Police Station Karor. Investigation of the case was entrusted to SI Pool Hussain Shah OII, PS Karor. During investigation he arrested the above mentioned accused and produced him before the court. From the above episode, it is very much clear that right from halting the vehicle of the father of complainant till his arrest and registration of proper case, nothing was done by the present appellant being Head Constable at the relevant time. The second episode starts when son of the arrested accused Muhammad Faheem submitted a complaint before IGP Khyber Pakhtunkhwa Peshawar, wherein, he narrated a different story by introducing himself in the first episode of the story i.e. his presence inside the car of his father. As stated earlier that the Nakalmad No.12 of Daily Dairy dated 21.04.2019, Muhammad Faheem was driving a motorcar in the company of one Muhammad Waseem son of Usman. From the record it is crystal clear that




complainant Shahbaz Khan who is the son of arrested accused Muhammad Faheem was not present at the relevant time. The story netted by Shahbaz Khan in shape of his presence in the motorcar which was signaled to stop and then the demand of Rs.400000 by the present appellant is out of question. The drawl of amount of Rs.25000/- by complainant from ATM was also not proved by not producing the receipt of ATM as well as proper statement from the concerned bank showing drawl of the said amount at the relevant time. So far as audio recording produced by complainant Shahbaz Khan is concerned, the same was not found so clear from which it could be determined that the conversation had taken place in between the complainant and alleged defaulter official HC Qasim Nazir. SDPO also submitted in his report that the complainant could not produce any cogent evidence in his defense to prove the allegations against the police official. DPO Torghar did not agree with the report of SDPO and directed him to get record reference audio of the relevant person and send the same to FSL for matching with the evidence audio in order to reach to the correct conclusion. As per direction of DSP Kanda, reference audios of the present appellant in happy, angry and normal moods were prepared and sent to PFSA, Lahore for its analysis, report whereof received with the observation that the requisite test facility of audio comparison is currently not available in PFSA, where-after, the present appellant was charge sheeted for the allegations mentioned in the complaint of Shahbaz Khan. No cogent and reliable evidence was produced during inquiry. Inquiry was not conducted in accordance with law as well. The present appellant was not given proper opportunity of




cross-examination. Statement of complainant Shahbaz Khan was not recorded in presence of the present appellant. No cogent and reliable evidence was produced during inquiry in order to connect the accused with the commission of crime.

8. In this view of the matter, the impugned orders are set aside and appeal is allowed as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
13.06.2022



(Rozina Rehman)
Member (J)
Camp Court, Abbottabad



(Fareeha Paul)
Member (E)
Camp Court, Abbottabad

ORDER

13.06.2022

Appellant present through counsel.

Noor Zaman Khan Khattak, learned District Attorney for respondents present. Arguments heard and record perused.

Vide our judgment of today of this Tribunal placed on file, the impugned orders are set aside and appeal is allowed as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

13.06.2022



(Fareeha Paul)
Member (E)
Camp Court, A/Abad



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
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... (Appellant)

VERSUS

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and two others.

... (Respondents)

Muhammad Aslam Tanoli,
Advocate

... For appellant.

Noor Zaman Khan Khattak,
District Attorney

... For respondents.

Rozina Rehman
Fareeha Paul

... Member (J)
... Member (E)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the jurisdiction of this Tribunal through above titled appeal with the prayer as copied below:

“On acceptance of instant service appeal, all the 03 orders dated 18.09.2019, 03.08.2020 and 14.04.2020 of the respondents may graciously be set aside and appellant be restored his 03 stages in pay and rank of Head Constable from the date of reduction/reversion with grant of all consequential service back benefits.”

Attorney for respondents and have gone through the record and the proceedings of the case in minute particulars.

5. Muhammad Aslam Tanoli Advocate learned counsel appearing on behalf of appellant inter-alia submitted that orders dated 18.09.2019, 03.08.2020 and 14.04.2021 ^{being} ~~are~~ illegal, against rules and regulations, are liable to be set aside; that no proper departmental inquiry was conducted and the appellant was not afforded any opportunity of defense; ^{he} He was not given the opportunity of cross-examination of the complainant and he was also condemned unheard. Learned counsel further contended that the appellate authority also failed to abide by the law, rules and regulations and the impugned order passed by the appellate authority is contrary to the law as laid down in Police Rules and Article 10-A of the Constitution of Islamic Republic of Pakistan, 1974. It was further argued that the District Police Officer awarded major punishment without any proof and that none of the witnesses supported the complaint but even then major punishment was awarded.

6. Conversely, learned AAG contended that the appellant had taken illegal gratification amounting to Rs.30000 from one Shahbaz Khan who filed complaint before the Inspector General of Police alleging therein that he alongwith his father was going to Oghi, when in the meanwhile, appellant stopped his vehicle, arrested his father and demanded bribe amounting to Rs.400000/- for releasing his father and handing over his vehicle. He submitted that appellant was charge sheet ^{ed} and proper departmental inquiry was initiated and he was given the chance to defend himself. His reply to show cause notice was not

In the court of Special Judge (Central),
Anti-corruption and Emigration
KPK Peshawar

Sd No./Spl:J Anti-Corruption

dated 19.05.2021.

From,

Rajab Ali,
Special Judge, Anti-Corruption & Emigration,
KPK, Peshawar

Subject:- **SCHEDULE OF CAMP COURT FOR ABBOTTABAD**

1. 22ND June to 23rd June, 2021.
2. 13th July to 14 July, 2021.
3. 27th July, to 28th July, 2021.
4. 11th August to 12th August, 2021.
5. 7th September to 8th September, 2021.
6. 28th September to 29th September, 2021.

Special Judge (Central),
Anti-corruption and Emigration,
KP, Peshawar

Copy to:-

1. Secretary, M/o Law and Justice Islamabad.
2. Learned District and Session Judge, Abbottabad.
3. Special Judge Anti-Corruption KPK Peshawar.
4. Chairman, Drug Court, KPK Peshawar.
5. Special Court (CNS), KPK Peshawar.
6. Presiding Officer, Labour Court Haripur.
7. Member Service Tribunal KPK.

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complaint before IGP Khyber Pakhtunkhwa Peshawar, wherein, he narrated a different story by introducing himself in the first episode of the story i.e. his presence inside the car of his father. As stated earlier that the Nakalmad No.12 of Daily Dairy dated 21.04.2019, Muhammad Faheem was driving a motorcar in the company of one Muhammad Waseem son of Usman. From the record it is crystal clear that complainant Shahbaz Khan who is the son of arrested accused Muhammad Faheem was not present at the relevant time. The story ~~meted~~ ^{netted} by Shahbaz Khan in shape of ^{his} presence ^{in the} of motorcar which was signaled to stop and then the demand of Rs.400000 by the present appellant is out of question. The drawl of amount of Rs.25000/-by ^{complt}

^{from} ATM was also not proved by not producing the receipt of ATM as well as proper statement from the concerned bank showing drawl of the said amount at the relevant time. So far as audio recording produced by complainant Shahbaz Khan is concerned, the same was not found so clear from which it could be determined that the conversation had taken place in between the complainant and alleged defaulter official HC Qasim Nazir. SDPO also submitted in his report that the complainant could not produced ^{any} cogent evidence in his defense to prove the allegations against the police official. DPO Torghar did not agree with the report of SDPO and directed him to get record reference audio of the relevant person and send the same to FSL for matching with the evidence audio in order to reach to the correct conclusion, ~~but even then voice comparison/forensic analysis of audio produced by the complainant Shahbaz Khann did not prove that the conversation was in between the complainant and the alleged~~

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~~defaulter official~~. As per direction of DSP Kanda, reference audios of the present appellant in happy, angry and normal moods were prepared and sent to PFSA, Lahore for its analysis, report whereof received with the observation that the requisite test facility of audio comparison is currently not available in PFSA, ^{is} Where-after, the present appellant was charge sheeted for the allegations mentioned in the complaint of Shahbaz Khan. No cogent and reliable evidence was produced during inquiry. Inquiry was not conducted in accordance with law as well. The present appellant was not given proper opportunity of cross-examination. Statement of complainant Shahbaz Khan was not recorded in presence of the present appellant. No cogent and reliable evidence was produced during inquiry in order to connect the accused with the commission of crime.

8. In this view of the matter, the impugned orders are set aside, ~~Appellant is reinstated into service and the appeal is allowed as~~ ^{and} prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
13.06.2022

(Rozina Rehman)
Member (J)

(Fareeha Paul)
Member (E)

In the court of Special Judge (Central),
Anti-corruption and Emigration
KPK Peshawar

Sd No./Spl:J Anti-Corruption

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7. Member Service Tribunal KPK.

26.07.2021

Counsel for the appellant present. Preliminary arguments heard.


Points raised need consideration. The appeal is admitted to full hearing subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 13.10.2021 before the D.B, at camp court Abbottabad.

Appellant Deposited
Security & Process Fee


Chairman

12.10.2021

Appellant alongwith his counsel present. Mr. Muhammad Rasheed, Deputy District Attorney alongwith Mr. Bayaz-ud-Din, Head Constable for the respondents present and submitted reply/comments, which are placed on file. To come up for arguments on 14.02.2022 before the D.B at Camp Court Abbottabad.


(Salah-Ud-Din)
Member (Judicial)
Camp Court A/Abad


Chairman
Camp Court A/Abad

14.02.2022

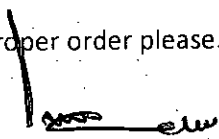

Due to retirement of Chairman
case is adjourned to 13.06.2022
Reader

Form-A

FORM OF ORDER SHEET

Court of _____

Case No.- 4985/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1-	03/05/2021	<p>The appeal of Mr. Muhammad Qasim presented today by Mr. Muhammad Aslam Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p>	3-6-21	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26-7-21</u> Notices be issued to appellant/ Counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No.....

Muhammad Qasim, Constable No. 91, District Police Torghar.

(Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Torghar.

(Respondents)

SERVICE APPEAL

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Through


Appellant

(Mohammad Aslam Tanoli)
Advocate High Court
at Haripur

Dated *03* -05-2021

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No. 4985/21

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 5165

Dated 03/5/2021

Muhammad Qasim, Constable No. 91, District Police Torghar.

(Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Torghar.

(Respondents)

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL
ACT 1974 AGAINST ORDER DATED 18-09-2019 OF DISTRICT
POLICE OFFICER TORGHAR WHEREBY APPELLANT HAS BEEN
AWARDED THE PENALTIES OF "REDUCTION IN PAY BY 03 STAGES
AND REVERTION FROM HEAD CONSTABLE TO COSTABLE (C-1)"
AND ORDERS 03-08-2020 AND 14-04-2021 OF REGIONAL POLICE
OFFICER HAZARA REGION ABBOTTABAD AND KPK PROVINCIAL
POLICE OFFICER PESHAWAR WHEREBY APPELLANT'S
DEPARTMENTAL AND MERCY APPEALS HAVE BEEN REJECTED.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL ALL THE
03 ORDERS DATED 18-09-2019, 03-08-2020 AND 14-04-2021 OF
THE RESPONDENTS MAY GRACIOUSLY BE SET ASIDE AND
APPELLANT BE RESTORED HIS 03 STAGES IN PAY AND RANK OF
HEAD CONSTABLE FROM THE DATE OF REDUCTION/REVERSION
WITH GRANT OF ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respectfully Sheweth:

1. That appellant while posted as Head Constable at Police Station District Torghar a false, fabricated and baseless complaint dated 24-06-2019 was filed against him before the KPK Provincial Police Officer Peshawar by one Shahbaz Khan S/O Mohammad Fahim Khan R/O Maneri District Sawabi. **(Copy of Complaint dated 24-06-2019 is attached herewith as Annex-"A").**

Filed to-day

Registrar

03/05/2021

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2. That above false complaint was sent to the DPO Torghar who marked it to the SDPO Kandhar (District Torghar) for enquiry and report. On receipt of inquiry report the DPO Torghar submitted an interim report dated 11-07-2019 to the KPK PPO/IGP Peshawar and sought time for final report. On 01-08-2019 the DPO Torghar furnished his final report to the KPK PPO/IGP Peshawar. Nothing adverse could be brought against the appellant in both these reports. **(Copies of both the reports dated 11-07-2019 and 01-08-2019 are attached herewith as Annex-"B & C")**.
3. That thereafter the appellant was served with a charge sheet dated 05-08-2019 which was replied in detail by denying the allegations. **(Copies of charge sheet dated 05-08-2019 and its reply are attached as Annex-"D & E")**.
4. That on 26-08-2019 the appellant was issued a final show cause notice which was also replied on 28-08-2019 giving full details of the matter and allegations were denied. **(Copies of Final Show Cause Notice dated 26-08-2019 and its reply dated 28-08-2019 are attached as Annex-"F&G")**.
5. That without taking into consideration the reply submitted to the Charge Sheet and Final Show Cause Notice, the DPO Torghar vide his order dated 18-09-2019 awarded the appellant with the major penalties of "Reduction in pay by 03 stages and Reversion from the Rank of Head Constable to Constable (C-1). **(Copy of the order dated 18-09-2019 is attached as Annex-"H")**.
6. That in fact on 24-04-2019, ASI Mohammad Nasim PS Karor

③

during naka bandi a vehicle (Vitz Car) registration No. US 963/ICT driven by Muhammad Fahim (father of complainant Shebaz Khan) was taken into possession u/s 523/550 CrPC being suspected. With the permission of Court an enquiry was conducted u/s-156(3) CrPC. Registration number of the vehicle was verified from concerned ETO Islamabad which was found bogus/fake. Vehicle was also sent to FSL for examination. Vehicle was found Non-Custom Paid. Thus an FIR No. 86 dated 22-05-2019 u/s-419, 420, 468 & 471 PPC at PS Karor was registered. Investigation was handed over to SI Phul Hussain Shah, Oll PS Karor. During the investigation Faheem accused was arrested. Appellant played an instrumental role of informer in arresting the accused Muhammad Faheem (Father of complainant). This fact came to the notice of complainant due to which he started nurturing personal grudge and vendetta in his heart against appellant which resulted into filing instant false complaint. Complainant party is resident of District Sawabi and is influential which approached the PPO/IGP KPK Peshawar by filing false and fabricated complaint. The DPO Torghar under pressure of the PPO/IGP KPK penalized the appellant with major penalties without any proof just for satisfaction his superiors. Otherwise there is nothing an iota of truth in the allegation and nothing adverse could be brought on record against appellant.

7. That though in both so-called called departmental inquiries the appellant was exonerated and rendered innocent and Inquiry Officers were fully satisfied and assured him about his innocence yet the District Police

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Officer Torghar being under pressure of his superiors punished the appellant without any proof & justification.

8. That appellant has rendered more than 11 (eleven) years unblemished rather meritorious service in the police department and on occasions he was awarded with commendation certificates and cash rewards by his High-Ups due to his tremendous services. During the entire service even a single explanation was never issued to the appellant with regard to his responsibilities and performance. He has spotless service record at his credit which needs to be perused in pursuance of allegations.
9. That no proper departmental inquiry was conducted against appellant. He was never provided with the copy of inquiry report before issuing final show cause notice. He was also not afforded with the chance to cross-examine the complainant. Even he was not provided opportunity of personal hearing and was condemned unheard.
10. That order of the District Police Officer, Torghar was appealed against on 02-10-2019 before the Regional Police Officer Hazard Region Abbottabad which appeal was rejected vide order dated 03-08-2020 without giving any heed to the contents of appeal. **(Copies of appeal dated 02-10-2019 and order dated 03-08-2020 are attached as Annex-"I &J")**.
11. That thereafter appellant filed a mercy appeal dated -08-2020 under rule 16:32 of Police Rules 1934 before the KPK PPO/IGP Peshawar which was also rejected vide order

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dated 14-04-2021 and copy of the same was given to him on 28-04-2021. **(Copies of mercy appeal dated -08-2020 and rejection order dated 14-04-2021 are Annex-"K & L")**: hence instant service appeal, inter alia, on the following grounds:-

GROUNDS:

- a) That orders dated 18-09-2019, 03-08-2020 and 14-04-2021 of respondents are illegal, unlawful, against the departmental rules & regulations, passed cursory and whimsical in manner which are liable to be set aside.
- b) That no proper departmental inquiry was conducted. Copy of inquiry report before issuing of final show cause notice was not provided. Cross-examination of complainant was not allowed. Even opportunity of personal hearing was not afforded to the appellant and he was condemned unheard.
- c) That the appellate authority has also failed to abide by the law, rules & regulations and even did not take into consideration the grounds mentioned by appellant in his memo of appeal. Thus impugned order of appellate authority is contrary to the law as laid down in Police Rules read with section 24-A of General Clause Act 1897 and Article 10-A of the Constitution of Islamic Republic of Pakistan 1973.
- d) That the District Police Officer Torghar only under the pressure of his superiors awarded the appellant with major

6

penalties and that too without any proof. During so-called departmental inquiries none of the witnesses supported the complaint and also nothing adverse could be brought on record against him but appellant has wrongly and incorrectly been awarded major penalty of reduction in pay by 03 stages and rank from Head Constable to Constable without any justification or fault on his part.


- e) That instant service appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain & adjudicate upon the lis.

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Service appeal order dated 18-09-2019, 03-08-2020 and 14-04-2021 of the respondents may graciously be set aside and the appellant be restored his 03 stages in pay with his rank of Head Constable from the date of reduction with all consequential service back benefits. Any other relief which this Honorable Tribunal deems fit and proper in circumstances of the case may also be granted.


Appellant

Through:


(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 03-05-2021

VERIFICATION

It is verified that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed thereof.

Dated 03-05-2021


Appellant

7

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Muhammad Qasim, Constable No. 91, District Police Torghar.

(Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Torghar.

(Respondents)

SERVICE APPEAL

AFFIDAVIT:

I, Mohammad Qasim, appellant do hereby solemnly declare and affirm on oath that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honorable Service Tribunal.

22

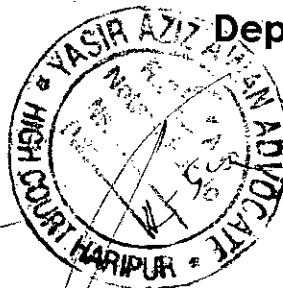
Deponent/Appellant

Dated *03* -05-2021

Identified By:

M. Aslam

Mohammad Aslam Tanoli
Advocate High Court
At Haripur



22
Appellant

8

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Muhammad Qasim, Constable No. 91, District Police Torghar.

(Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Torghar.

(Respondents)

SERVICE APPEAL

CERTIFICATE

It is certified that no such Appeal on the subject has ever been filed in this Honorable Service Tribunal or any other court prior to instant one.


APPELLANT

Dated 03-05-2021

9

BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Muhammad Qasim, Constable No. 91, District Police Torghar.

(Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Torghar.

(Respondents)

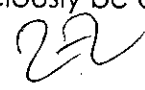
APPLICATION FOR CONDONATION OF DELAY IN FILING SERVICE APPEAL BEFORE THIS HONOURABLE SERVICE TRIBUNAL.

Respectfully Sheweth:

1. That applicant/appellant has filed today Service Appeal, which may be considered as part and parcel of this application, against order dated 18-09-2019, 03-08-2020 & 14-04-2021 passed by respondents whereby departmental authorities have awarded appellant with the penalty of "reduction of 03 stages in pay and rank from Head Constable to Constable (C-1)" & his departmental appeals rejected.
2. That as the orders have been passed in violation and derogation of the statutory provisions of law, rules and regulations governing the terms and conditions of service of the appellant, therefore causing a recurring cause of action to the applicant/appellant can be challenged and questioned irrespective of a time frame.
3. That impugned orders passed by the respondents on 18-09-2019, 03-08-2020 and 14-04-2021 are illegal, without lawful authority and whimsical in manner. The applicant/appellant has filed departmental as well as service appeals well in time and has rigorously been pursuing his case. The delay, if any, in filing departmental as well as service appeal needs to be condoned.
4. That instant application is being filed as an abundant caution for the condonation of delay, if any. The impugned orders are liable to be set aside in the interest of justice.

It is, therefore, respectfully prayed that on acceptance of the instant application the delay, if any, in filing of above titled appeal may graciously be condoned.

Through:


Applicant/Appellant



(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 03-05-2021

VERIFICATION:

It is verified that the contents of the instant application/appeal are true and correct to the best of my knowledge & belief & nothing has been suppressed.

Dated 03-05-2021


Applicant/Appellant

DPO/Tops Ghaw

DS/Kasoor

10

Office of the
Provincial Police Officer
Khyber Pakhtunkhwa

No. 2522
Dated 24.06.2019

Amu-A

بکھور جناب آئی جی پی صاحب خیبر پختونخواہ پشاور

عنوان: درخواست براد قانونی کارروائی برخلاف ہیڈ کانسٹیبل قاسم نذیرتولی OII پھول حسین شاہ تھانہ کاروڑ

جناب عالی!

۱۔ یہ کہ میں مسی شہباز خان ولد محمد فہیم خان ساکن موضع مانیری بالا ضلع صوابی حال فلیٹ نمبر 12-E عسکری-4 چکالہ کینٹ راولپنڈی کارہائش پر ہے۔
۲۔ یہ کہ مورخہ 27 مئی 2019 میں بمعہ والد خود اگنی مانسہرہ جا رہے تھے۔ راستے میں اگنی کے نزدیک پولیس اہلکاروں نے ہماری گاڑی کو روک کر میرے والد کو گرفتار کیا اور پھر ہمیں تور کٹڈا چوکی تورخ میں لے گئے میرے والد کو چوکی کے اندر بٹھادیا اور میں باہر بھینٹا ہوا تھا۔ تو پولیس کا ہیڈ کانسٹیبل قاسم نذیرتولی مجھ سے طویل گفتگو کر کے 3 لاکھ روپے کا مطالبہ کیا اور کہا اگر آپ مذکورہ رقم نہیں دیتے تو میں آپ کو اور آپ کے گاڑی رجسٹریشن نمبر (PE201 اسلام آباد) کو بند کرینگے اور آپ کے خلاف FIR درج کرینگے۔ تقریباً ایک گھنٹے تک مجھے بیٹھایا رکھا اور ڈرا دھمکار ہاتھاکہ آپ پر چہ کرینگے اور گاڑی کو لیبارٹری کے لئے بھیج دینگے اور آخر میں میرے ساتھ میں ہزار روپے پر بات طے ہوگئی۔ اور میرے ساتھ مذکورہ اہلکار گاڑی میں بیٹھ کر اگنی چلے گئے جب میں تور کٹڈا چوکی سے اگنی آ رہا تھا تو پولیس اہلکار مذکورہ بالا میرے ساتھ گاڑی میں بیٹھ گیا۔ جبکہ میرے جیب میں اتنا رقم نہیں تھا اگنی پہنچتے ہی میں نے ATM سے 25000 ہزار روپے نکال کر 5000 روپے اپنے جیب سے ساتھ ملا کر 30000 روپے مذکورہ ہیڈ کانسٹیبل کو دئے دیئے جس کی پوری ریکارڈنگ میرے پاس موجود ہے۔ اور وقت آنے پر مجاز آفران کے سامنے پیش کر دینگے اور مذکورہ اہلکار نے مجھے چپ رہنے کی تاکید کی اور اس نے مزید کہا کہ اس رقم میں سے افسرانچارج انوسٹی گیشن مسی پھول حسین شاہ صاحب کو دوںگا اور باقی روپے میں خود لوںگا۔ دوسرے دن میں نے اپنے والد کے ضمانت کا بندوبست کیا۔ مذکورہ اہلکار نے یہ غیر قانونی اقدام کر کے مجھ سے مذکورہ رقم لے کر ان کے خلاف سخت سے سخت قانونی کارروائی کی جائے اور ہمیں انصاف دلایا جائے۔

تحریر 19-06-2019

Shabaz Khan

عسکری-4

شہباز خان ولد محمد فہیم خان

ساکن مانیری بالا ضلع صوابی حال فلیٹ نمبر 12E عسکری-4

چکالہ کینٹ راولپنڈی

شناختی کارڈ نمبر 1620266871977 رابطہ نمبر 03455046164

DS P/Kasoor
For enquiry
and submit dete
report within
3 days.

DPO-Tops Ghaw
03-07-19

complaint against Mc Qasim Nazki & Pheol Hussein Shah

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شماره ۲۶

صالح کریمی

کتابخانه شماره ۱۵۶۶ (روزنامه) ۵/۱۹ (۲۶)

روزنامه روزگار، اعلیٰ شماره ۳۱۱۶ (۵/۱۹) ۲۶ وقتاً ۲۰: ۱۴: ۱۴: ۲۰

در شماره ۳۱۱۶، که به نام کتابخانه شماره ۳۶۹، در ۵۶ شماره

مجموعه با صلاح شماره ۳۱۱۶، که در شماره ۳۶۹، در ۵۶ شماره

در شماره ۳۱۱۶، که در شماره ۳۶۹، در ۵۶ شماره

در شماره ۳۱۱۶، که در شماره ۳۶۹، در ۵۶ شماره

Attended.
DSP Circle

صالح کریمی
شماره ۳۱۱۶

۳۱۱۶

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Accepted
CS

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تحریری بیان

شیباز خان ولد محمد فہیم خان قوم یوسف زئی سکینہ مانیری بالا ضلع ہوانی
 29 سال شناختی کارڈ نمبر 7-6687197-16202 بیان ہوانی میں سے ہیں
 تحریری درخواست فورم 24/06 کو برخلاف میڈیکیشنل حاسم نذیر نقوی
 III ہول حسین شاہ ٹھکانہ کارور ضاب 16A صاف ہونے خیر بخیر ہوا
 قانونی کارروائی کیے دی تھی وہ یہ درخواست میرا تحریری بیان تصور
 کیا جائے جس کی کوٹ کاپی پیش کرنا ہوں۔ میرے پاس آڈیو ریکارڈنگ
 بھی موجود ہے۔ جو میں امین بالا کو پیش کر سکتا ہوں۔ پلس یہی
 میرا بیان ہے جو تم درستی ہے۔

الم
 01107112

شیباز خان ولد محمد فہیم خان قوم یوسف زئی سکینہ مانیری بالا ضلع ہوانی
 NIC 16202-6687197-7
 Mob. 0345-5046164

Attested
 CC
 -SP Circle
 Kandari

سوال انوائسٹری افسر :- آپ نے جو آڈیو ابھی سنلا ہے۔ اس کے علاوہ حاسم نذیر سے کو
 جو رقم آپ نے دی کوئی گواہ پیش کر سکتے ہیں اور ایسی طرح ATM
 کی رسید بھی پیش کر سکتے ہیں؟
 جواب مدعی :- آڈیو میں ریکارڈنگ موجود ہے۔ جس میں بیسوں کے بارہ میں سن رہی
 حقائق ریکارڈنگ موجود ہیں۔ تو زور ہم دونوں کے درمیان ہے۔ ATM
 کی رسید متعلق گفتگو میں ہے اگر مل جائے تو پیش کرو گا۔ نیز ملی تو
 اکاؤنٹ سٹیٹ منٹ پیش کروں گا۔ آڈیو کے علاوہ دیگر حرقہ کا کوئی
 گواہ موجود نہیں ہے۔

تاریخ ۱۹۰۵
۱۹۰۵

کھل حسین شاہ ۱۹۱۱ء مقصدن کھانہ کارور کے بروڈن دریافت بیان نامہ لیسہ دریافت
زیادہ رقم ۱۵۶ فن (3) صرف و قدم ملتا ہے 86 حور 019 22 55 27 2

۱۹۱۹/۱۹۲۰ Pp 468/471 برخلاف ملنگمان محمد نسیم، محمد نسیم ساکنان ماہری
ہوئی درجہ ۲۲۲ پورٹ پور لکھنؤ، بیٹے اکمل شاہ ۱۹۱۷ء کو ماحول لکھنؤ لکھنؤ
جس سے لکھنؤ کا آغاز کرتے ہوئے زمان کی گرفتاری کی کہ لکھنؤ شروع کی

حور 27/05/19 کو اکمل شاہ ۱۹۱۷ء حور ۲۷/۰۵/۱۹، دیگر لکھنؤ لکھنؤ
صدا اطلاع معبر ملنگ محمد نسیم کو جسے حوالہ لکھنؤ لکھنؤ لکھنؤ
پہر برائے بندش ملنگ کھانہ دارینی کیلئے روانہ ہوئے۔ اور ملنگ کی گرفتاری کی اطلاع
تھی وہی و حیرت سے ملنگ کی گرفتاری کی اطلاع اخوان ملا کو دی جو اخوان ملا سے
بھی برائے کی کہ لکھنؤ، اپنی گرفتاری میں کریں اور ملنگ کو خود انٹر ویکو کریں۔ جو
صورت ندرتہ اہل خون انکار ان ۱۹۱۷ء کی بارے میں جس میں کھانہ دارینی آ رہا ہیں۔
لیذا حور ۱۹۱۷ء والیس کھانہ بھیج دیں۔ میں کھانہ دارینی بھیج کر اپنی گرفتاری
میں اکمل شاہ ۱۹۱۷ء سے لکھنؤ (کرواں) اور ملنگ محمد نسیم کو حور ۱۹۱۷ء انڈیا لکھنؤ
کرتے حالات انڈیا لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ

۳۳ پر ۳۳۳ درخواست گزار شہید خان سے کہا گیا ہے بالکل چھوڑا، بلکہ
بے بنیاد ہے نہ میں نے حور ۱۹۱۷ء سے کوئی رقم وصول کی ہے اور نہ ہی چھے ایسے
کوئی رقم دی ہے اور نہ ہی میری رقم کے منسلک میں حور ۱۹۱۷ء یا شہید خان
درخواست گزار سے کوئی بات صرف ہوئی ہے۔ میرا ایک دوست لکھنؤ لکھنؤ لکھنؤ
لو لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ
والد سے جو رقم کار لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ
کوڑا، سب سے لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ
بھیس، بنام کرنا ڈا، ناظر لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ
تقریباً ایک ماہ گزرتا ہے باوجود سوچے سمجھے لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ لکھنؤ
بے بنیاد چھوڑا ہے معنی درخواست دہانہ جو حقیقت ہے ہر لکھنؤ

ابن مندرج بالا تحریر کے علاوہ دیگر میں لاعلم ہوں
بیان ہے۔ سن بیاض جو کہ درست ہے

والدہ

محفل حسین شاہ
سر اس کوالت

سوال نمبر E0 - قدم کی تفتیش آپکی نگرانی میں ہوئی ہے یا اس قدم کی تفتیش خود
جوان الزام علیہ۔۔۔ تفریح کی تفتیش میری نگرانی میں 1142 اہل شاہ نے کی ہے۔

سوال نمبر E0 = اس قدم کی تفتیش آپکی نگرانی میں اہل شاہ 1142 کے کی فکر درخواست دہندہ
مبلغ 30000 پیرا رورڈ قاسم 1142 شاہ کاردر کو دیے کا الزام ٹانگہ کی قاسم 1142
قدم کی تفتیش میں کیا کر دیا ہے اور اس پر ثعبان گت الزام درست حکم
جوان الزام علیہ۔۔۔ درخواست دہندہ کے والد ملزم قدم نمبر کی رضائی کہ میں بدنامی حاصل
قاسم 1142 کا ہے۔ نو ملزم کو پتہ چلنے پر حد پونے آئے۔ سبکی کی پوسٹا لیا
جوئی فلم اور بے نیار درخواست دی ہے۔ اس نے کوئی تفتیش نہیں کی۔
تھے اسکا کو علیہ ہے۔

سوال نمبر E0 23 - ملزم قدم نمبر 7059 کو تفریح میں گرفتار کیا اور اسکا
ہ عمل میں لڑی یا کسی دیگر باسین آسیر۔

جوان الزام علیہ۔۔۔ ملزم قدم نمبر کو مورچ 7059 کو اہل شاہ 1142 نے
کہ حد، قدامت اختیار کی ہے۔ شاہی تفتیش تھانہ داروں کے
کو ملزم نمبر 17 اور قاسم 1142 27 روز ہے۔

Attested.
QEC

تشریحی بیان

اکمل شاہ ۱۸۷۵ء صدیقہ نظام کارور بدووان در یافت بیانی پرانم ورم ۵۵ ۲۲ کو بعد
 دریافت زبردہم ۱۵۶ عن (۳) ض و مقدم بحج ۴۶۸ / ۴۱۹ / ۴۲۵ / ۴۷۱ بر طرف ملزخان
 محمد خیم ولد فردوس خان قوم افغان در سفر تو سکھ مانیری ہوالی (۲) محمد و سیم وار
 عثمان علی قوم افغان در سفر تو سکھ مانیری گھنڈو ہوالی در ۲۲ رستہ پور محل میں گناہ
 ۱۱۱۱ نے ۲۹ ماور نقیش کیا جو میں نے مقدم میں نقیش کا آمارت پورے ملزخان کی
 گرفتاری کی کو نقیش شروع کی جو ورم ۵۵ ۲۷ کو نزلہ فیضہ حاضر ملزخان محمد خیم
 ولد فردوس کو مقدم پڑا میں با اعداد ۱۱۱۱ و دیگر نفی پولیس کے حسب ضابطہ
 گرفتاری کے تھا۔ نہ ہوا جاہ کے نقیش میں در لہو و بائل فون آیا۔ و ۱۱۱۱ جاہ نے۔
 پڑا میں، کہہ کر انہ پڑا میں، حالات نہ سچ۔ ملزم کو برائے بدش نظام دارنی نے جان
 اور انتظام کرنے کا کیا۔ و حسب پڑا میں ۱۱۱۱ جاہ ملزخان مذکورہ کو نظام دارنی، جاہ
 بد حالات کیا، نہ ہوا جاہ۔ ہم نظام دارنی پہنچ آئے ہیں کی گرائی میں دیگر نقیش
 تکمیل حسب ضابطہ عمل میں لائی گئی۔ ملزخان مذکورہ کو ورم ۵۵ ۲۸ کو برائے صاحب پولیس
 زیر نگرانی نہ ہوا جاہ بعد نقیش سنبھل سول ۱۱۱۱ جاہ۔ تو در نظام ادوی نقیش کیا۔ جو عدالت
 میں صرف نہ ملزخان کو جو ڈیکلر جالات حال غیر نڈرن کا حکم صادر کیا۔ جو حکم عدالت ملزخان
 مذکورہ کو بند جو ڈیکلر جالات جیل مانیر نہ کیا گیا۔ مقدمہ میں نقیش، خدا کو حافظ ماطر خان
 مگر بھی اور قانونی نہ ہوا جاہ اور کہ در لہو رکھتے ہوئے تھا۔ نہ ہوا جاہ کی ہزارا میں ہی۔
 دروازہ نقیش، چھ نہ ہوا جاہ کے نام کا الزام ہے اور میں ہی میں، کوئی کوٹھی اور سر پہ
 نہ ہوا جاہ کی ہے۔ ۱۱۱۱ جاہ جو الزام ٹھکانا گیا ہے اسے، بارے میں چھ توڑا، علم نہ ہے
 اور میں ہی ۱۱۱۱ جاہ نے اسے، بارے چھ نہ ہوا جاہ کی ہے۔ ۱۱۱۱ جاہ، حسب پڑا میں نہ ہوا جاہ
 ملزخان کی گرفتاری میں میری اعداد کی ہے۔ جو اسے بلڈاں میں محمد خیم، ۱۱۱۱ جاہ کے نام ہے
 میں نے حسب دادر من گھڑت، در خواست دہا کر مشر لہو پولیسو افغان کو برنام کرنے کیلئے ضابطہ
 اور میں گھڑت، در خواست گزار کی ہے۔ جسے میں کارروائی مقدمہ میں عمل میں لائی گئی ہے۔
 حق، سچ اور قانونی قوانین کو در لہو رکھتے ہوئے کی ہے۔ جسے میرا پوری بیان ہے
 جو حکم درست ہے۔

Attestation
C & C

N.P.

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✓ ڈیٹی سیرٹیفکٹ آف پولیس ایڈوائز ٹورنٹو
جناب :- ضلعی پولیس آفسر صاحب ضلع ٹورنٹو

بجانب :- 32 ریڈرز ڈی، ایس، پی ایچ، کیو ٹورنٹو 21/08/2019
پیری :- فائینڈنگ رپورٹ پر خلاف قاسم شہزاد HC شیڈول پولیس

عنوان :- ضلعی پولیس آفسر ایجوکیشن ڈیپارٹمنٹ
جناب :- ڈسٹرکٹ پولیس آفسر صاحب ٹورنٹو
شہزاد HC شیڈول پولیس ایجوکیشن ڈیپارٹمنٹ کے لیے نئے شعور کی جس
پر انکوائری ہو کر ذیل معروض ہوں۔

الزام :- قاسم شہزاد HC پر یہ الزام ہے کہ اس نے ٹورنٹو 26/4 کو شہباز خان
اور محمد نسیم خان سکے مائٹری والا ضلع صوبائی سال فیلڈ 12-E
عسکری - ویگن کنٹراول لینڈ سے چار لاکھ روپیہ بطوری
رشوت طلب کیے اور چار لاکھ روپے نمونے پر سنگین دھمکی
دی کہ شہباز خان کو بھی گاڑی کے مقدمہ میں ملزم بنا دیا جائے گا۔
اس پر یہ بھی الزام ہے کہ قاسم HC نے شہباز خان سے آشرکاراوی
میں 30000 روپے بطوری رشوت لے لیا۔
کارروائی :-

دوران انکوائری درخواست دہندہ شہباز خان متذکرہ
بالہ اور الزام علیہ قاسم شہزاد HC کو طلب کیا گیا جو ہر دو حاضر آئیں
الزام علیہ کی موجودگی میں شہباز خان درخواست دہندہ کی درخواست
پر کریمنل انصاف کے تقاضوں کو مدنظر رکھتے ہوئے ہر پہلو اور
بارکٹ بینی سے انکوائری ہذا سرانجام دی گئی۔ الزام علیہ کو دفاع
میں درخواست دہندہ پر جرح کا پورا پورا موقع دیا گیا اس طرح
درخواست دہندہ کی پیش کردہ اڈوں اور ایکارڈنگ کے بارے میں
ہر پہلو انکوائری کرتے ہوئے الزام علیہ کی سینٹنس کی آئی ڈی ویٹا
کے ابتدائی انکوائری کے دوران ڈی ایس ای عطلہ شاہ صاحب سیکل
کنڈرٹ ہر وقت قبضہ کرنے کے لٹھہرہ درخواست دہندہ کی
پیش کردہ اڈوں اور ایکارڈنگ کے ساتھ تو لغرض شہزاد
شہزاد HC کی طرف سے 15/7 جاری دستاویز - DPDP ٹورنٹو
سٹیم ڈی ایٹرکٹیشن - جو ڈسٹرکٹ سائٹس ایجنسی راپور عموالی
تحتی کر رپورٹ حاصل کی جس پر ڈسٹرکٹ FSA کے ذیل

✓ S-S-AV

تیسری فرمایا

The required test facility of audio comparison is currently not available in PFSA. SD and seal of director PFSA Lahore dated 17-07-2019.

لیٹر مع ایورٹ لف ہمراہ انکوائری ہے۔ اس طرح تمام متعلقہ افراد کے تیسری بیان بھی حاصل کر کے لف ہمراہ انکوائری کیے۔
دوران انکوائری مقدمہ عدالت 86 جرم 468-471-420-419-421

کھانہ کاروٹ کی پولیس فائل بشکل فوٹو کاپی حاصل کر کے لف ہمراہ انکوائری کی دوران انکوائری یہ چیز سامنے آئی کہ مورخ 019-4-21 کو کھانہ کاروٹ کے ٹیسٹ خان A&I دوران ناگر بندی جوٹر کار بنری 963-963 برنگ فہرہوں ایوک کر گاڑی میں سمجھتے دو امتیاز ①

انڈیا یاد 1421 محمد وہیم ولد فرروس خان ② محمد وہیم ولد عثمان علی سے گاڑی کے متعلق دریافت کی جو A&I سے گاڑی کو مشکوک پاکر گواہان 12 روز نامہ 4/19 اور دفعہ 523-550 صفحہ 156 (3) صاف اجازت حاصل کر کے

ص صابطہ دریافت زیر دفعہ (3) صاف اجازت حاصل کر کے کاروائی ص صابطہ ہو کر مورخ 5/19 عدالت 86 جرم 468-471-420-419-421 مقدمہ رجسٹرڈ واملز ہم محمد وہیم ولد فرروس کو مقدمہ ہزار میں ص صابطہ گرفتار کیا جبکہ ملزم محمد وہیم کے خلاف کاروائی

ایوشی ص صابطہ عمل میں لائی گئی۔ دوران انکوائری یہ چیز کھل کر سامنے آئی کہ درخواست دہندہ کا سکا باپ محمد وہیم ولد فرروس قوم افغان یوسف زئی سکتے مائٹری صوا کی مقدمہ متذکرہ بالہ میں نامزد ملزم ہے۔ دوران انکوائری درخواست دہندہ شہباز خان ولد وہیم خان بیابی ہو کر متذکرہ بالہ مقدمہ سے اس کا کوئی کسی قسم کا تعلق نہ ہے اور نہ ہی پلٹے جانے والی

گاڑی کے ساتھ تعلق ہے۔ اور درخواست دہندہ خود ہی بیابی ہو کر مقدمہ مذکورہ میں ملزم مان کی ضمانت کے سلسلہ میں آیا ہوا تھا۔ دوران انکوائری درخواست دہندہ شہباز خان

اپنی پیش کردہ آڈیو ریکارڈنگ کی دفاع میں دوران صبح استثنائی ترمیم۔ گاتھکار راجا جس پر اپنی پیش کردہ آڈیو ریکارڈنگ کے دفاع میں تیسری فرمایاں دیکھائی گئیں۔

- جاری ہے -

22⁵/₁₉ مورخہ 86 مقدمہ عدالت
 دوران انٹرویو بمقام کارپوریشن
 471-468-420-419 کے تحت تفتیشی سٹاف
 بیان کیا جو الزام علیہ قاسم نزیہ HC پر تگے الزامات کے سلسلہ
 قحاقہ کارپوریشن مقدمہ مذکورہ میں ملزم نسیم کی گرفتاری کے سلسلہ
 میں کاری ضابطہ کے طور پر کام کرتا رہا ہے۔ دوران انٹرویو
 الزام علیہ نے اپنی اوپر تگے الزامات کا دفاع کرتے ہوئے
 درخواست دہندہ شہباز خان کی درخواست میں لگائے گئے
 الزامات میں مضبوط دفاع کے ذریعے اپنی اوپر تگے الزامات
 میں بہت سے شکوک و شبہات پیدا کر دیئے جن کو دوران
 کے یہ درخواست دہندہ پیر کورٹ سوالات کیے گئے جو درخواست
 دہندہ نے دوران کورٹ سوالات کے جوابات میں بیان کیے
 شکوک کو اور تقویت دی۔

فائینڈنگ: الزام علیہ قاسم نزیہ HC پر تگے الزامات کے
 بارے میں تصدیق کے تقاضوں کو مدنظر رکھتے ہوئے
 پلو انٹرویو عمل میں لائی گئی ہے اور پیر چیمبر کا بغور جائزہ
 لیا گیا ہے۔ جو الزام علیہ مقدمہ مذکورہ بالا کی تفتیش کے دوران
 اپنے تہذیبیہ ہوئے کارس کار کو بری طرح (Mishandling)
 ایشام دینا یا ایسا ہے جس کی وجہ سے حکم یو ایس کا کیا ہوا ایک
 اچھا کام سرمد مذاغ لگا ہے مذکورہ الزام علیہ کو مقدمہ میں
 Mishandling کا مرتکب یا الزام علیہ کو صراط
 میسر نہ آئی سٹاپس کی جاتی ہے دیگر حکم افسران
 بالہ افضل ہے فائینڈنگ ایوارڈ مرتب ہو کر گزارش ہے

EO-DSP/HQT
 20-08-2019

Issue FSCN

July

DPO Targher

28/08/18

11

Annex-B

From: The District Police Officer,
Torghar.

To: The Worthy Inspector General of Police,
Khuyber Pakhtunkhwa, Peshawar.

No 1118-19 / C.Cell dated torghar the 11 / 07 - 2019.

Subject: COMPLAINT AGAINST HC QASIM NAZEER TANOLI REGARDING
CORRUPTION (COMPLAINT CODE:2019/06-2434)

Memo:-

Kindly refer to your good office letter No.PPO/PAS/2019/06-2585 dated 25.06.2019, on the subject noted above.

It is submitted that one Shehbaz Khan s/o Faheem Khan r/o Maneri District Swabi submitted written complaint/application to the PAS CPO which on receiving to this office marked to the SDPO Kandari for enquiry and report with the directions to ensure merit in the matter. According to the report of SDPO kandari, he probed into the allegation of corruption of 30 thousand rupees allegedly taken by HC Qasim Nazir posted at Police Station Karor in Investigation Wing on account of NCP vehicle, which was taken into possession by the local police of Police station Karor.

Brief facts of the case are that on 24.04.2019 ASI Muhammad Nasim of Police Station Karor during naka bandi stopped a vehicle (vitz car) bearing registration No.US 963/ICT driven by one Muhammad Faheem s/o Firdous, accompanied by another person namely waseem s/o Usman r/o Khanda, Swabi, and on his enquiry they could not produce any documents regarding the said vehicle. He took the same into possession u/s 523/550 CrPC, being suspected. He also arrested both the person mentioned above u/s 54 CrPC. He initiated enquiry into the matter u/s 156(3) CrPC with permission of the Court. During enquiry he got verified the registration number having found only at front side of the vehicle from the concerned ETO. He also got examined the vehicle from Forensic Science Laboratory, Peshawar. As per report ETO Islamabad the registration number was stated bogus/fake. The local Police registered a case vide FIR No.86 dated 22.05.2019 u/s 419,420,468,471 PPC, Police Station Karor. Investigation was entrusted to SI Phul Hussain Shah, OII PS Karor. During investigation he arrested the accused mentioned above and produced him before the Court from where he was released on bail while other got BBA which was later on confirmed.

As per report of SDPO Kandari during enquiry he called both the parties heard them in detail and recorded their statements. Complainant is still stuck to his stance while alleged defaulter official HC Qasim Nazeer refused to have taken 30 thousand rupees as bribe.

Attested
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✓
As per report of SDPO Kandar audio recording produced by the instant complainant has not been found so clear from which it could be determined that the conversation taken place is between the applicant and alleged defaulter official HC Qasim Nazeer, or otherwise. As per report of SDPO applicant could not produced any cogent evidence in his defence to prove the allegations against Police official. But the undersigned did not agree on report of the SDPO and directed him to get record reference audio of the relevant person and then send the same to FSL for matching with evidence audio in order to reach to the definite conclusion. Being for flung area it will require a week time for its completion. Therefore interim report is submitted for kind perusal with the request to extend a week time for submission of complete report into the matter so that it could be finalized accordingly please.

Submitted please.



District Police Officer,
Torghar

No 1118-19 /C.Cell

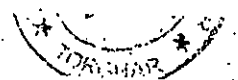
Copy of above is forwarded to the SDPO Circle kandar for necessary action, at the earliest.



District Police Officer,
Torghar

Alister
22

31/10/2018



(13)

Amir-e

From: The District Police Officer,
Torghar.

To: The Worthy Inspector General of Police,
Khuyber Pakhtunkhwa, Peshawar.

No 1211 / C.Cell dated torghar the 01/08-2019.

Subject: COMPLAINT AGAINST HC QASIM NAZEER TANOLI REGARDING
CORRUPTION (COMPLAINT CODE:2019/06-2434)

Memo:-

Kindly refer to your good office letter No.PPO/PAS/2019/06-2585 dated 25.06.2019, on the subject noted above.

It is submitted that in continuation to this office interim report on the subject, further added that earlier DSP Kandari had submitted his report in this regard which was not agreed upon by the undersigned and he was directed to make forensic analysis of the audio recording conversation of which is alleged to have taken place between complainant Shahbaz and defaulter official namely HC Qasim Nazeer.

As per direction DSP Kandari, Prepared reference audios of the alleged defaulter official named above in happy, angry and normal modes and sent the same to PFSA, Lahore for its analysis, report where of received that the requisite test facility of audio comparison is currently not available in PFSA. Copy of report is attached as ready reference.

Though voice comparison/ forensic analysis of audio produced by the complainant did not prove that the conversation is between the complainant and the alleged defaulter official HC Qasim Nazeer, but keeping in view the circumstances demand of bribe by the alleged defaulter official HC Qasim Nazeer cannot be ruled out as the undersigned myself thoroughly heard the audio recording produced by the complainant in support of his version which shows that something is wrong in the bottom. Therefore, keeping in view the aforementioned circumstances the alleged defaulter official HC Qasim Nazeer posted at Police Station, Karoor is charge sheeted for the allegations mentioned in the complaint of the complainant. He is also closed to Police Lines, Judbah with immediate effect and enquiry is entrusted to the DSP/HQ with the direction to conclude the same with in stipulated period.

Attested
27

Submitted please.



District Police Officer,
Torghar

14

DISCIPLINARY ACTION

Annex - D

I. Mr. Hafiz Janis Khan, District Police Officer, Torghar as competent authority of the opinion that Head Constable Qasim Nazeer No.91/Inv: while posted at Police Station Karor has rendered himself liable to be proceeded against departmentally as you committed the following act/omission within the meaning under the Khyber Pakhtunkhwa, Police Rules, 1975 (with amendment 2014).

SUMMARY OF ALLEGATION

On 24.06.2019, Shahbaz Khan s/o Muhammad Faheem Khan r/o Maneri Bala Dist: Swabi presently residing at flat No.12-E Askari -4 Chaklala Cant, Rawalpindi, submitted a written application to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near to Oghi police officials stopped his vehicle and arrested his father and they were taken to PP Torkandow. He was waiting outside the PP and in the meanwhile you HC Qasim Nazeer No.91 after long conversation demanded 04 lac Rupees as bribe from him, otherwise threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last you were agreed on getting 30 thousand rupees for which he was taken to Oghi by you for receiving money thorough ATM and he paid 30 thousand rupees as bribe to you. As at the time of demanding money he was lacking the requisite money. He further alleged that he managed audio recording of above mentioned deal on the way to Oghi and he can produce it as a proof. He was asked ^{refused} not to disclose the secret regarding taking bribe to any one and he was asked that you will pay some amount to the incharge of investigation namely Phool Hussain Shah from taken amount. Complainant in his application requested for taking legal action against you. Your this act badly damaged the image of police department in the eyes of general public which tantamounts gross misconduct on your part.

For the purpose of scrutinizing the conduct with reference to the above allegation, an Enquiry committee of the following is constituted.

Mr. Gul Zar Khan DSP/IQ is deputed as Enquiry Officer.

The Enquiry Officer/Committee shall in accordance under the provision of this above mentioned rules, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or take other appropriate action against the accused.

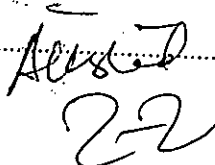
The accused shall appear in the departmental proceedings on the date, time and place fixed by the Enquiry Officer/Committee.


District Police Officer,
Torghar

No. 865-66 PA, dated Torghar the 5/8 2019.

Copy of the above is forwarded to:-

Head Constable Qasim Nazeer No.91/Inv: while posted at Police Station Karor with the direction to submit his written statement to the Enquiry Officer, the receipt of the charge sheet/statement of allegations and also to appear before Enquiry Officer on the date, time and place fixed for purpose of departmental proceedings.



لندن میں اور راجا کا مندر (16) ایک اور ایسا حوالہ موجود ہے جس کا مندرکات ہے۔ یہ میرا اولاد ہے۔
 تقریباً ساڑھے 3,00,000 روپے پائیس نو فڈ مورہ سہرا سہر جھوٹا بول کو اپنے مندر کا مالک ہے
 رقتاری کی رنجش کی وجہ سے مجھ سے انتہا کا راجا ہے جیسا اسکے والد ایک کٹر لفظ
 اور سنی میں آج کے فڈ مورہ نے اس طرح کے اقدام کیے ہیں۔ یہی سنی بادر کے ساتھ اس وقت
 پوکیس کے حال میں جس کے فڈ مورہ سے نان سم پتہ موٹر کارڈ 963 پتہ کی طرف حسب
 ضابطہ دریافت ہے۔ فڈ مورہ کے خلاف حوالہ مقدمہ دلتا 86 مورہ 19 ص 22 ج 19/468/419
 درج و حسب مقرر نقل 412 پتہ کے ساتھ ہے۔ میرا اولاد ہے۔ میرا اولاد ہے۔ میرا اولاد ہے۔
 طرز والد کا انتہا کا مندر ہے جو کہ پوکیس کو بنانا کہنا سیکھ چکے ہیں۔
 اس طرح چند جھوٹے لوگ ایک ایماندار پوکیس افسر کے خلاف درخواست بازی کرتے
 اور مزید دیدہ دلہی سے جرائم کرتے ہیں۔ فڈ مورہ کے والد مقدمہ 468/419 میں رقتاری
 فڈ مورہ کے پٹش میں آ کر پتہ خلاف من گھڑت اور با بنیاد درخواست دی ہے۔ فڈ مورہ
 کی گھڑی قبضہ پوکیس میں ہے۔ میری بگ سنائی کہ صاف ثبوت ہے۔ فڈ مورہ مندر
 کی رقتاری کے بعد میں لایم میں اور میں بالکل بگ بناہ میں۔

عالمی وجہ

میں ایک ایماندار پوکیس افسر میں آج تک اپنی دلیوی ایماندار اور راجا
 کے ساتھ اور لوگوں کی دیانتداری سے خدمت کرتا ہوں۔ جو کہ ایک پوکیس
 کا کار ہے۔ میں نے اسی نتیجہ پر پہنچا ہے کہ میں نے اسے
 میں نے ایک مندر کو مندر سمجھ کر رقتاری اور راجا کے ساتھ
 چاکر اور جھوٹا اور نو سہرا باز قسم کھیندہ ہے۔ یہ مندر والد کو چنانچہ
 کا پتہ پوکیس پر بنائی کا واقعہ لگانا چاہتا ہے۔ ابھی میں نے
 با بنیاد درخواست ہے۔ مجھے وہاں فرط الحاح داخل دفتر فرمائی کہ وہ
 میرا بیان ہے جو کہ درست ہے۔

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اللہ

رقم نام 411-91-1177
 مضمون کے طور پر

mob-0347-9112131

Allsted

CNIC-13503-1042388-1

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Annex - F

OFFICE OF THE DISTRICT POLICE OFFICER, TORGHAN

No. 950 /PA dated, Torghar the 26/08/2019.

FINAL SHOW CAUSE NOTICE.

(Rule (3) KPK Police Rules, 1975 (with amendment 2014).

1. That You Head Constable Qasim Nazeer No.91 while presently posted at Police Lines, Jubbah rendered yourself liable (with amendment 2014) for the following misconduct.

i. On 24.06.2019, Shahbaz Khan s/o Muhammad Faheem Khan r/o Maneri Bala Dist: Swabi presently residing at flat No.12-E Askari -4 Chaklala Cant, Rawalpindi, submitted a written application to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near to Oghi police officials stopped his vehicle and arrested his father and they were taken to PP Torkandow. He was waiting outside the PP and in the meanwhile you HC Qasim Nazeer No.91 after long conversation demanded 04 lac Rupees as bribe from him, otherwise threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last you were agreed on getting 30 thousand rupees for which he was taken to Oghi by you for receiving money thorough ATM and he paid 30 thousand rupees as bribe to you, As at the time of demanding money he was lacking the requisite money. He further alleged that he managed audio recording of above mentioned deal on the way to Oghi and he can produce it as a proof. He was refrained not to disclose the secret regarding taking bribe to any one and he was asked that you will pay some amount to the incharge of investigation namely Phool Hussain Shah from taken amount. Complainant in his application requested for taking legal action against you. Your this act badly damaged the image of police department in the eyes of general public which tantamounts gross misconduct on your part. A charge sheet/statement of allegation was issued to you vide this office Memo: No.865-66/PA dated, 05-08-2019 and enquiry was entrusted to DSP/Hqrs.: On 20-08-2019 Enquiry Officer submitted enquiry report in which he recommended you for major punishment. Hence Final Show Cause Notice is issued to you, as to why you should not be awarded major punishment, if you have any ^{defense in support of allegations, it should be produced.} ^{your defence}

2. That, by reason of above as sufficient material is placed before the undersigned therefore is decided to proceed against you in general Police proceedings ^{without aid of} ~~enquiry officer~~

3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.

4. That your retention in the police force will amount to encourage inefficient and unbecoming of good Police Officer.

5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more kind of the punishments as provided in the rules.

6. You are, therefore, called upon to Final Show Cause Notice as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rule, 1975 (with amendment 2014) for the misconduct referred to above.

7. You should submit reply to this Final Show Cause Notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.

8. You are further directed to inform the undersigned that you wish to be heard in person or not.

Attested
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Annex-5

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بلکہ ذیل کی گیسٹوں کو درج ذیل آرزو ہے۔

عالمی ۱۹۹۰ء
 من مائل نے اپنی سچی ڈیوٹی
 سمجھ کر خدمت گاہ سے نان سٹمپڈ گیسٹوں کو آگے
 لے کر اور ملنے کو گرفتار کرنے میں اہم رول ادا
 کیا ہے خدمت گاہ کے خلاف جس کا لٹو
 کارروائی ہو چکی ہے عزیز خدمت گاہ ایسی جان
 بگڑانے والی ہے جو اس کے خلاف پروویڈنٹ سٹارٹ
 کے فیصلے میں اس کے گناہ میں اس کے
 ساتھ رہ کر فریڈا ہو

28-8-19
 محمد عامر
 HC

Call him in OR

Mob No - 0347-9112131
 CNIC No 13003-1042888-1

DPO Toghian
 02/09/19

1. Appointed as Constable on 8.03.10 at Manshera District.
2. Passed the Lower School course vide Notification NO 1765/S/R dt 6.11.2017.
3. Promoted as Officiating Head Constable vide DB NO 02 dated 02.01.2018.
4. Suspended and close to Police Line vide this office order NO 243 dt 15.18
5. Posted at IHC/INV PS ICADOR from 12/10/18 to 01.08.2019.

Attested
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ORDER

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Annex-4

This order will dispose of the departmental enquiry, against Qasim Nazeer HC No.91. Brief facts are that on 24.06.2019, one Shahbaz Khan s/o Muhammad Faheem Khan r/o Maneri Bala Dist; Swabi presently residing at flat No.12-E Askari -4 Chakjala Cant, Rawalpindi, submitted a written application complaint to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near to Oghi police officials stopped his vehicle and arrested his father and they were taken to PP Torkandow. He was waiting outside the PP and in the meanwhile HC Qasim Nazeer No.91 after long conversation demanded 04 lac Rupees as bribe from him, otherwise threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last he took 30 thousand rupees as bribe for which he was taken to Oghi by him for getting the same amount which the complainant drawn through ATM at Oghi. He further stated that he managed audio recording of above mentioned deal on the way to Oghi and the same can be produced as a proof. He was refrained not to disclose the secret regarding taking bribe to anyone, and he will pay some amount to Phool Hussain Shah, OII PS Karor from taken amount. Complainant in his application requested for taking legal action against him. Initially facts finding enquiry was conducted in the light of which he was charge sheeted vide this office Memo: No.865-66/PA dated, 05-08-2019 and enquiry was entrusted to DSP/Hqrs:. He conducted detailed enquiry in to the allegations and found him guilty. He recommended him for major punishment in his report. On receiving the same on 26-08-2019, Final Show Cause Notice was issued to him vide this office Memo: No.950/PA in response to which he submitted his written reply which was found not satisfactory. He was heard in OR but he could not made plausible explanation in his defence.

After having gone through the enquiry file statement of complainant coupled with audio recording and his written explanation as well as hearing in OR he could not proved himself innocent and the charges against him were proved. Therefore, **I. Hafiz Janis Khan, District Police Officer, Torghar,** being competent authority in exercise of the power under the relevant provision of Khyber Pakhtunkhwa, Police Rules, 1975 (with amendment 2014) am constrained to award him major punishment . Hence, Qasim Nazeer HC No.91 is hereby awarded major punishment of "Reduction in pay by 03 stages and Reverted him from Offg: Head Constable to Constable (C-I)" with immediate effect. Order announced in presence of defaulter official namely Head Constable Qasim Nazeer No.91. He is reinstated in service as he was placed under suspension.

OB No. 280 / Dated 18/9/2019.

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[Signature]
District Police Officer,
Torghar

Copies to the :-

1. SRC, Torghar
2. Pay Officer, Torghar.

بخدمت جناب ڈپٹی انسپکٹر جنرل آف پولیس ہزارہ رینج

جناب عالی!

مورخہ 2019-4-21 وقت 14:20 نسیم خان ASI ودیگر نفری پولیس نے بدورتا کہ بندی کپڑی کی جانب سے ایک موٹر کار برنگ سرخ مہرون رجسٹریشن نمبر US963/ISL آئی جس کو روک کر دریافت کرنے پر ڈرائیور نے نام محمد فہیم ولد فردوس خان قوم افغان یوسفزئی سکند منہاری صوابی بتلایا جس کے ساتھ فرنٹ پر بیٹھے ہوئے شخص نے اپنا نام محمد وسیم ولد عثمان ولی قوم افغان یوسفزئی سکند کھنڈا صوابی بتلایا ہر دو سے گاڑی متذکرہ بالا اپنی ملکیتی بتلائی جبکہ گاڑی کے کاغذات نہ پیش کر سکا۔ گاڑی چیک کرنے پر چیسر نمبر SCP-5069317 ماڈل 2008 پایا گیا۔ گاڑی کی اگلی نمبر پلیٹ لگی ہوئی تھی جبکہ پچھلی نمبر پلیٹ نہ ہے۔ اور وہ بھی ایک رپٹ چیک کرنے پر گاڑی کی نمبر پلیٹ جعلی مشکوک لگتی ہے۔ جو گاڑی متذکرہ سےقلید پلٹ کے اصل حقائق معلوم کرنے کی خاطر زیر دفعہ 523/550 ض ف قبضہ پولیس میں کر کے گاڑی ہمراہ لا کر تھانہ کے صحت میں کھڑی کی گئی۔ قلید نمبر پلیٹ حوالا محر صاحب ہوئی فردا دریافت 156 ضمن 3 عدالت سے اجازت ملنے پر شروع کی جائے گی۔ ہر دو اشخاص کو مشتبہ پا کر زیر دفعہ 54/109 ض ف حسب ضابطہ گرفتار کر کے حوالات تھانہ نہ ہونے کی وجہ سے بارک کنسٹیبلان میں مضبوط ہتھکڑی لگا کر چار پائیوں کے ساتھ باندھ کر محرر HC کو ہدایت ہوئی علیحدہ نگرانی کا بندوبست کر کے عدالت سے اجازت ملنے پر دریافت کا جناب ASI صاحب نے باقاعدہ آغاز کیا اور گاڑی موٹر کار نمبری US-963/ISL جس کو لیبارٹری کروانے کیلئے اسلام آباد لے گئے جہاں پر گاڑی کی لیبارٹری کروائی۔ لیبارٹری میں گاڑی نان کسٹم پیڈنگلی جس کے بعد محمد فہیم اور محمد وسیم پر بحوالہ مقدمہ علت 86 مورخہ 2019-05-22 بجرم 468/471، PPC 419/420 مقدمہ درج رجسٹرڈ ہو کر حوالا INV شاف ہوا تفتیش کا باقاعدہ آغاز ہوا جس میں پھول حسین شاہ SI/OII صاحب نے اکل شاہ IHC/INV مجھے حکم دیا کہ ان ملزمان کو کسی بھی طریقے سے گرفتار کرو جبکہ اکل شاہ IHC/INV اور میں نے بڑی حکمت عملی سے محمد فہیم کو میرا مد اخیل شاخ سے گرفتار کیا اور OII صاحب کو بذریعہ موبائل اطلاع دی، ملزم کو مضبوط ہتھکڑی لگا کر تھانہ دارینی کی طرف روانہ ہوئی، تھانہ دارینی میں ملزم کو بند حوالات کیا گیا جس کی بندش رپورٹ ہمراہ انکو ازری لف ہے جبکہ تھانہ کاروڑ میں حوالات نہ ہے۔ تفتیش کا باقاعدہ آغاز شروع کیا جبکہ اس دن کے بعد نہ تو ملزم سے میرا کوئی رابطہ ہے اور نہ ہی اس کے کسی رشتہ دار سے، ملزم کی بندش کے بعد OII صاحب ایک سینئر افسر ہے اور مقدمہ کی تفتیش اکل شاہ IHC کر رہا تھا۔ OII صاحب تفتیش اپنی نگرانی میں کروا رہا تھا، ملزم آل ریڈی ان کے حوالا ہو چکا تھا جبکہ ملزم کے بیٹے نے میرے اوپر الزام لگایا کہ مجھ سے 30,000/- روپے لئے ہیں تو مذکورہ سراسر جھوٹ بول کر اپنے ملزم والد کی گرفتاری کی رنجش کی وجہ سے انتقام لے رہا ہے جبکہ اس کا والد ایک کارلفٹر ہے اور سننے میں آیا ہے کہ مذکورہ اس طرح کے اقدامات پہلے بھی کئی بار کر چکا ہے۔ اس دفعہ پولیس کے جال میں پھنس کر مذکورہ سے نان کسٹم پیڈ موٹر کار نمبری US 963/ISL پکڑی جا کر حسب ضابطہ دریافت پر

Attested

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مذکورہ کے خلاف بحوالہ مقدمہ علت نمبر 86 بمورخہ 22-05-2019 جرم 468/471، 419/420 PPC درج رجسٹرڈ ہو کر نقل FIR ہمراہ انکوائری لف ہے۔ اس کے بیٹے نے میرے اوپر الزام لگایا ہے اور اپنے ملزم والد کا انتقام لینا چاہتا ہے۔ اس طرح چند جھوٹے لوگ ایک ایماندار پولیس افسر کے خلاف درخواست بازی کرتے ہیں تو مزید جرائم دیدہ دلیری سے کرتے ہیں مذکورہ کا والد مقدمہ 468/471، 419/420 میں گرفتار تھا اور مذکورہ کی گاڑی اب بھی قبضہ پولیس میں ہے۔ یہ میری بے گناہی کا صاف ثبوت ہے کہ مذکورہ کے بیٹے نے پیش میں آکر میرے خلاف من گھڑت اور بے بنیاد درخواست افسران بالا کو دی ہے۔ مذکورہ ملزم کی گرفتاری کے بعد میں لاعلم ہوں اور میں بے گناہ ہوں۔

اسی الزام میں جناب DPO صاحب نے SDPO سرکل کنڈر کے نام میری انکوائری مارک کی تھی جو انکوائری افسر نے ہر پہلو کی جانچ پڑتال کر کے انکوائری کی گئی جس کے باعث میری بے گناہی ثابت ہوئی۔

اسی متعلق ری انکوائری جناب DPO صاحب نے DSP ہیڈ کوارٹر HQ کے نام مارک کی۔ جس پر جناب DPO صاحب نے مجھے دوسرا نیشن Reversion اور 3 ایگریمینٹ شاپ کئے۔

عالی جاہ! سائل بے گناہ ہے، سائل پر لگائے گئے الزامات من گھڑت ہیں لہذا مہربانی فرما کر سائل کے متعلق سزا کو معاف کئے جانے کے احکامات صادر کئے جاویں۔

02-10-2019 امرتسر

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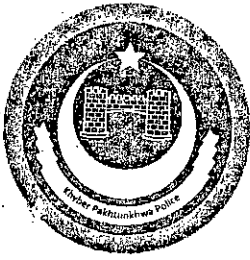
محمد قاسم

91/LHC متعینہ پولیس لائن، ضلع تورغر

رابطہ نمبر: 0347-9112131

Allestead

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Annex - J

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 18262 /PA DATED 03/08/2020

ORDER

This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by LHC Muhammad Qasim No.91 of District Torghar against the punishment order i.e. **Reduction in pay by 03 stages and reverted him offg: Head Constable to constable (C-1)** awarded by DPO Torghar vide order No.280 dated 18.09.2019.

Brief facts leading to the punishment are that he while posted at Police Station Karor Torghar was proceeded against on the allegation that on 24.06.2019 one Shahbaz Khan s/o Muhammad Feheem Khan r/o Manari Bala Dist: Swabi presently residing at flat No.12-E Askari-4 Chaklala Cantt, Rawalpindi, submitted a complaint to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near Oghi police officials stopped his vehicle and arrested his father and took him to PP Torkandow. He was waiting outside the PP in the meanwhile HC Qasim Nazeer No.91 after long conversation demanded 04 lacs rupees as bribe from him and threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last he took 30 thousand rupees as bribe which the complainant drawn through ATM at Oghi. He further stated that he managed audio recording of above mentioned deal on the way to Oghi and same can be produced as a proof. He was refrained not to disclose the secret regarding taking bribe to anyone and he paid some amount to Phool Hussain Shah, OII PS Karor.

The appellant was issued charge sheet alongwith summary of allegations and DSP Hqrs was deputed to conduct departmental enquiry. During the course of enquiry the allegations leveled against the appellant were proved and EO recommended him for major punishment. He was called in OR and heard in person, however he failed to advance any cogent reason in his defence. Consequently, DPO Torghar awarded him punishment of reduction in pay by 03 stages and reverted him offg: Head Constable to constable (C-1).

After receiving his appeal, comments of DPO Torghar were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. However he failed to advance any plausible justification in his defence. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 instant appeal is hereby **filed** with immediate effect.

[Signature]

Qazi Jamil ur Rehman (PSP)
REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

No. 18263 /PA, dated Abbottabad the 03/08 /2020.
CC.

The District Police Officer, Torghar for information and necessary action with reference to his office Memo No.1688/GB dated 28-11-2019. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

Attested

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مذکورہ کے خلاف بحوالہ مقدمہ عدالت نمبر 86 بمورد 22-05-2019 جرم 468/471، 419/420 PPC درج رجسٹرڈ ہو کر نقل FIR ہمراہ انکوائری لفٹ ہے۔ اس کے بیٹے نے میرے اوپر الزام لگایا ہے اور اپنے ملزم وار کا انتقام لینا چاہتا ہے۔ اس طرح چند جھوٹے لوگ ایک ایماندار پولیس افسر کے خلاف درخواست بازی کرتے ہیں تو مزید جرائم دیدہ دلیری سے کرتے ہیں مذکورہ کا والد مقدمہ 468/471، 419/420 میں گرفتار تھا اور مذکورہ کی گاڑی اب بھی قبضہ پولیس میں ہے۔ یہ میری بے گناہی کا ساف ثبوت ہے کہ مذکورہ کے بیٹے نے طیش میں آ کر میرے خلاف منگوائی بے بنیاد درخواست افسران بالا کو دی ہے۔ مذکورہ ملزم کی گرفتاری کے بعد میں لاعلم ہوں اور میں بے گناہ ہوں۔

اسی الزام میں جناب DPO صاحب نے SDPO سرکل کنڈر کے نام میری انکوائری مارک کی تھی جو انکوائری افسر نے ہر پہلو کی جانچ پڑتال کر کے انکوائری کی گئی جس کے باعث میری بے گناہی ثابت ہوئی۔

اسی متعلق ری انکوائری جناب DPO صاحب نے DSP ہیڈ کوارٹر HQ کے نام مارک کی۔ جس پر جناب DPO صاحب نے مجھے دو مزی میں Reversion اور 13 پگ ریٹ سٹاپ کئے۔

عالی جاہ! سائل بے گناہ ہے، سائل پر لگائے گئے الزامات من گھڑت ہیں لہذا مہربانی فرما کر سائل کے متعلق مزی کو معاف کئے جانے کے احکامات صادر کئے جاویں۔

22

محمد قاسم

91/LHC متعینہ پولیس اسٹیشن، ضلع تورغر

رابطہ نمبر: 0347-9112131 - 08-2020 Date

Allied
22



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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

Annex-L

No. SI/ 1585

/21, dated Peshawar the 14/03/2021

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 Constable Qasim No. 91 (the then Offg: HC). The petitioner was awarded penalty of reduction in pay by three (03) stages and reverted from Offg: Head Constable to Constable (C-1) by District Police Officer, Torghar vide OB No. 280, dated 18.09.2019 on the allegations that on 24.06.2019 one Shahbaz Khan s/o Muhammad Faheem Khan r/o Manari Bala Distt: Swabi presently residing at flat No. 12-E Askari-4 Chaklala Cantt; Rawalpindi, submitted a complaint to the IGP/KP in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near Oghi police officials stopped his vehicle and arrested his father and took him to PP Torkandow. He was awaiting outside the PP in the meanwhile the above named official after long conversation demanded 04 lacs rupees as bribe from him and threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last he took Rs. 30,000/- as bribe which the complainant drawn through ATM at Oghi. He further stated that he managed audio recording of above mentioned deal on the way to Oghi and same can be produced as a proof. He was refrained not to disclose the secret regarding taking bribe to anyone and he paid some amount to phool Hussain Shah, OII PS Karor. His appeal was filed by Regional Police Officer, Hazara vide order Endst: No. 18262-63/PA, dated 03.08.2020.

Meeting of Appellate Board was held on 01.04.2021 wherein petitioner was heard in person. Petitioner denied the allegations leveled against him and contended that he has arrested father of the complainant and a case vide FIR No. 86, dated 22.05.2019 u/s 419/420/468/471 was registered against him.

The Board see no ground and reasons for acceptance of his petition, therefore, the Board decided that his petition is hereby rejected.

Regional Police Officer
4687
21/4/21

No. SI/ 1586-75/21,

Sd/-
KASHIF ALAM, PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

Copy of the above is forwarded to the:

1. Regional Police Officer, Hazara at Abbottabad. One Service Roll and one Fauji Missal (containing enquiry file) of the above named LHC received vide your office Memo: No. 30757, dated 24.11.2020 is returned herewith for your office record.
2. District Police Officer, Torghar.
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 Supdt: E-IV CPO Peshawar.

NO- 8536 / PA
dt 26-4-21

DPO Torghar
n/a
PA/RPO HQ
22/04

Aliyad
22

(IRFAN ULLAH KHAN) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

کتابت
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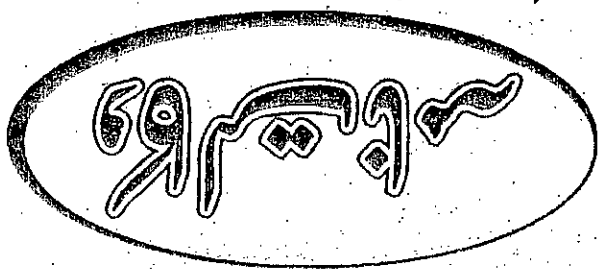
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کوریٹ کمیٹی
کوٹلی

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR.

SERVICE APPEL NO 4985 of 2021

Muhammad Qasim Constable No. 91 District Police Torghar.

.....Appellant


VERSUS

1. Provincial Police officer Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Torghar.

..... Respondents

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Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR.

SERVICE APPEL NO 4985 of 2021

Muhammad Qasim Constable No. 91 District Police Torghar.

.....Appellant

VERSUS

Provincial Police officer Khyber Pakhtunkhwa, Peshawar & others.

..... Respondents

Reply/Comments by Respondents

RESPECTFULLY SHEWETH:-

PRELIMINARY OBJECTIONS:-

- a) The appeal is not based on facts and appellant has got no cause of action and locus standi.
- b) That appeal is not maintainable in the present form.
- c) The appeal is bad for non-joinder and mis-joinder of necessary and proper parties.
- d) The appellant is estopped by his own conduct to file the instant appeal.
- e) The appeal is barred by law and limitation.
- f) The appellant has not come to the Honorable Tribunal with clean hands.

FACTS:-

1. Correct. To the extent that The appellant was posted as HC PS District Torghar, the remaining portion is incorrect. In fact appellant has taken illegal gratification amounting to Rs. 30000/- from one Shabaz Khan S/O Muhammad Kaleem Khan R/O Manari Bala District Swabi presently residing at flat No. 12-E Askari-4 Chaklala Cant Rawalpindi. Who filed complaint before the worthy Inspector General of police alleging therein that on 27-05-2019, he alongwith his father was going to Oghi, the appellant stopped his vehicle, and arrested his father and demanded bribe at the time 4 Lacs

- for releasing his father and handing over vehicle. At last matter was managed from ATM Oghi. He also produced recording of conversation as proof. (Annexure-A)
2. Incorrect. On the basic of above complaint, a fact finding enquiry was conducted in which appellant was found guilty.(Annexure-B)
 3. The appellant was thereafter charge sheeted and proper departmental enquiry was initiated and appellant was given the chance to defend himself. The appellant was held him guilty.(copy of charge sheet , statement of allegation, reply and enquiry is Annexure-C).
 4. The appellant was issued final Show Cause Notice but his reply was found not satisfactory.(Copy of Show Cause Notice and reply is Annexure-D)
 5. Incorrect. The competent authority after taking into consideration all the facts, proofs and finding of enquiry officer, awarded him major punishment of reduction in pay by 03 stages and reversion from the officiating rank of head constable to Constable (CI) vide order 18.09.2019.(Annexure-E).
 6. Incorrect. The appellant has taken bribe which has been proved against him in departmental proceeding initiated in accordance with law and rules. Detail reply given in Paras ibid.
 7. Incorrect. During the enquires, the appellant was found guilty in the charges leveled against him.
 8. Pertains to record. However, detail reply is given in above Paras.
 9. Incorrect. Proper enquiries were conducted and lawful opportunity of personal hearing was provided to appellant.
 10. Correct. The appeal of the appellant was examined by the authority and rejected being meritless.(copy of departmental appeal and order 03.08.2020 is Annexure-F)
 11. The mercy petition was examined by the authority and rejected being meritless.(Copy of mercy petition and rejection order dated 14.04.2021 is Annexure-G)


GROUNDS:-


- A. Incorrect. The orders of respondent, are lawful, based on facts, justice and in accordance with law/Rules.
- B. Incorrect. A proper departmental enquiry was conducted where in all the codal formalities were fulfilled.
- C. Incorrect. All the relevant law and rules were followed while proceeding the appellant.
- D. Incorrect. The allegations of private complainant was thoroughly inquired by recording statements of witnesses and the same were established against appellant. He was awarded punishment in accordance with law/rules which commensurate proved charges.
- E. The instant appeal is badly time barred, hence liable to be rejected.

PRAYER:

In view of the above mentioned facts, the appeal in hand may kindly be dismissed with cost being devoid of legal force and badly time barred case.


 Provincial Police Officer
 Khyber Pakhtunkhwa Peshawar
 (Respondent No. 1)


 Regional Police Officer
 Hazara Region Abbottabad
 (Respondent No. 2)


 District Police Officer
 Torghar
 (Respondent No. 3)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR.

SERVICE APPEL NO 4985 of 2021

Muhammad Qasim Constable No. 91 District Police Torghar.

.....Appellant


VERSUS

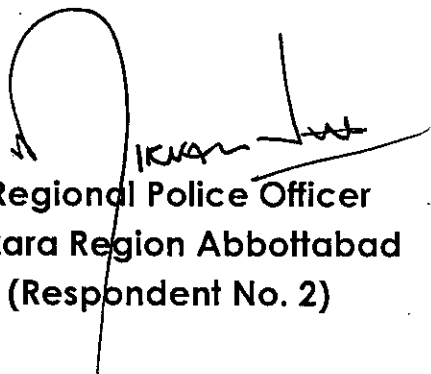
- 1. Provincial Police officer Khyber Pakhtunkhwa, Peshawar.
- 2. Regional Police Officer, Hazara Region, Abbottabad.
- 3. District Police Officer, Torghar.


..... Respondents

AFFIDAVIT

We respondents, do hereby solemnly affirm and declare that the contents of comments are true and correct to the best of our knowledge and belief and nothing has been concealed or suppressed from this Honorable Tribunal.


 Provincial Police Officer
 Khyber Pakhtunkhwa Peshawar
 (Respondent No. 1)


 Regional Police Officer
 Hazara Region Abbottabad
 (Respondent No. 2)


 District Police Officer
 Torghar
 (Respondent No. 3)

5

ANNEX-A

From: The District Police Officer,
Torghar

To: The Director, Punjab Forensic,
Science Agency, Lahore

No. 848 /OHC, dated Torghar the 15 / 07 / 2019

Case reference preliminary enquiry initiated on application of one Shahbaz Khan s.o Muhammad Faheem Khan.

Subject: FORENSIC ANALYSIS OF AUDIO RECORDING BETWEEN
COMPLAINANT SHAHBAZ KHAN AND ALLEGED DEFAULTER
HEAD CONSTABLE QASIM NAZEER NO.91.

Memo;

Enclosed kindly find herewith an application submitted by DSP Matloob Shah, SDPO Circle Kandari (an enquiry officer) alongwith recovery memos and parcel No.01 to parcel No.5 each containing SD memory cards (total 5 in numbers) are sent herewith (details are mentioned in the application of above named DSP) with the following requests.

Q. 1: Being seal SF parcel No.1 having evidence memory card produced by complainant Shahbaz Khan s/o Muhammad Faheem Khan r/o Manari Sawabi, present Islamabad Askary IV, Chaklala Cant, Rawalpindi in which there is conversation of above named complainant and alleged defaulter official Head Constable Qasim Nazeer No.91 District Torghar allegedly discussing regarding bribe from the complainant may be examined.

Q. 2 Being seal SF parcel No.2 having reference memory card of above named got recorded by enquiry officer DSP Matloob Shah, to compare with the card of parcel No.1 whether both person are the same who made conversation as per memory card of parcel No.1.

Q. 3 Being seal SF parcel No.3,4 and 5 having conversation in happy mode, angry mode and normal mode of alleged defaulter official namely Head Constable Qasim Nazeer No.91 may be compared with evidence memory card in parcel No.1 and reference memory card in parcel No.2.

All above said parcels are being sent through HC Muhammad Saeed No.74 for analysis.



(Hafiz Janis Khan)
District Police Officer,
Torghar

✓
From: The District Police Officer,
Torghar.

To: The Worthy Inspector General of Police,
Khuyber Pakhtunkhwa, Peshawar.

No 1118-19 / C.Cell dated torghar the 11 / 07 2019.

Subject: **COMPLAINT AGAINST HC QASIM NAZEER TANOLI REGARDING
CORRUPTION (COMPLAINT CODE:2019/06-2434)**

Memo:-

Kindly refer to your good office letter No.PPO/PAS/2019/06-2585 dated 25.06.2019, on the subject noted above.

It is submitted that one Shehbaz Khan s/o Faheem Khan r/o Maneri District Swabi submitted written complaint/application to the PAS CPO which on receiving to this office marked to the SDPO Kandari for enquiry and report with the directions to ensure merit in the matter. According to the report of SDPO kandari, he probed into the allegation of corruption of 30 thousand rupees allegedly taken by HC Qasim Nazir posted at Police Station Karor in Investigation Wing on account of NCP vehicle, which was taken into possession by the local police of Police station Karor.

Brief facts of the case are that on 24.04.2019 ASI Muhammad Nasim of Police Station Karor during naka bandi stopped a vehicle (vitz car) bearing registration No.US 963/ICT driven by one Muhammad Faheem s/o Firdous, accompanied by another person namely waseem s/o Usman r/o Khanda, Swabi, and on his enquiry they could not produce any documents regarding the said vehicle. He took the same into possession u/s 523/550 CrPC, being suspected. He also arrested both the person mentioned above u/s 54 CrPC. He initiated enquiry into the matter u/s 156(3) CrPC with permission of the Court. During enquiry he got verified the registration number having found only at front side of the vehicle from the concerned ETO. He also got examined the vehicle from Forensic Science Laboratory, Peshawar. As per report ETO Islamabad the registration number was stated bogus/fake. The local Police registered a case vide FIR No.86 dated 22.05.2019 u/s 419,420,468,471 PPC, Police Station Karor. Investigation was entrusted to SI Phul Hussain Shah, OII PS Karor. During investigation he arrested the accused mentioned above and produced him before the Court from where he was released on bail while other got BBA which was later confirmed.

As per report of SDPO Kandari during enquiry he called both the parties heard them in detail and recorded their statements. Complainant is still stuck to his stance while alleged defaulter official HC Qasim Nazeer refused to have taken 30 thousand rupees as bribe.

✓

As per report of SDPO Kandhar audio recording produced by the instant complainant has not been found so clear from which it could be determined that the conversation taken place is between the applicant and alleged defaulter official HC Qasim Nazeer, or otherwise. As per report of SDPO applicant could not produced any cogent evidence in his defence to prove the allegations against Police official. But the undersigned did not agree on report of the SDPO and directed him to get record reference audio of the relevant person and then send the same to FSL for matching with evidence audio in order to reach to the definite conclusion. Being for flung area it will require a week time for its completion. Therefore interim report is submitted for kind perusal with the request to extend a week time for submission of complete report into the matter so that it could be finalized accordingly please.

Submitted please.



**District Police Officer,
Torghar**

No 1118-19 /C.Cell

Copy of above is forwarded to the SDPO Circle kandhar for necessary action, at the earliest.



**District Police Officer,
Torghar**

From: The District Police Officer,
Torghar.

To: The Worthy Inspector General of Police,
Khuyber Pakhtunkhwa, Peshawar.

No 1211 / C.Cell dated torghar the 01 / 08-2019.

Subject: COMPLAINT AGAINST HC QASIM NAZEER TANOLI REGARDING
CORRUPTION (COMPLAINT CODE:2019/06-2434)

Memo:-

Kindly refer to your good office letter No.PPO/PAS/2019/06-2585 dated 25.06.2019, on the subject noted above.

It is submitted that in continuation to this office interim report on the subject, further added that earlier DSP Kandari had submitted his report in this regard which was not agreed upon by the undersigned and he was directed to make forensic analysis of the audio recording conversation of which is alleged to have taken place between complainant Shahbaz and defaulter official namely HC Qasim Nazeer.

As per direction DSP Kandari, Prepared reference audios of the alleged defaulter official named above in happy, angry and normal modes and sent the same to PFSA, Lahore for its analysis, report where of received that the requisite test facility of audio comparison is currently not available in PFSA. Copy of report is attached as ready reference.

Though voice comparison/ forensic analysis of audio produced by the complainant did not prove that the conversation is between the complainant and the alleged defaulter official HC Qasim Nazeer, but keeping in view the circumstances demand of bribe by the alleged defaulter official HC Qasim Nazeer cannot be ruled out as the undersigned myself thoroughly heard the audio recording produced by the complainant in support of his version which shows that something is wrong in the bottom. Therefore, keeping in view the aforementioned circumstances the alleged defaulter official HC Qasim Nazeer posted at Police Station, Karoor is charge sheeted for the allegations mentioned in the complaint of the complainant. He is also closed to Police Lines, Judbah with immediate effect and enquiry is entrusted to the DSP/HQ with the direction to conclude the same with in stipulated period.

Submitted please.

District Police Officer,
Torghar

صباح کوئیلا

D. S. P. میرا

انڈیکس انکوائری رپورٹ

ANNEX-B

ضلعانہ انکوائری اڈان برصوف قاسم نذیر HC نظام کاروبار حال پولیس اسٹیشن میرا

Sl/No	تفصیل کاغذات	قطعات	بازمانی	کیفیت
1	انڈیکس ہذا کا فائبرنگ رپورٹ 02	05	اردو	
2	دیوانہ + انڈیکس آرڈرنگ 01	02	=	
3	خارج رپورٹ 865-66/A 5-8-19	02	انگریزی	
4	انگریزی رپورٹ 1211 C-cell 1-8/19	01	=	
5	انگریزی رپورٹ 848/HC 15-7-029	01	=	
6	نقل انگریزی رپورٹ 848/HC 065-7-09	01	=	
7	انگریزی رپورٹ 1128-19/C-cell 11-07-029	02	=	
8	رپورٹ ایماج PAS	01	اردو	
9	انگریزی رپورٹ PAS CC No. 2434	01	انگریزی	
10	درخواست شہباز خان و درخسیم من	01	اردو	
11	تحریری بیان قاسم نذیر HC	02	=	
12	قولیوں کا نقل FIR عدت 86	01	=	
13	قولیوں کا نقل عدت 12 فروری 2019 15 روز تا 26 فروری 17 روز تا 3 27 فروری 19 روز تا 29 فروری 19	04	=	
14	تحریری بیان نقل جیل 5/0/19	02	=	
15	نقل تحریری بیان اگلے شاہان HC 11/11/19	01	=	
16	بیان شہباز خان	01	انگریزی	
17	بیان شہباز خان	01	اردو	
		20		

حکومت انکوائری اژانس قاسم نریر 91 فیصد صفحہ کارورڈ حال پولیس مقدمہ

Sl/NO	تفصیل کاغذات	قطعہ	بازابی	کیفیت
18	کورڈ سوالات تا جوابات	06	اردو	
19	بیان استر ارا احمد SRC	01	=	
20	مذبحہ انکوائری کاغذات قاسم نریر # 12 فصل حسین شاہ غلام شاہ	12	اردو انگریزی	
21	سابقہ انکوائری کاغذات قاسم نریر # 17 فصل حسین شاہ 51/60 صفحہ کارورڈ کل	17	اردو انگریزی	
22	فصل صدر پولیس مقدمہ عدلت 86 صفحہ 22/19 م 468-469 PPC 425-471	61		
	کل قطعہ	125		

انڈس آرڈر شیٹ

شماره انوائس انڈس آرڈریشن ماسم نڈیر 91/1172 مشینہ کولیس جردا

S/ نصیرا

1 آج مورخ 06/8 کو جرنل صاحب عدلی 365-667A مورخ 06/8 جلد فرضا - دہلی 19
06/8 کے لئے انوائس نمبر 05.08.19 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
دفتر دفتر کی اجازت سے انوائس نمبر 05.08.19 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
عمل میں لائی جائے گی۔

2 اجورخ 06/8 کو ریٹائرمنٹ کے بعد شہری کے مورٹیل نمبر 03455046164 پر رابطہ کیا گیا۔
کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
دفتر دفتر کی اجازت سے انوائس نمبر 05.08.19 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
عمل میں لائی جائے گی۔

3 آج مورخ 08/8 کو ریٹائرمنٹ کے بعد شہری کے مورٹیل نمبر 03455046164 پر رابطہ کیا گیا۔
کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
دفتر دفتر کی اجازت سے انوائس نمبر 05.08.19 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
عمل میں لائی جائے گی۔

4 آج مورخ 08/8 کو ریٹائرمنٹ کے بعد شہری کے مورٹیل نمبر 03455046164 پر رابطہ کیا گیا۔
کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
دفتر دفتر کی اجازت سے انوائس نمبر 05.08.19 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
عمل میں لائی جائے گی۔

5 آج مورخ 09/8 کو ریٹائرمنٹ کے بعد شہری کے مورٹیل نمبر 03455046164 پر رابطہ کیا گیا۔
کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
دفتر دفتر کی اجازت سے انوائس نمبر 05.08.19 کوڈ ایف ڈی کے لئے 07 کوڈ ایف ڈی کے لئے
عمل میں لائی جائے گی۔

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Handwritten notes in Urdu script, including some numbers and possibly dates or identifiers.

The required test facility of audio comparison is currently not available in PFSa. SD and seal of Director PFSa Lahore dated 17-07-2019.

انٹرنیٹ پر دستیاب شدہ آڈیو کی صداقت کی جانچ کے لیے ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت موجود نہیں ہے۔ 17-07-2019ء کو لاہور میں ایف ایس اے کے ڈائریکٹر نے اس بارے میں ایک نوٹس جاری کیا۔

US-963 (1) (US-963) کے تحت ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت دستیاب نہیں ہے۔

US-963 (1) (US-963) کے تحت ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت دستیاب نہیں ہے۔

US-963 (1) (US-963) کے تحت ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت دستیاب نہیں ہے۔

US-963 (1) (US-963) کے تحت ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت دستیاب نہیں ہے۔

US-963 (1) (US-963) کے تحت ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت دستیاب نہیں ہے۔

US-963 (1) (US-963) کے تحت ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت دستیاب نہیں ہے۔

US-963 (1) (US-963) کے تحت ایف ایس اے لاہور میں آڈیو کی صداقت جانچ کی سہولت دستیاب نہیں ہے۔

28/08/19
DPO Targhar

[Signature]

Issue FSCN

EO-DSP/HQTs
20-08-2019

میں نے اس بارے میں ایک ایف ایس سی ایس کے لئے درخواست دی ہے۔
میں نے اس بارے میں ایک ایف ایس سی ایس کے لئے درخواست دی ہے۔
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میں نے اس بارے میں ایک ایف ایس سی ایس کے لئے درخواست دی ہے۔

OFFICE OF THE DISTRICT POLICE OFFICER, TORGHARCHARGE SHEET

1. I, Mr. Hafiz Janis Khan, District Police Officer, Torghar as competent authority hereby charge you Head Constable Qasim Nazeer No.91/Inv: while posted at Police Station Karor for the allegation explained in the attached statement of allegations.
2. You appear to be guilty of misconduct under Khyber Pakhtunkhwa, Police Rules, 1975 (with amendment 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
3. You are therefore directed to submit your written defense within (07) Seven days on receipt of the charge sheet to the Enquiry officer.
4. Your written defense, if any, should reach the enquiry office within the specified period, failing which it shall be presumed that you have no defense to put in hand and in the case ex-parte action shall follow against you.
5. Intimate whether you desire to be heard in person or otherwise.
6. Summary of allegation is also enclosed.



District Police Officer,
Torghar

DISCIPLINARY ACTION

1. Mr. Hafiz Janis Khan, District Police Officer, Torghar as competent authority of the opinion that Head Constable Qasim Nazeer No.91/Inv: while posted at Police Station Karor has rendered himself liable to be proceeded against departmentally as you committed the following act/omission within the meaning under the Khyber Pakhtunkhwa, Police Rules, 1975 (with amendment 2014).

SUMMARY OF ALLEGATION

On 24.06.2019, Shahbaz Khan s/o Muhammad Fahcem Khan r/o Maneri Bala Dist: Swabi presently residing at flat No.12-E Askari -4, Chaklala Cant, Rawalpindi, submitted a written application to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Manshra Oghi. On the way near to Oghi police officials stopped his vehicle and arrested his father and they were taken to PP Torkandow. He was waiting outside the PP and in the meanwhile you HC Qasim Nazcer No.91 after long conversation demanded 04 lac Rupees as bribe from him, otherwise threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last you were agreed on getting 30 thousand rupees for which he was taken to Oghi by you for receiving money thorough ATM and he paid 30 thousand rupees as bribe to you. As at the time of demanding money he was lacking the requisite money. He further alleged that he managed audio recording of above mentioned deal on the way to Oghi and he can produce it as a proof. He was asked, ^{refused} not to disclose the secret regarding taking bribe to any one and he was asked that you will pay some amount to the incharge of investigation namely Phool Hussain Shah from taken amount. Complainant in his application requested for taking legal action against you. Your this act badly damaged the image of police department in the eyes of general public which tantamounts gross misconduct on your part.

For the purpose of scrutinizing the conduct with reference to the above allegation, an Enquiry committee of the following is constituted.

Mr. Gul Zar Khan DSP/HQ is deputed as Enquiry Officer.

The Enquiry Officer/Committee shall in accordance under the provision of this above mentioned rules, provide reasonable opportunity of hearing to the accused. record finding and make within 25 days of the receipt of this order, recommendation as to punishment or take other appropriate action against the accused.

The accused shall appear in the departmental proceedings on the date, time and place fixed by the Enquiry Officer/Committee.

[Signature]
District Police Officer,
Torghar

No. 865-66 P.A, dated Torghar the 5 / 8 2019.

Copy of the above is forwarded to:-

Head Constable Qasim Nazeer No.91/Inv: while posted at Police Station Karor with the direction to submit his written statement to the Enquiry Officer, the receipt of the charge sheet/statement of allegations and also to appear before Enquiry Officer on the date, time and place fixed for purpose of departmental proceedings.

اپنی زندگی میں اور باقی زندگی آل دین اور اس حوالہ سے جو کچھ لکھا گیا ہے اس میں نا پید اور پندرہ لاکھ
 لکھا گیا ہے تاکہ 3,00,000 روپے یا اس سے زیادہ ہو اور پندرہ لاکھ لکھا گیا ہے تاکہ اس
 گرفتاری کی واپس آج سے چھ ماہ سے انٹرفاکس لکھا گیا ہے تاکہ والد اور اولاد کو
 اور سزا میں آیا ہے تاکہ پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 پولیس کے بل میں جس سے پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 ضابطہ دریافت سے پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 درج و ضبط سے پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 طرز والد کا انتقال گناہ تھا ہے جو کہ قلمی پولیس کو بدنام کرنا سزا ہے جس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 اس طرح پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 اور مزید دیکھ دیکھی سے جہاں کہیں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 کسی کٹری قرضہ پولیس میں ہے یہ میری ہے سنائی کہ صاف ثبوت ہے پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 گرفتاری سے ابھی میں انہیں میں اور میں بالکل پندرہ لاکھ لکھا گیا ہے تاکہ اس میں

میں اپنی اپنا اور پولیس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
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 لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں
 لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں پندرہ لاکھ لکھا گیا ہے تاکہ اس میں

اللہ

مکتوبہ کا نمبر 91-4114-117

mob-0347-9112131

nic-1252-1060000-1

OFFICE OF THE DISTRICT POLICE OFFICER, TORGHARNo. 950 /PA dated, Torghar the 26/08/2019.**FINAL SHOW CAUSE NOTICE.****(Rule (3) KPK Police Rules, 1975 (with amendment 2014).**

1. That You Head Constable Qasim Nazeer No.91 while presently posted at Police Lines, Judbah rendered yourself liable (with amendment 2014) for the following misconduct.

i. On 24.06.2019, Shahbaz Khan s/o Muhammad Faheem Khan r/o Maneri Bala Dist: Swabi presently residing at flat No.12-E Askari -4 Chaklala Cant, Rawalpindi, submitted a written application to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near to Oghi police officials stopped his vehicle and arrested his father and they were taken to PP Torkandow. He was waiting outside the PP and in the meanwhile you HC Qasim Nazeer No.91 after long conversation demanded 04 lac Rupees as bribe from him, otherwise threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last you were agreed on getting 30 thousand rupees for which he was taken to Oghi by you for receiving money thorough ATM and he paid 30 thousand rupees as bribe to you, As at the time of demanding money he was lacking the requisite money. He further alleged that he managed audio recording of above mentioned deal on the way to Oghi and he can produce it as a proof. He was refrained not to disclose the secret regarding taking bribe to any one and he was asked that you will pay some amount to the incharge of investigation namely Phool Hussain Shah from taken amount. Complainant in his application requested for taking legal action against you. Your this act badly damaged the image of police department in the eyes of general public which tantamounts gross misconduct on your part. A charge sheet/statement of allegation was issued to you vide this office Memo: No.865-66/PA dated, 05-08-2019 and enquiry was entrusted to DSP/Hqrs:. On 20-08-2019 Enquiry Officer submitted enquiry report in which he recommended you for major punishment. Hence Final Show Cause Notice is issued to you, as to why you should not be awarded major punishment, if you have any defense in support of allegations, it should be produced.

explanation *your defence*

2. That, by reason of above as sufficient material is placed before the undersigned therefore is decided to proceed against you in general Police proceedings ~~without aid of enquiry officer~~

3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.


4. That your retention in the police force will amount to encourage inefficient and unbecoming of good Police Officer.

5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more kind of the punishments as provided in the rules.

6. You are, therefore, called upon to Final Show Cause Notice as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rule, 1975 (with amendment 2014) for the misconduct referred to above.

7. You should submit reply to this Final Show Cause Notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.

8. You are further directed to inform the undersigned that you wish to be heard in person or not.


District Police Officer,
Torghar

- 1- Appointed as Constable on 8.03.10 at ~~Muzaffar~~ District.
- 2- ~~Placed~~ The Lower School course was Notification NO 1765/S/R dt 6.11.2013.
- 3- Promoted as officiating Head Constable vide DB NO 22 dated 02.01.2018.
- 4- Suspended and close to Police Line vide THIS office order NO 243 dt. 18.08.18
- 5- Posted at THE NIVAS ICAROR

OPO Teacher
02/09/2019

[Handwritten signature]

1705200-0347-912181
CNIC No 13003-1042888-1

Call him in OR

28-8-19
28/08/19
28/08/19
28/08/19

[Multiple lines of handwritten Urdu text, possibly a list or notes, with some underlines]

21
28/08/19
28/08/19
28/08/19

ORDER

This order will dispose of the departmental enquiry, against Qasim Nazeer HC No.91. Brief facts are that on 24.06.2019, one Shahbaz Khan s/o Muhammad Faheem Khan r/o Maneri Bala Dist: Swabi presently residing at flat No.12-E Askari -4 Chaklala Cant, Rawalpindi, submitted a written application complaint to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near to Oghi police officials stopped his vehicle and arrested his father and they were taken to PP Torkandow. He was waiting outside the PP and in the meanwhile HC Qasim Nazeer No.91 after long conversation demanded 04 lac Rupees as bribe from him, otherwise threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last he took 30 thousand rupees as bribe for which he was taken to Oghi by him for getting the same amount which the complainant drawn through ATM at Oghi. He further stated that he managed audio recording of above mentioned deal on the way to Oghi and the same can be produced as a proof. He was refrained not to disclose the secret regarding taking bribe to anyone, and he will pay some amount to Phool Hussain Shah, OII PS Karor from taken amount. Complainant in his application requested for taking legal action against him. Initially facts finding enquiry was conducted in the light of which he was charge sheeted vide this office Memo: No.865-66/PA dated, 05-08-2019 and enquiry was entrusted to DSP/Hqrs:. He conducted detailed enquiry in to the allegations and found him guilty. He recommended him for major punishment in his report. On receiving the same on 26-08-2019, Final Show Cause Notice was issued to him vide this office Memo: No.950/PA in response to which he submitted his written reply which was found not satisfactory. He was heard in OR but he could not made plausible explanation in his defence.

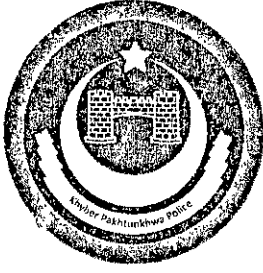
After having gone through the enquiry file statement of complainant coupled with audio recording and his written explanation as well as hearing in OR he could not proved himself innocent and the charges against him were proved. Therefore, **I. Hafiz Janis Khan, District Police Officer, Torghar**, being competent authority in exercise of the power under the relevant provision of Khyber Pakhtunkhwa, Police Rules, 1975 (with amendment 2014) am constrained to award him major punishment. Hence, Qasim Nazeer HC No.91 is hereby awarded major punishment of "Reduction in pay by 03 stages and Reverted him from Offg: Head Constable to Constable (C-I)" with immediate effect. Order announced in presence of defaulter official namely Head Constable Qasim Nazeer No.91. He is reinstated in service as he was placed under suspension.

OB No. 280 / Dated 18/9/2019.


District Police Officer,
Torghar

Copies to the :-

1. SRC, Torghar
2. Pay Officer, Torghar



ANNEX-F (23)
OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 18262 /PA DATED 03/08/2020

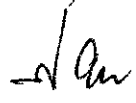
ORDER

This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by LHC Muhammad Qasim No.91 of District Torghar against the punishment order i.e. **Reduction in pay by 03 stages and reverted him offg: Head Constable to constable (C-I)** awarded by DPO Torghar vide order No.280 dated 18.09.2019.

Brief facts leading to the punishment are that he while posted at Police Station Karor Torghar was proceeded against on the allegation that on 24.06.2019 one Shahbaz Khan s/o Muhammad Feheem Khan r/o Manari Bala Dist: Swabi presently residing at flat No.12-E Askari-4 Chaklala Cantt, Rawalpindi, submitted a complaint to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar in which he alleged that on 27.05.2019 he alongwith his father were going to Manshra Oghi. On the way near Oghi police officials stopped his vehicle and arrested his father and took him to PP Torkandow. He was waiting outside the PP in the meanwhile HC Qasim Nazeer No.91 after long conversation demanded 04 lacs rupees as bribe from him and threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last he took 30 thousand rupees as bribe which the complainant drawn through ATM at Oghi. He further stated that he managed audio recording of above mentioned deal on the way to Oghi and same can be produced as a proof. He was refrained not to disclose the secret regarding taking bribe to anyone and he paid some amount to Phool Hussaain Shah, OII PS Karor.

The appellant was issued charge sheet alongwith summary of allegations and DSP Hqrs was deputed to conduct departmental enquiry. During the course of enquiry the allegations leveled against the appellant were proved and EO recommended him for major punishment. He was called in OR and heard in person, however he failed to advance any cogent reason in his defence. Consequently, DPO Torghar awarded him punishment of reduction in pay by 03 stages and reverted him offg: Head Constable to constable (C-I).

After receiving his appeal, comments of DPO Torghar were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. However he failed to advance any plausible justification in his defence. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 instant appeal is hereby **filed** with immediate effect.


Qazi Jamil ur Rehman (PSP)
REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

No. 18263 /PA, dated Abbottabad the 13/08 /2020.
CC.

The District Police Officer, Torghar for information and necessary action with reference to his office Memo No.1688/GB dated 28-11-2019. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

From: The District Police Officer,
Torghar.

To: The Worthy Regional Police Officer,
Hazara Region Abbottabad.



No. 1507 /OHC, dated Torghar the 14/10/2019.

Subject: APPLICATION

Memo:
Enclosed kindly find herewith departmental appeal submitted by LHC Muhammad Qasim No.91 against the order OB No.280 dated 18.09.2019 whereby he has been granted major punishment of reduction in pay by 03 stages and reversion from officiating rank of HC to the rank of constable. is sent herewith for favour of appropriate order please.

[Signature]
District Police Officer,
Torghar.

*NO. 3786/PA
dated 16-10-2019
DPO Torghar*

*For comments along with
service record*



[Signature]
16/10

[Signature]

S.I. legal / SDC

For Comments



[Signature]
22/10

بخدمت جناب ڈپٹی انسپکٹر جنرل آف پولیس ہزارہ رینج

جناب عالی!

مورخہ 2019-4-21 وقت 14:20 نسیم خان ASI ودیگر نفری پولیس نے بدورا نا کہ بندی کپڑی کی جانب سے ایک موٹر کار برنگ سرخ مہرون رجسٹریشن نمبر US963/ISL آئی جس کو روک کر دریافت کرنے پر ڈرائیور نے نام محمد فہیم ولد فردوس خان قوم افغان یوسفزئی سکند منہاری صوابی بتلایا جس کے ساتھ فرنٹ پر بیٹھے ہوئے شخص نے اپنا نام محمد وسیم ولد عثمان ولی قوم افغان یوسفزئی سکند کھنڈ اصوابی بتلایا ہر دو سے گاڑی متذکرہ بالا اپنی ملکیتی بتلائی جبکہ گاڑی کے کاغذات نہ پیش کر سکا۔ گاڑی چیک کرنے پر چیس نمبر SCP-5069317 ماڈل 2008 پایا گیا۔ گاڑی کی اگلی نمبر پلیٹ لگی ہوئی تھی جبکہ پچھلی نمبر پلیٹ نہ ہے۔ اور وہ بھی ایک رپٹ چیک کرنے پر گاڑی کی نمبر پلیٹ جعلی مشکوک لگتی ہے۔ جو گاڑی متذکرہ سےقلید پلیٹ کے اصل حقائق معلوم کرنے کی خاطر زیر دفعہ 523/550 ض ف قبضہ پولیس میں کر کے گاڑی ہمراہ لا کر تھانہ کے صحت میں کھڑی کی گئی۔ قلید نمبر پلیٹ حوالا محرر صاحب ہوئی فردا دریافت 156 ضمن 3 عدالت سے اجازت ملنے پر شروع کی جائے گی۔ ہر دو اشخاص کو مشتبہ پا کر زیر دفعہ 54/109 ض ف حسب ضابطہ گرفتار کر کے حوالات تھانہ نہ ہونے کی وجہ سے بارک کنسٹیبلان میں مضبوط ہتھکڑی لگا کر چار پائیوں کے ساتھ باندھ کر محرر HC کو ہدایت ہوئی علیحدہ نگرانی کا بندوبست کر کے عدالت سے اجازت ملنے پر دریافت کا جناب ASI صاحب نے باقاعدہ آغاز کیا اور گاڑی موٹر کار نمبری US-963/ISL جس کو لیبارٹری کروانے کیلئے اسلام آباد لے گئے جہاں پر گاڑی کی لیبارٹری کروائی۔ لیبارٹری میں گاڑی نان کسٹم پیڈنگل جس کے بعد محمد فہیم اور محمد وسیم پر بحوالہ مقدمہ عدالت 86 مورخہ 2019-05-22 بجرم PPC 419/420, 468/471 مقدمہ درج رجسٹرڈ ہو کر حوالا INV شاف ہوا تفتیش کا باقاعدہ آغاز ہوا جس میں پھول حسین شاہ SI/OII صاحب نے اکمل شاہ IHC/INV مجھے حکم دیا کہ ان ملازمان کو کسی بھی طریقے سے گرفتار کرو جبکہ اکمل شاہ IHC/INV اور میں نے بڑی حکمت عملی سے محمد فہیم کو میرا داخلہ شاخ سے گرفتار کیا اور OII صاحب کو بذریعہ موبائل اطلاع دی، ملزم کو مضبوط ہتھکڑی لگا کر تھانہ دار بنی کی طرف روانہ ہوئی، تھانہ دار بنی میں ملزم کو بند حوالات کیا گیا جس کی بندش رپورٹ ہمراہ انکو آری لف ہے جبکہ تھانہ کاروڑ میں حوالات نہ ہے۔ تفتیش کا باقاعدہ آغاز شروع کیا جبکہ اس دن کے بعد نہ تو ملزم سے میرا کوئی رابطہ ہے اور نہ ہی اس کے کسی رشتہ دار سے، ملزم کی بندش کے بعد OII صاحب ایک سینئر افسر ہے اور مقدمہ کی تفتیش اکمل شاہ IHC کر رہا تھا۔ OII صاحب تفتیش اپنی نگرانی میں کروا رہا تھا، ملزم آل ریڈی ان کے حوالا ہو چکا تھا جبکہ ملزم کے بیٹے نے میرے اوپر الزام لگایا کہ مجھ سے 30,000/- روپے لئے ہیں تو مذکورہ سراسر جھوٹ بول کر اپنے ملزم والد کی گرفتاری کی رنجش کی وجہ سے انتقام لے رہا ہے جبکہ اس کا والد ایک کارلفٹر ہے اور سننے میں آیا ہے کہ مذکورہ اس طرح کے اقدامات پہلے بھی کئی بار کر چکا ہے۔ اس دفعہ پولیس کے جال میں پھنس کر مذکورہ سے نان کسٹم پیڈ موٹر کار نمبری US 963/ISL پکڑی جا کر حسب ضابطہ دریافت پر

مذکورہ کے خلاف بحوالہ مقدمہ عدالت نمبر 86 بمورخہ 22-05-2019 جرم 468/471، PPC 419/420 درج رجسٹرڈ ہو کر نقل FIR ہمراہ انکوائری لف ہے۔ اس کے بیٹے نے میرے اوپر الزام لگایا ہے اور اپنے ملزم والد کا انتقام لینا چاہتا ہے۔ اس طرح چند جھوٹے لوگ ایک ایماندار پولیس افسر کے خلاف درخواست بازی کرتے ہیں تو مزید جرائم دیدہ دلیری سے کرتے ہیں مذکورہ کا والد مقدمہ 468/471، 419/420 میں گرفتار تھا اور مذکورہ کی گاڑی اب بھی قبضہ پولیس میں ہے۔ یہ میری بے گناہی کا صاف ثبوت ہے کہ مذکورہ کے بیٹے نے طیش میں آ کر میرے خلاف من گھڑت اور بے بنیاد درخواست افسران بالا کو دی ہے۔ مذکورہ ملزم کی گرفتاری کے بعد میں لاعلم ہوں اور میں بے گناہ ہوں۔

اسی الزام میں جناب DPO صاحب نے SDPO سرکل کنڈر کے نام میری انکوائری مارک کی تھی جو انکوائری افسر نے ہر پہلو کی جانچ پڑتال کر کے انکوائری کی گئی جس کے باعث میری بے گناہی ثابت ہوئی۔

اسی متعلق ری انکوائری جناب DPO صاحب نے DSP ہیڈ کوارٹر HQ کے نام مارک کی۔ جس پر جناب DPO صاحب نے مجھے دوسرا نیکل Reversion اور 13 میگزینٹ سٹاپ گئے۔ عالی جاہ! سائل بے گناہ ہے، سائل پر لگائے گئے الزامات من گھڑت ہیں لہذا میری فرما کر سائل کے متعلق سزا کو معاف کئے جانے کے احکامات صادر کئے جاویں۔

المرقوم: 02-10-2019

محمد قاسم

91/LHC متعینہ پولیس لائن، ضلع تورغر

رابطہ نمبر: 0347-9112131



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

ANNEX-9

27

No. S/ 1565 /21, dated Peshawar the 14/03/2021.

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 Constable Qasim No. 91 (the then Offg: HC). The petitioner was awarded penalty of reduction in pay by three (03) stages and reverted from Offg: Head Constable to Constable (C-1) by District Police Officer, Torghar vide OB No. 280, dated 18.09.2019 on the allegations that on 24.06.2019 one Shahbaz Khan s/o Muhammad Faheem Khan r/o Manari Bala Distt: Swabi presently residing at flat No. 12-E Askari-4 Chaklala Cantt; Rawalpindi, submitted a complaint to the IGP/KP in which he alleged that on 27.05.2019 he alongwith his father were going to Mansehra Oghi. On the way near Oghi police officials stopped his vehicle and arrested his father and took him to PP Torkandow. He was awaiting outside the PP in the meanwhile the above named official after long conversation demanded 04 lacs rupees as bribe from him and threatened him for dire consequences, like registration of case including seizing of his vehicle. He further alleged that at last he took Rs. 30,000/- as bribe which the complainant drawn through ATM at Oghi. He further stated that he managed audio recording of above mentioned deal on the way to Oghi and same can be produced as a proof. He was refrained not to disclose the secret regarding taking bribe to anyone and he paid some amount to phool Hussain Shah, OII PS Karor. His appeal was filed by Regional Police Officer, Hazara vide order Endst: No. 18262-63/PA, dated 03.08.2020.

Meeting of Appellate Board was held on 01.04.2021 wherein petitioner was heard in person. Petitioner denied the allegations leveled against him and contended that he has arrested father of the complainant and a case vide FIR No. 86, dated 22.05.2019 u/s 419/420/468/471 was registered against him.

The Board see no ground and reasons for acceptance of his petition, therefore, the Board decided that his petition is hereby rejected.

The Regional Police Officer
4687
21/4/21

Sd/-
KASHIF ALAM, PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 1566-75 /21,

NO- 8536 /PA Copy of the above is forwarded to the:

- dt 26-4-21
1. Regional Police Officer, Hazara at Abbottabad. One Service Roll and one Fauji Missal (containing enquiry file) of the above named LHC received vide your office Memo: No. 30757, dated 24.11.2020 is returned herewith for your office record.
 2. District Police Officer, Torghar.
 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 Supdt: E-IV CPO Peshawar.

DPO Torghar
n/a
PA/RPO Hz
22/04

(IRFAN ULLAH KHAN) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. SI/ 3896 /20, dated Peshawar the 08/10 /2020.

To: The Regional Police Officer,
Hazara at Abbottabad.

Subject: APPEAL LHC QASIM NG. 91.

Memo:

Please refer to your office Memo: No. 21994-95, dated 07.09.2020.

The revision petition of LHC Qasim No. 91 is returned herewith of recording of your Para-wise comments.

His service record alongwith copy of complete enquiry file may also be sent to this office as early as possible in connection with his revision petition.

It may please be clarified that whether he has instituted a service appeal in Service Tribunal or otherwise.

19554
13-10-2020

(Signature)
(SYED ANIS-UL-HASSAN)
Registrar,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

1 Be/PA
In reply

no. 26096/PA
dt 13-10-2020

W/O Targhan
For comments alongwith
service record pt.

SI legal
for information SI
Request
(Signature)

DISTRICT POLICE OFFICER
TARGHAN
19-10-2020

DISTRICT POLICE OFFICER
TARGHAN
13-10-2020

مشہور جناب آئی جی پی صاحب خیر پختہ خواہ پشاور

جناب عالی!

مورخہ 2019-4-21 وقت 14:20 نسیم خان ASI دو دیگر فری پولیس نے یورو اٹا کہ بندی کیٹری کی جانب سے ایک موٹر کار ریگ سرخ مہرون رجسٹریشن نمبر US963/ISL آئی جس کو روک کر دریافت کرنے پر ڈرائیور نے نام محمد نسیم ولد فردوس خان قوم افغان ایسٹرنی سکند منہاری صوابی بتلایا جس کے ساتھ فرنٹ پر بیٹھے ہوئے شخص نے اپنا نام محمد وسیم ولد عثمان ولی قوم افغان ایسٹرنی سکند گھنڈا صوابی بتلایا ہر دو سے گاڑی متذکرہ بالا اپنی ملکیتی بتلائی جبکہ گاڑی کے کاغذات نہ پیش کر سکا۔ گاڑی چیک کرنے پر چیس نمبر SCP-5069317 ماڈل 2008 پایا گیا۔ گاڑی کی اگلی نمبر پلیٹ لگی ہوئی تھی جبکہ پچھلی نمبر پلیٹ نہ ہے۔ اور وہ بھی ایک ریپٹ چیک کرنے پر گاڑی کی نمبر پلیٹ جعلی منکوک لگتی ہے۔ جو گاڑی متذکرہ سے تقلید پلیٹ کے اصل حقائق معلوم کرنے کی خاطر زیر دفعہ 523/550 ض ف قبضہ پولیس میں کر کے گاڑی ہمراہ لا کر تھانہ کے صحت میں کھڑی کی گئی۔ تقلید نمبر پلیٹ حوالہ امر صاحب ہوئی فرنا دریافت 156 تین عدالت سے اجازت ملنے پر شروع کی جائے گی۔ ہر دو اشخاص کو مشتبہ پا کر زیر دفعہ 54/109 ض ف حسب ضابطہ گرفتار کر کے حوالات تھانہ نہ ہونے کی وجہ سے بارک کنسٹیبلان میں مضبوط ہتھکڑی لگا کر چار پائیوں کے ساتھ باندھ کر محرر THC کو ہدایت ہوئی علیحدہ نگرانی کا بندہ بست کر کے عدالت سے اجازت ملنے پر دریافت کا جناب ASI صاحب نے باقاعدہ آغاز کیا اور گاڑی موٹر کار نمبر US-963/ISL جس کو لیبارٹری کروانے کیلئے اسلام آباد لے گئے جہاں پر گاڑی کی لیبارٹری کروائی۔ لیبارٹری میں گاڑی مان کسٹم پیڈنگل جس کے بعد محمد نسیم اور محمد وسیم پر بحوالہ مقدمہ عدالت 86 مورخہ 2019-05-22 بجرم 468/471، PPC 419/420 مقدمہ درج رجسٹرڈ ہو کر حوالہ INV سٹاف ہوا تفتیش کا باقاعدہ آغاز ہوا جس میں پھولی حسین شاہ SI/OII صاحب نے اکل شاہ THC/INV مجھے حکم دیا کہ ان ملزمان کو کسی بھی طریقے سے گرفتار کرو جبکہ اکل شاہ THC/INV اور میں نے بڑی حکمت عملی سے محمد نسیم کو میرا داخل شاخ سے گرفتار کیا اور OII صاحب کو بذریعہ دباکل اطلاع دی، ملزم کو مضبوط ہتھکڑی لگا کر تھانہ دارینی کی طرف روانہ ہوئی، تھانہ دارینی میں ملزم کو بند حوالات کیا گیا جس کی بندش رپورٹ ہمراہ انکوائری لف ہے جبکہ تھانہ کاروڑ میں حوالات نہ ہے۔ تفتیش باقاعدہ آغاز شروع کیا جبکہ اس دن کے بعد نہ تو ملزم سے میرا کوئی رابطہ ہے اور نہ ہی اس کے کسی رشتہ دار سے، ملزم کی بندش کے بعد OII صاحب اپنا تیسرا سفر ہے اور مقدمہ کی تفتیش اکل شاہ THC کر رہا تھا۔ OII صاحب تفتیش اپنی نگرانی میں کروا رہا تھا، ملزم آل ریڈی ان کے حوالہ ہو چکا تھا جبکہ ملزم کے بیٹے نے میرے اوپر الزام لگایا کہ مجھ سے 30,000/- روپے لئے ہیں تو مذکورہ سراسر بھوٹ بول کر اپنے ملزم والد کی گرفتاری کی رنجش کی وجہ سے انتقام لے رہا ہے جبکہ اس کا والد ایک کار لھڑ ہے اور ہتھے میں آیا ہے کہ مذکورہ اس طرح کے اقدامات پہلے بھی کئی بار کر چکا ہے۔ اس دفعہ پولیس کے چال میں پھنس کر مذکورہ سے مان کسٹم پیڈنگل کار نمبر US 963/ISL کیٹری جا کر حسب ضابطہ دریافت پر

مذکورہ کے خلاف بحوالہ مقدمہ عدالت نمبر 86 مورخہ 22-05-2019 جرم 468/471، PPC 419/420 درج رہنٹروڈ ہو کر نقل FIR ہمراہ انکوائری لفٹ ہے۔ اس کے بیٹے نے میرے اوپر الزام لگایا ہے اور اپنے ملزم والد کا انتقام لینا چاہتا ہے۔ اس پر بند بھولے لوگ ایک ایماندار پولیس افسر کے خلاف درخواست بازی کرتے ہیں تو مزید جرائم دیدہ دلیری سے کرتے ہیں مذکورہ کا والد مقدمہ 468/471، 419/420 میں گرفتار تھا اور مذکورہ کی گاڑی اب بھی قبضہ پولیس میں ہے۔ یہ میری بے گناہی کا صاف ثبوت ہے کہ مذکورہ کے بیٹے نے پیش میں آکر میرے خلاف میں گواہی دے بتیاد درخواست افسران بالا کو دی ہے۔ مذکورہ ملزم کی گرفتاری کے بعد میں لاعلم ہوں اور میں بے گناہ ہوں۔

اسی الزام میں جناب DPO صاحب نے SDPO سرکل کنڈر کے نام میری انکوائری مارک کی تھی جو انکوائری افسر نے ہر پچاس کی جانچ پڑتال کر کے انکوائری کی کئی جنس کے باعث میری بے گناہی ثابت ہوئی۔

اسی متعلق ری انکوائری جناب DPO صاحب نے DSP ہیڈ کوارٹر HQ کے نام مارک کی۔ جس پر جناب DPO صاحب نے مجھے دوسرا میں Reversion اور 13 دیگر سینٹ ٹاپ کئے۔

مالی جاہد نائل بے گناہ ہے، مسائل پر لگانے گئے الزامات میں گھڑت ہیں لہذا مہربانی فرما کر مسائل کے متعلق سزا کو معاف کئے جانے کے احکامات صادر کئے جاویں۔

محمد قاسم

91/LHC متبیین پولیس لائن، ضلع تورغر

Dated -08-2020 رابطنمبر: 0347-9112131

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

Service Appeal No. 1084/2019

Zaheer Ahmed S/O Shamraz,
Ex-Cleaner (C&W) Division, Abbottabad. (Appellant)

VERSUS

Govt of Khyber Pakhtunkhwa through
Secretary C&W Department & others (Respondents)

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 TO 4

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:

1. That the appellant has no cause of action to file the instant appeal.
2. That the appeal is not maintainable in the present form.
3. That the appeal of the appellant is time barred.
4. That the appellant concealed material fact from this Honourable Tribunal hence appeal is liable to be dismissed.

FACTS:-

1. Incorrect, the appellant was appointed as Class-IV in C&W Division Abbottabad and served the department till 26-02-2015. However, the appellant remained absent from official duty for a long period, therefore the department initiated action against him under (E&D) Rules 2011 and finally issued his removal order on 22-02-2019 (**Annex-I**), hence the claim of appellant that he serving till now, is not correct nor justified.
2. Incorrect, the appellant has never submitted any application for leave nor produced Medical Certificate, rather directed by the department to attend the C&W Division Abbottabad vide letter No.1584/163/1-E dated 26-02-2015 & letter No.3107/163/1-E dated 08-03-2015 (**Annex II & III**) as well as issued notices through daily news paper to the appellant for resuming duty within 15 days, but he badly failed and did not join his duty.