## BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 6873/2020

Date of Institution

... 01.07.2020

Date of Decision

... 22.06.2022

Mukhtaj Khan, Assistant Sub-Inspector No. 427/MR, District Police Swabi.

... (Appellant)

#### **VERSUS**

Regional Police Officer Mardan Region Mardan and two others.

(Respondents)

MR. FAZAL SHAH MOHMAND,

Advocate

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For appellant.

MR. NOOR ZAMAN KHATTAK,

District Attorney

---

For respondents.

MR. SALAH-UD-DİN MR. MIAN MUHAMMAD ---

MEMBER (JUDICIAL)

--- MEMBER (EXECUTIVE)

## JUDGMENT:

SALAH-UD-DIN, MEMBER:- Shortly stated the facts forming the background of the instant service appeal are that the appellant while posted as OII Police Station Kaloo Khan, was proceeded against departmentally on the allegations that he had received illegal gratification and had facilitated notorious proclaimed offender namely Yousaf Amir alias Amir son of Said Ghafoor, who was involved in so many criminal cases. On conclusion of the inquiry, the inquiry officer submitted report to the District Police Officer Swabi, who issued final show-cause notice to the appellant and ultimately awarded him major punishment of reduction in rank, vide order dated 09.03.2020. The same was challenged by the appellant through filing of departmental appeal, which was disposed of by Regional Police



Officer Mardan vide order dated 03.06.2020, whereby the penalty awarded to the appellant was converted into major punishment of reduction in pay by two stages. The appellant then filed the instant service appeal for redressal of his grievance.

- 2. Respondents have contested the appeal by way of submitting written reply, wherein they have controverted the stance taken by the appellant in his appeal.
- 3. Learned counsel for the appellant has contended that disciplinary action was taken against the appellant due to mala-fide intention, which is evident from the fact that the inquiry officer could not collect any sort of evidence in support of the allegations against the appellant; that the inquiry officer had not recorded statement of a single witness, who could support the allegations leveled against the appellant; that no CDR of cell phone of the appellant as well as cell phone of the concerned accused was procured during the inquiry, which could show that the appellant was having links with the concerned accused; that the appellant has performed his duty with honesty and devotion but his service career was stigmatized through bald and false allegations.
- <u>]...</u>
- 4. On the other hand, learned District Attorney for the respondents has contended that the appellant was OII during the relevant days, who was having links with notorious proclaimed offender namely Yousaf Amir alias Amir and had facilitated him after receiving illegal gratification; that proper departmental inquiry was conducted during which the appellant was found guilty of misconduct; that the appellant, being member of a disciplined force, had brought bad name to the same, therefore, he has rightly been awarded major punishment of reduction in pay by two stages.
- 5. Arguments heard and record perused. .
- 6. The appellant was proceeded against departmentally on the allegations that he had received illegal gratification and had facilitated accused Yousaf Amir alias Amir, who was involved in so many criminal cases. While going through the inquiry report, we

have observed that the inquiry officer did not bother to record statement of even a single witness, who could depose that the appellant had received illegal gratification from the concerned accused. The allegations of receiving illegal gratification were factual in nature, which could have been proved only through collecting of any cogent evidence during the inquiry but the same has not been done by the inquiry officer. Similarly, no cogent and been collected material evidence has durina the inquiry, regarding the allegations of facilitating the concerned accused. Allegations of the nature leveled against the appellant required recording of evidence for its proof, however while going through the inquiry report, we have observed that the findings of inquiry officer regarding guilt of the appellant are based merely on presumptions. We are of the view that the allegations leveled appellant were not proved during against the inquiry, therefore, the penalty awarded to him is not sustainable in the eye of law and is liable to be set-aside.

7. In view of the above discussion, the appeal in hand is accepted by setting-aside the impugned orders and the appellant is reinstated in service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

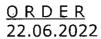
<u>ANNOUNCED</u>

22.06.2022

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(SALAH-UD-DIN) MEMBER (JUDICIAL)

(MIAN MUHAMMAD) MEMBER (EXECUTIVE)



Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is accepted by setting-aside the impugned orders and the appellant is reinstated in service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

**ANNOUNCED** 

22.06.2022

(Mian Muhammad) Member (Executive) (Salah-Ud-Din) Member (Judicial) 14.04.2022

Ms. Rabia Muzaffar, Advocate (junior of learned counselfor the appellant) present. Mr. Muhammad Adeel Additional Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that copy of reply/comments has been received today and as learned counsel for the appellant is busy in the august Supreme Court of Pakistan, therefore, an adjournment may be granted. Adjourned. To come up for rejoinder, if any, as well as arguments on 22.06.2022 before the D.B.

(Mian Muhammad) Member (E)

(Salah-ud-Din) Member (J)

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03.08.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for hearing subject to all legal objections including that of limitation to be determined during full The appellant is directed to deposit security hearing. 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 27.12.2021 before the D.B.

Appellant Deposited Security & Process Fee

27-12-2022

Due to ANIMAN Wocations

The case is adjourned

to come up for the same before on 14-04-2022

Appellant present in person.

Lawyers are on general strike, therefore, case is adjourned to 14.01.2021 for preliminary hearing, before S.B.

(Rozina Rehman) Member (J)

14.01.2021

Counsel for appellant is present. He seeks time for preparation of the brief. Time is allowed. File to come up for preliminary hearing on 14.04.2021 before \$8.

(MUHAMMAD JAMAL KHAN) MEMBER (JUDI<del>CIAL)</del>

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 03.08.2021 for the same as before.

Reader

## Form- A

# FORM OF ORDER SHEET

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| 15.No. | Date of order proceedings               | Order or other proceedings with signature of judge   |  |  |  |  |  |
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| 1 -    | 2                                       | 3  |  |  |  |  |  |
| 1-     | 07/07/2020                              | The appeal of Mr. Mukhtaj Khan resubmitted today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and |  |  |  |  |  |
|        | , , ,                                   | put up to the Worthy Chairman for proper order please.   |  |  |  |  |  |
|        |   | REGISTRÂR  |  |  |  |  |  |
| 2+     | ,                                       | This case is entrusted to 5. Bench for preliminary hearing to be put   |  |  |  |  |  |
| _      |   | up there on <u>Solo-8(2020</u>   |  |  |  |  |  |
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| -      |   | CHAIRMAN   |  |  |  |  |  |
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| 20.    | 08.2020                                 | Appellant in person present.   |  |  |  |  |  |
| 1      |   | Former requests for adjournment as his learned   |  |  |  |  |  |
|        | ; · · · · · · · · · · · · · · · · · · · | counsel is not available today.  |  |  |  |  |  |
|        | , .                                     | Adjourned to 29.10.2020 before S.B.  |  |  |  |  |  |
|        | æst.                                    |  |  |  |  |  |  |
| **     |   | (Mian Muhammad)  |  |  |  |  |  |
|        |   | Member(E)  |  |  |  |  |  |
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The appeal of Mr. Mukhtaj Khan received today i.e. 01-07-2020 by Fazal Shah Mohmand, Advocate is incomplete on the following score which is returned to his counsel for completion and resubmission within 15 days.

> 1- Page 8, 10, 11, 12, 13, 14, 15 & 16 of the appeal are illegible which may be replaced by legible/better one.

SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Fazal Shah Mohmand Adv, Peshawar.

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## **BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No <u>6873</u>/2020

Mukhtaj Khan.....Appellant

## <u>V E R S U S</u>

RPO and Others......Respondents

## INDEX

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| 2.   | Copy of Charge Sheet & reply                          | A& B     | 4     |  |
| 3.   | Copy of Inquiry Report                                | C        | 27-29 |  |
| 4.   | Copy of Show Cause Notice & Reply                     | D&E      | 29-30 |  |
| 5.   | Copy of Order dated 10-03-2020                        | F        | 31    |  |
| 6.,  | Copy of departmental appeal & Order dated 03-06-2020. | G&H      | 32-34 |  |
| 7.   | Wakalat Nama  |          | 35    |  |

Dated:-29-06-2020

Appellant (Mukhtaj Khan)

Through

Fazal Shah Mohmand Advocate Supreme Court

OFFICE:-Cantonment Plaza Flat 3/B Khyber Bazar Peshawar. Cell# 0301 8804841



## BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR Diary

Service Appeal No 6 873 /2020

#### <u>VERSUS</u>

- 1. Regional Police Officer Mardan Region Mardan.
- 2. District Police Officer, Swabi.
- 3. Provincial Police Officer KPK Peshawar

.....Respondents

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 03-06-2020PASSED BY RESPONDENT NO 1 WHERE BY THE MAJOR PENALTY OF REDUCTION IN RANK FROM OFFICIATING SUB INSPECTOR TO THE RANK OF ASI AWARDED BY RESPONDENT NO 2 HAS BEEN MODIFIED TO THE MAJOR PENALTY OF REDUCTION IN PAY BY TWO STAGES.

## **PRAYER:-**

On acceptance of this appeal the impugned Order dated 03-06-2020 of respondent No 1 may kindly be set aside and the appellant may kindly be ordered to be restored as Sub Inspector with all back benefits.

## **Respectfully Submitted:-**

- 1. That the appellant joined the respondent Department as Constable on 01-07-1991, remained posted to various Police Stations, was promoted as Head Constable, then as ASI and was lastly promoted as Officiating Sub Inspector on 27-11-2016and since then he performed his duties with honesty and full devotion.
- 2. That on 08-01-2019 the appellant was issued Charge Sheet on the allegations of illegal gratification and facilitation of accused namely Yousaf Aamir alias Aamir, the appellant replied the same refuting the allegations. (Copy of charge sheet and reply with annexures are enclosed as Annexure A &B).
  - 3. That thereafter an illegal inquiry was conducted wherein the appellant was not provided opportunity of proper defense. (Copy of Inquiry Report is enclosed as Annexure C).





- 4. That there after Show Cause Notice was issued to the appellant which was also replied by the appellant refuting the allegations. (Copy of Show Cause Notice and reply is enclosed as Annexure D & E).
- 5. That the appellant was awarded the major penalty of reduction in rank from Sub Inspector to the rank of ASI by respondent No 2 vide Order dated 10-03-2020. (Copy of the Order dated 10-03-2020is enclosed as Annexure F).
- **6.** That the impugned order dated 03-06-2020 of respondent No 1is against the law, facts and principles of justice on grounds inter alia as follows:-

### GROUNDS:-

- **A.** That the impugned order is illegal and void abinitio.
- **B.** That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- **C.** That the impugned order is based on malafide as the appellant did nothing that would amount to misconduct.
- **D.** That no proper inquiry was conducted no one was examined in presence of the appellant nor the appellant was ever provided opportunity of cross examination.
- **E.** That the impugned order is without jurisdiction and lawful authority being passed without jurisdiction as the appellant authority cannot impose penalty rather has to act as appellate authority.
- **F.** That the impugned order is in violation of Fundamental Rule 29 and as such too is liable to be stuck down.
- **G.** That the charges were never established nor was any material collected during the so called inquiry.
- **H.** That the appellant duly performed his duties and took legal action against the said accused, the appellant never took any illegal gratification, nor ever facilitated the said accused.
- I. That the appellant complied with legal requirements as per law, as the said accused was habitual one, further association of private witness mandatory and more particularly who is ready to become witness in peculiar circumstances.

- **J.** That the appellant has about 29 years of service with unblemished service record.
- **K.** That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated:-29-06-2020

Appellant (Muhtaj Khan)

**Through** 

Fazal Shah Mohmand Advocate Supreme Court

#### SUMMARY OF ALLEGATIONS

It is alleged that SI Mukhtaj Khan, while posted as OII Police Station Kalu Khan received illegal gratification and facilitated the most notorious PO namely Yousaf Aamir alias Aamir S/o Said Ghafoor R/o Kalu Khan who was involved in the following different cases:

- 1. Case FIR NO. 96 Dated 28.01.2019 U/s 324/34 PPC PS Kalu Khan
- 2. Case FIR NO. 299 Dated 09.4.2019 U/s 506/452/354/34 PPC PS Kalu Khan
- 31 Case FIR NO. 332 Dated 21.04.2019 U/s 324/109/34 PPC PS Kalu Khan
- 4. Case FIR NO. 507 Dated 14.06.2019 U/s 506/447/511 PPC PS Kalu Khan
- 5. Case FIR NO. 813 Dated 13.10.2019 U/s 324/353 PPC PS Kalu Khan
- 6. Case FIR NO. 964 Dated 06.12.2019 U/s 9-DCNSA/11-BCNSA PS Kalu Khan
- 7. Case FIR NO. 1004 Dated 16.12.2019 U/s 302 PPC PS Kalu Khan
- 8. Case FIR NO. 1005 Dated 16.12.2019 U/s 324 PPC PS Kalu Khan

All this shows inefficiency, lack of interest in official work and misconduct on the part of SI Mukhtaj Khan, which entails proper departmental action, hence summary of allegations.

Certification be True Copy.

MR. JAN ZADA, SDPO SWABI is appointed to conduct proper departmental enquiry against him.

District Police Officer. Swabi.

No. 08 /CC/PA Dated. 88 / 04 /2020

ATTASTED

District Police Officer, Swabi.

ATTESTED

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## CHARGE SHEET

Whereas I am satisfied that formal enquiry as contemplated by Khyber Pakhtunkhwa Police Rules 1975 is necessary and expedient.

And whereas I am of the view that the allegations if established would call for Major/Minor penalty as defined in Rules 4(b) a & b of the aforesaid Rules.

Now therefore as required by Rules 6(1) of the aforesaid Rules I Imrar Shahid, PSP, District Police Officer, Swabi charge you SI Mukhtaj Khan on the basis of statement of allegations attached to this charge sheet.

In case your reply is not received within seven days without sufficient cause it will be presumed that you have no defence to offer and exparte action will be taken against you.

District Police Officer, Swabi.

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ATTESTED

District Police pilicer, Swabi.

جاعاله والمستولط والمراجل معمال صمیں مجے مورود الزام مرام کی خواع - مرتم فتام طان از مقام کالوفات نے گذم کوس عرف عامر ولرفعنل عقور عرف سید عقور مائز کالوفاق مطلم عقرط سين الم اللك من مع رشوت لي اور علن كو - Esperanche it- 4 SEIT ٥٠٠ ملز) ومع على عامر كومي وز طال و رفاد كاركام المركام وقت كارز OHO المراك المر اس وت يش ك لا أف ران كرما قاعره الملاح وى ي @د- أكر روز من ما 18 كور المساس مر (8) كور المساس مراس مك م عدی خترم کو بری اکو هرمات سی برامدار افتی سکاف الم المراج المر مرانبورى ناتدا ، اقدام مثل اورلوك مقابل سر اتقال كالخفا --7/20 19 2 2839 1 19185 Vale 10/10/16/ 91-18 24 3 1 1 1 - 10/18 - 10/ المال المرائل يا كالما تيكون اور عدم عامر كالأناسي را مواست كودلان بأصارتهم ه الماشكات عطائة المثانية عُلاح كو موالت ميں إِسْ رُتْ وقت سي كرمان لالف كرف كم كا عقول ي علام كانگران مي خود حا - اور از ولي عيد على دولول كو الكوائرى افت كم روب ليش بال ما ميال ما مؤل - كم عفي الريال كالقيت - ElbTeel District Poly المعالى كرا در القنيت مر موركم المعركم المعرام كالعجا مول

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ATTESTED

'District Police Officer, Swabi

# énsic Science Laboratory

Police investigation, Khyber Pakhtunkhwa 29-B1, Phase-V, Hayatabad, Peshawar.

#### REPORT OF THE FIRE ARMS EXPERTS

Laboratory No. FA-23-505-06-2020 received the sealed parcel on 16-01-2020 i.W: FA-10513-0-2019, L.W: FA-12070-0-2019, L.W: ГА-11912-0-2019 SHO P.S Kalu Khań District Swabi from

The seals on parcels were found intact.

FIR No.1004 dated 16-12-2019 U/S 302PPC PS Kalu Khan District Swabi TR No.05 dated 04-01-2020 U/S 216/15AA PS Kalu Khan District Swabi

(Page No.2)

**PINION:** Microscopic examination of the case has revealed as under:-

. The Six  $7.62\mathrm{mm}$  bore crime empties duly marked C1 to C6 (In case FIR No.813 0:13.10.2019 U/S 324/353PPC PS Kalu Khan) were fired from 7.62mm bore (SMG) the No.1965-36777 in question, in view of the following major points i.e striker bin marks, breach face marks and ejector marks etc are similar.

 $\sim$  The Three 7.62mm bore crime empties duly marked C7 to C9 $^\prime$ (In case FIR Ro.  $^{11.5}$ m13.10.2019 U/S 324/353PPC PS Kalu Khan) were not fired from 7.62mm hore SMG) rifle No.1965-36777 in question, in view of the following major dissimilar points i.e striker pin marks, breach face marks and ejector marks etc.

The One 7.62mm bore crime empty duly marked C (In case FIR No.1005 3016.12.2019 U/S 324PPC PS Kalu Khan) and three 7.62mm bore crime emplies culy marked C1 to C3 (In case FIR No.1004 dt: 16.12.2019 U/S 302PPC F Falu Alian) were fired from 7.62mm bore (SMG) rifle No.1965-36777 in question, in view the following major points i.e striker pin marks, breach face marks and content marks etc are similar. The 7.62mm bore (SMC) rifle No.1965-36777 is foreign a acia.

taken (1) from test empties are being sent in the parcel of the (SMG) rifle.

(2) Any report without embossing marks is not genuine.

(3) The contents of the parcel were under our immediate custody until the examination was completed.

(MUHAMMAD AYAZ)

(AMJAD JAVED) FIRE ARMS EXPERT

FIRE ARMS EXPERT FIRE ARMS EXPERT /2020

me opinion of the Fire Arms Expert is forwarded to SP/Inv: Swabi the receipt may be acknowledged and the exhibits collected from this Laboratory. To

DIRECTOR

Forensic Science Laboratory ofice Investigation, Knyber Pakhtunkhy a

--{Peshawar. Ph: 091-9217394 Fax:091-9217251

# BETTER COPY OF THE PAGE NO. 8 JUSTICE THROUGH SCIENCE FORENSIC SCIENCE LABORATORY, CRIMES BRANCH KHYBER PAKHTUNKHWA, PESHAWAR REPORT OF THE FIRE ARMS EXPERTS

Laboratory No. <u>FA-23-505-06-2020</u> Received the sealed parcel on <u>16-01-2020</u> <u>L.W: FA-10513-0-2019</u>, <u>L.W: FA-12070-0-2019</u>, <u>L.W: FA-11912-0-2019</u>

At FSL from SHO P.S Kalu Khan District Swabi

The Seals on parcels were found intact.

FIR No. <u>1004</u> dated <u>16-12-2019</u> U/S <u>302PPC</u> PS <u>Kalu Khan</u> District <u>Swabi</u> FIR No. <u>05</u> dated <u>02/01/2020</u> U/S <u>216/15AA</u> PS <u>Kalu Khan</u> District <u>Swabi</u>

#### **OPINION**. Microscopic examination of the case has revealed as under:

- I. The Six 7.62 mm bore crime empties duly marked C1 to C6 (In case FIR No. 813 dated 13.10.2019 u/S 324/353 PPC PS Kalu Khan) were fired from 7.62 MM bore (SMG) rifle No. 1965-36777 in question, in view of the following major points i.e. striker pin marks, breach face marks and ejector marks etc are similar.
- II. The three 7.62 mm bore crime empties duly marked C7 to C9 (in case FIR No. 813 dated 13.10.2019 U/S 324/353 PPC PS Kalu Khan) were not fired from 7.62 MM bore (SMG) Rifle No. 1965-36777 in question, in view of the following major discriminate points i.e. striker pin marks, breach face marks and ejector marks etc.
- III. The one 7.62 mm bore crime empty duly marked C (In case FIR No. 1005 dated 16.12.2019 U/S 324 PPC PS Kalu Khan) and three 7.62 mm bore crime empties duly marked C1 to C3 (In case FIR No. 1004 dated 16.12.2019 U/S 302PPC PS Kalu Khan) were fired from 7.62mm bore (SMG) rifle No. 1965-36777 in question, in view of the following major points i.e. striker pin marks, breach face marks and ejector marks etc are similar. The 7.62 mm bore (SMG) rifle No. 1965-36777 is foreign made.

Notes: (1) Test empties are being sent in the parcels of the (SMG) rifle.

- (2) Any report without embossing marks is not genuine.
- (3) The contents of the parcels were under our immediate custody until the examination was completed.

(MUHAMMAD AYAZ)

(AMJAD JAVED)

FIRE ARMS EXPERTS

FIRE ARMS EXPERTS

No. 2839/FSL, Dated 27/01/2020

The Opinion of the Fire Arms Experts is forwarded to. SP/Inv: Swabi.

The receipt may be acknowledged and the exhibits collected from this Laboratory.

DIRECTOR,
FORENSIC SCIENCE LABORTORY
Police Investigation Khyber Pakhtunkhwa,
PESHAWAR

Ph: 091-9217394 Fax 091-9217251



brensic Science Laboratory

Police Investigation, Khyber Pakhtunkhwa 29-B1, Phase-V, Hayatabad, Peshawar.

#### REPORT OF THE FIRE ARMS EXPERTS

Laboratory 116. <u>FA-23-505-06-2020</u> received the sealed parcel on <u>16-01-2020</u> (17. <u>FA-10513-0-2019</u>, <u>L.W.: FA-12070-0-2019</u>, <u>L.W.: FA-11912-0-2019</u>

At <u>FSI</u> from <u>SHO</u> P.S. <u>Kalu Khan</u> District Swabi

The seals on parcels were found intact.

R No. 1004 dated 16-12-2019 U/S 302PPC PS Kalu Khan District Swabi

1: P.No.1 having two seals of Fire Arms Expert containing (In case FIR No.813 dt:13.10.2019 U/S 324/353PPC PS Kalu Khan).

Nine 7.62mm bore crime empties duly marked C1 to C9.

2. P.No.2 having two seals of Fire Arms Expert containing (In case FIR No.1005 dt:16.12.2019 U/S 324PPC PS Kalu Khan).

One 7.62mm bore crime empty duly marked C.

3. P.No.2 having two seals of Fire Arms Expert containing (In case FIR No.1004 dt:16:12:2019 U/S 302PPC PS Kalu Khan).

Three 7.62mm bore crime empties duly marked C1 to C3.

P.Mo.4 having three seals of A.Z containing.

One 7.62mm bore (SMG) rifle No.1965-36777.

Five 7.62mm bore live cartridges for test.

1507年: All the exhibits were signed by the experts.

(Continue on Page No.2)

(MUHAMMAD AYAZ) FIRE ARMS EXPERT

(AMJAD JAVED) FIRE ARMS EXPERT

Ho. 교원 3 역 /FSL Dated 2 1 회 /2020

to opinion of the Fire Arms Expert is forwarded to SP/Inv: Swabi

The receipt may be acknowledged and the exhibits collected from this Laboratory, TA.

DIRECTOR

Forensic Science Laboratory
Police Investigation, Khyber Pakhtunkhwa,

Peshawar.

Ph: 091-9217394 Fax:091-9217251

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فارنزک سائنس لیبارٹری ۲۹/بی۔ا'فیز۵حیات آباد پیثاور فون نمبر۔۹۲۱۷۳۹۳۔۹۱

مقدمه علت نمبر 1004 'مورخه 16/12/2019 جرم 302PPC 'تھانہ کالوخان شلع صوابی تجزیه برائے آرم ایکسپرٹ FSL

1۔ پارسل نمبر 1 '9 عدد خول کارتوس 6 2 . 7 بور کاپر FSL پیثاور اور رائے FSL نمبر 2019 مبر

2- پارسل نمبر 2 محموله ایک عدد خول کارتوس 62 7 بوربرائے رائے FSL پیٹا ور ارسال شدہ ہے رسید نقل لف ہے مقدمہ علت نمبر 1005 'جرم 234 PPC

3 - پارسل نمبر 3 محموله تین عددخول کارتوس 62. 7بورجو که بحواله علت 1755/21 مورخه 13/12/2019 نقل رسیدلف ہے ٔ مقدمه علت 1004 جرم PPC 302 تھانه کالوخان

\ \_ پارسل نمبر 4 محوله ایک ضرب کلاشنکوف 136536777 بحواله علت نمبر 1004 'جرم 202 PPC ' تھانہ کالوخان بطور آلفتل جو کہ پارسل نمبر 4 میں بند ہے۔

> پارسل ہائے تین عدد مواہراسمی AZ شبت ہیں بحوالہ رسید نمبر 91 مورخہ 16/01/2020 'بدست ناصر سید 534/HC

سوالات (1) پارسل نمبر 1 مقبوضه بحواله مقدمه علت نمبر 813/19 بجرم 224/353 PPC تھانہ کالوخان ' پارل نمبر 2 مقبوضه بحواله علت مقدمه نمبر 1004 بجرم 200 PPC تھانہ کالوخان صوابی سے چلائے گئے ہیں یا نہیں۔

(2) پارسل نمبر 4میں بن کلاشنکوف کا فائر ہے یانہیں۔

تاريخ ودستخط تفتيثي افسر

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غام دوال سرد ساله کا دویم المرادرات Med services as historically Mell مناح لوسف عرف عاصر دلم مغل عقور سرف سيج فورركم المعان الله الما ملك الما في الماجاء كا لم ورز و نوم ا الدنبران الع عدى دفع ورود دنا) بر ارت در وفي المراب عرب على المراب المعادية المراب المعادية المراب المعادية المراب المعادية المراب الم سے درائے کی در معلم دارات عالی ملاح کے نئی در ناای سے からいはないのかのではというないはない من خالم و المعالمة ال ذبل ع حب الما الله الله الله الله الله Mute Silonps lek ATTASTED 18-01-50 to be trace copy Widi 124 et 3 Ku

ضلع صوابي

فردنشا ندبهي موقع

تفانه كالوخان

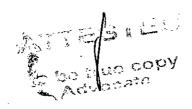
مقدمه علت 96 مورخه 23/01/2019 جرم 324/34 تقانه كالوخان

ينام: يوسف عرف عامر ولد فضل فورعرف سيد غفور سكنه صوابي

بدوران انٹاروکیشن ملزم بالا نے انکشاف کیا کہ بروز وقوعہ میں اور ہمراہی ام تاجے نے مدی مقدمہ پر بعد مقام پر فائرنگ کر کے زخمی کیا اور ہماہی اس میں بچ گیا تھا کی نشا ندہی کو کی گئی ، جس کو بسواری گاڑی سرکاری برنگ نیلا میں ملزم نے سوار ہوتے ہوئے راستوں پرموقع واردات لے جا کر ملزم کیلئے برگاڑی سہ نفری کر کے ملزم معہ پولیس پارٹی گاڑی سرکاری سے اتر کر عین موقع واردات پر کھڑا ہو کرا پنے مقام اور دیگر مقامات کی باری باری درست نشاندہی کر کے فردنشا ندہی موقع برموقع بروئے فرد ذیل نے حسب ضابطہ تھیل فردگی گئی۔

رستخط انگریزی SI-PS-KK 15/01/2020

> العبد ناز ولی IHC تھانہ کالوخان العبد نعمان خان AS تھانہ کالوخان



فرد فعقوصنگ امنرش مارتل مرح 0016/15 324 ( 10 28/19 ) 26 com نام - أفا مون قاء وله فأرام حدرال كالمركان ولان الماد من الما الله والله والله والموروق من المرادال عامر ها مارش كي توميرلفرات اور معنوي رفاريد مرع لفرات اور كانفا- وسي من قد و أس كر ملاي كي - اور الول و عامر ك ملاي كي دولوں میت الایان ارتفار کا - ا ورسدوق ا ورسول معصد الراس کوع المرتبا رسيل سي فكون و في المعام على إلى ألما ما الله مروق ١٤ كورة الله من عقم من مذكر من الا ندر كالفرس اور ليول و لفر عبر الا و 23 10 25 معر فكر طرح الأسر المركانوس والمركيس فيلاما مرسروق اور ليول فترا طالبات الى عدوران موتاري قلم بالا عرفية على الا عرفية على المالي فوال ہے۔ لنزادی اور سردی اور سول کو معتبر حلاا می رطور آلہ مزمر سان محلنام مادا كرك لف روع فرد فعينه كولس من سررون مندولي عالور وقولا صر أو علن ملكي فود اور الرمزر ( المراع على الدى راسا و فونها عي ديمول - فرال المن العالم المرام لا من العرام كرام المرام كالمرام Cook Right \$1. Ps-16 1dy 03-02-248. 1 . 10 db/ as 1309

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فردنشا ندہی موقع

تقانه كالوخان

مقدمه علت 96مورخه 23/01/2019 جرم 324/34 تھانہ کالوخان

بنام . آ فآب عرف تاب ولدغلام حيدرساكن كالوخان

دوران اناروگیش ملزم بالانے انکشاف کیا کہروز وقوع اس نے جس بندوق 12 بوردونالہ سے عامر ہمراہی اش کے ساتھ مل کر نصیرا جمداور معثوق پر فائزنگ کر کے نصر اللہ کوزخی کیا تھا وہی بندوق 12 بورجواس کی ملکیت ہے اور پستول جو عامر کی ہے لہٰذا اس سلسلہ میں تھم خان ASI محرر تھانہ نے مالخانہ تھانہ سے ایک ضرب بندوق 12 بوردو نالہ نہری GAB/A1195 معہ گردانے 3 عدد کارتوس اور پستول 30 بور نمبری GAB/A1195 معہ فیکس غالہ بندوق اور پستول 10 بور نمبری SHO نے دوران گرفتاری علی جواری کر کے بتلایا کہ بندوق اور پستول منذ کرہ خالدا قبال SHO نے دوران گرفتاری ملزم بالا کے قبضہ سے برآمد کر کے بحوالہ مقدمہ علت نمبر 107 مورخہ 102/2010 وی بندوق اور پستول کومقدمہ ملزم بالا کے قبضہ سے برآمد کر کے بحوالہ مقدمہ محفوظ مالخانہ ہے کہنا فیش کر دہ بندوق اور پستول کومقدمہ مؤلو میں بطور آلہ ضرر حسب بیان ملزم بالا کر کے لف بروئے فرد قبضہ پولیس میں کر کے سریدست بندوق 12 بوردو نالہ دیں بیان میں میں کر کے سریدست بندوق 11 بوردو نالہ جس کوملزم ملکیتی خوداور آلہ ضرر تسلیم کرتا ہے کہ باڈی پر اپنا و تخط کو کہنا کہ عدد موام رائی S.M شبت کر کے نمونہ میں بارسل نمبر کی بستول کے باڈی پر بھی دستخط کیا کیا رسل پر 3 عدد موام رائی S.M شبت کر کے نمونہ میں بارسل نمبر کے اندر بندگی جاکر فرد مقبوضگی برموقع مرتب کی جس پر گواہان سے برموقع تکیل گائی۔

SI-PS-K.Khan

03.02.2019

گواه 2

کواه 1

صحاب LHC/907 تھانہ کا لوخان

حسن تاج 1HC/1309 تھانہ کالوخان

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Advocate

خرد معتوهد المرفوف ily lami era dirakail ein eigen eine eight منع عداد فع الد مس ملح المر مس الد فع المرف فوجم مع بينا بيان كادر باشها كرفور ميه وباركا بيان كر بد دوايا عادی برای مار دو یا در دو اسلام در دو این باره دارا می ۱۸ در حیاد دو یکی است می میان کردو این کردو ای سورجان لا مرزاعا، کرنے علی کی تحالی بن المغیاب کلافتکری 636-K11488177-936 - K1488170-عان برایاد فا در ایا دیگا دیگا دیگاری وَ اللَّهُ اللَّاللَّمُ اللَّهُ اللَّهُ اللَّا اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ 81/011 ps kk

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تفانه كالوخان

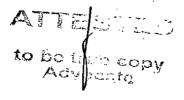
مُقدَمه علت 299 'مورخه 09/04/2019 ج م 209/04/452/387/34 تهانه كالوخان

بنام. يوسف عرف عامر ولدفضل فورعرف سيدغفور سكنه صوابي

مقدمہ عنوان جرم بالا میں ملزم بالا میں ملزم بالا نے کلاشکوف خود پر سلح ہونا بیان کی اور ساتھ ہی گھر خود میں چھپا رکھنا بیان کی جبکہ بسواری گاڑی سرکاری مکان خود کے نزدیک لاکر ملزم معہ پولیس پارٹی گاڑی سرکاری سے انزگر مکان خود کے اندر بعدا نظام پردہ معہ پولیس پارٹی داخل ہوکر مکان کے غربی کمرہ میں کپڑوں کے بینگرے کپڑے بتا کرلئی ہوئی کلاشکوف نمبری 7148817 - 56 بتا کرلئی ہوئی کلاشکوف نمبری 7148817 میں بالا نہیں پرایک ضرب کلاشکوف نمبری 7148817 فیکس معمولہ 10 عدد کارتوس 26.7 بوراٹھا کر ملزم ہذا میں بطور وجہ ثبوت بروئے فرد قبضہ پولیس میں کر کے فرد بر موقع مرتب ہوکر کلاشکوف کے باڈی پراپنا دستھ ایشکل نوکدار شے سے ثبت کر کے گواہان فرد سے حسب ضابطہ محکیل فردی گئی۔

دستخطانگریزی SI/OII-PS-KK 14/01/2020

> العبد سليمان خان ASI تھانہ کالوخان العبد نازولی IHC تھانہ کالوخان



عدله عبواني المون هورم مجاله المحرج عود هما م كالوران و ف عرف عامر و در سردفور کرالونان دُوران انتارونش مقع عنران دُرع بالر مين واذع بالرفوج فود سی افراری دیو در دو نه وادرات کی نتهاری کو درار دیو در دلو عَ لَيْ فِي مُلْ أَنْ مِنْ أَنْ مِنْ مُنْ فَرْعَ مِنْ فَعْ مِعْ لِولْمِ فَلِي الْمُنْ مِنْ أَنْ مِنْ لَانَ الْ ع ا شرق منه مرات برای بر در این شام اور میزاد ی ئىلاندىل ، مىد مايلانل مرد دىلى Silving 5 leve to be trub Advotate by 15-01-20

ضلع صوابي

فردنشا ندهى موقع

تفانه كالوخان

مقدمه علت 1004 مورخه 16/12/2019 جرم 302 تھانہ کالوخان

م يستفرف عامر ولدفضل فورعرف سيدغفور سكنه صوابي

دوران انٹاروگیشن مقدمہ عنوان جرم بالا میں ملزم بالاموقع خود سے فراری ہوکرموقع واردات کی نشا ندہی کو تیار ہو کرجس کو تھا کہ کہ درست طور پر گلی ہوئی گاڑی سرکاری برنگ نیلا میں بٹھا کرملزم کے بتائے ہوئے راستوں پرمحلّہ مینان خیل دیہہ کالوخان آ کرملزم کے کہنے پرگاڑی سرکاری کھڑیک رکے ملزم معہ پولیس پارٹی گاڑی سرکاری سے انز کرموقع واردات پراپنے مقام پر کھڑا اپنے مقام اور مقتول کے مقام کی درست نشا ندہی کر کے فردنشا ندہی موقع برموقع مرتب ہوکر گواہان ذیل سے حسب ضابطہ بھیل فردگی گئی۔

وستخطانگریزی SI/OII-PS-KK 18/01/2020

> العبد نازولی IHC تھانہ کالوخان العبد سلیمان خان ASI تھانہ کالوخان

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فردنشا ندبى موقع

تقانه كالوخان

مقدمه علت 299 مورخه 09/04/2019 جرم 65/354/452/387/34 تھانہ کالوخان

يوسف عرف عامر ولدفضل فورعرف سيدغفور سكنه صوابي

مقدمہ عنوان برم بالا میں ملزم بالا کی نشاند ہی پر کلاشنکوف 7.62 برآ مدہو کر بطور آلہ ضرب اور بعد بروئے فرد قبضہ پولیس میں کر کے مقدمہ میں جرم 48/327/34/327/34 کے ساتھ جرم AA-15 کی ایزادگی کی گئی۔

دستخطانگریزی SI/OII-PS-KK 14/01/2020



خرندالري فوتم عداني يركا لونات مندى بلاقافى موج عمال والمحالي عالم المالية على المالية على المالية على المالية على المالية على المالية على الم il) elegenderste (1. معقع عنوان فعن الله عبي الله عن الله في حوران اشار كيون هر هده دیج کرے سوے موٹم کرراے فی دیاری کو عرار دیور حرار کای سالی برنی ایل مین بهار دیردار سال میزن على لا خالف المداول بير المداول بير المداول بير المداول بير المداول بير المداول بير على الم على الم على الم الم はなっくというないというというにはしまっている ود فع مار رات و د السوى بارى بارى كافي در در سرانطان المرا المرام المرح من العاري مواجر ورا مرج مور ردرانه برکولات دلی در مالا علی مرد کیلا Slong SUK to be this copy Advocate 12-01-20 clidlig PACUSIL AST CIS ON

مقدمه علت 813 مورخه 13/10/2019 جرم 324/353 كانه كالوخان

عامر ولدسيدغفورسكنه كالوخان

بنام:

بخدمت بالمسال بالمسال بالمسال بالمسال

مقدمہ عنوان جرم بالا میں ملزم بالا نے دوران انٹاروگیشن جرم خود تعلیم کرتے ہوئے موقع واردات کی نشاندہی کو تیار ہوکر جس کوگاڑی سرکاری برنگ نیلا میں بٹھا کر زبر حراست مناسب نفری ملزم کے بتائے ہوئے راستوں پر ملزم کے مکان کے قریب آکر ملزم معہ پولیس پارٹی گاڑی سرکاری سے اتار کر ملزم عین موقع واردات پر کھڑا ہوکر باری باری باری این مقام اوردوسرے مقامات کی درست نشاندہی کر کے فردنشا ندہی موقع برموقع مرتب ہوکر فردمرتبہ پر گواہان ذیل سے حسب ضابطہ تھیل فردکی گئی۔

وستخط انگریزی SI/OII-PS-KK 15/01/2020

> العبد نازولیIHC تھانہ کالوخان العبد سلیمان خانASI تھانہ کالوخان



فروفسوقل الهزر المراد ech sech حدّد و الله عدد عمر قال المعدد معالم والورات ناع، لو ن عرف عامر و لر ضفل عقور عرث روز ر كدر الورال دزران المنال فرين الملايم المراح الله والمع المراد والمعالية الملايات كالمرمياة لومد ونوع حق مارتفوت علولي باروبر 1.16. 5th John S. Como S. A. L. Co. 31.1. الله ورو مار تنكرت عباء الم درست كالمنا و مور ورو در الرمنادی اولی و سرادری به مناوردین ورز فارناها 194536170/2 2/12 al Elin al in a le cità de 2/12 la 2/12 and ideals and levels of the first of the desired with the dely من بلدرالم فرر منهم بالله على مروع نه فيفلا لابواي سكى 1, 10 3/2 de 213 de cos de la pier en la light and الم فرر در و فرد ملك في المرا من و و وفوود و والم مرتان ندر کرار درای می مای نیل نیج درای Eiley 62 / CIC to be tred dopy 12-01-50 is is all it is the Miller is a company

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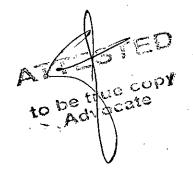
علام أوست نرف عامر و كدف ف عور عرف سير عنور فوم ا نوال مع 25 مال رائن كالوفال أنسريها فت بإلى لا - الرطوية وغيره مرة ماهداد معرى والره استاه عمال آزاء كا دهم أسك ما يؤين - ره يق مين عاوير و فره سه اين وال ره كا رعم طالبًا فقول -مر اران عفر طاع معرف اور في مبر والره كا وعد بن رج - حو ب وقوم من این دورت سرما اولوفقیرما این دسرام کوده ره ای سے طویر ماموں ذار ام کو فوٹائی فن برکال کا۔ اور ڈولوں کے مابین والده كارم ما تله بر تادار في المراس اور الله الم دون العدوي و कर वेर क्षा विश्व हिंदी है जिस है। है कि कि कि م المراج الما المحال علوم اورياف دوون مراواد عارات اور فارات اور فارات عند و مع مع داره و عند ورا ب رواوسر دور را من رونوں عاری فام وں سے کے تھے۔ اندوقوم س میں بيول و لرأس كا ما مراطوس اور ما مت دونول برم اداده منل فالمراك را تفا - وبن رستول المجة لوم عبل طارة عالم كوررس مو ر المعرف المعاظم المعرف ربد الج ألولن كو ديك من موالار حل المعود أو الرفوا عفا - مي لولت عندس بالقا- رس عواوه حرب آر لول العرب ومرقه والرا ل على دار العالم المعالى مرم المان الم

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elig (g mi en el el go mier é) انان جمود الكنم كالونان في بريان وبال if instight and its out in weening. co می سرنے کی کی مقدمات میں جی اعلی ماری شار دنوں حورج جي الحر سرع صال نا نيزن دو جور ها. في العدران لولين في هارى نفرى جارة سي الدخال ملا دوسر و أولاس منها قال ادر لولسي في الي ع في تنك احيامًا. در سي در مراع باغ على في الغ الغ الله ع الموض بار زير ساراره منل فانبرنگ شرع د صرف فاخرنگ و لی کا بال ساس کارد هی دورا دوران ایرگ على على في درون في دره فرا د کرم مرر ١٠ بازياع مي كاسات ميع ٤ مين ١٦ لولي انز کرمونم داردات کررست فالنه کیدی طراحی ع در ندیکی و لی از آن به در در ده خداران 1, 2 and 10 100 (10) (10) cal al- con ند تلک دورد: (۱) حفروری کے عگری در سن 1) is its into en intime elist, and The Kolon Culicke In 11 of Challed مرا بران درداس

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ر اندرول) مروز رط می مددوم (اندرول)

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جه زدم طري B-آ زا عرب ما و ر طاع مد قرم العال عر ١٠٠٠ مال مال غيريان سان كار رس اور عامر ولد سمعورال ا ام جس دوستال ہے۔ روزوقوع عامرے اطلاع دی۔ برلعائی، ول الحداد مائل دسم ام اس كى آلاى بر برور فعد برا جامعيا ي - توس كم الروق 12 لوز عامرك عدة كا ركفراد وله كل داد عدق ولداد السال دسرام كو عامر عراما ا ك أداى س كام رَ تَقِيدًى و لكواس ادر هراي أم عامر ے ای ای اسلم سے دولوں مرمرال دہ قتل فارال کی و ار حماری فاروی فی فیزند الد / اند کم معرف یک کار لاروقولی م موقع سخرار نفح ۔ کل دا۔ کو بچول ک حراری ك الخور أرما عا . تركول ت شره من الرام في مرق آ الرر اورك ول سيت رمتاركا . روز وقوع ص سروق الور سے کھراف اورمعتوی ما را گھراف اور معلوی ما وی ماری موا تھا۔ وی مروق ہ روران روال کو ناری دائد ناکی قبصری اور کے قبصر س کا حمائثول مقدر ورودان ارتاری آش عدم الور سے لول عراً عد كرة - بروس كشول الم- حسر ارور وقوم عمارا عاجمرے لفرائد اور معنوف رفائز کا کفرائد موری راسا سروق يوالمرزة الم مرى حمال شوك وقد كور عامر كاللات ع -الر) علاوه مي عاتب لولس اختر كوموقع وارداب كالمع دار المالي كار مراسال م

DÝ: No.

DATED: 43/2020

SUBJECT: DEPARTMENTAL ENQUIRY AGAINST SI MUKHTAJ KHAN CONDUCTED BY MR, IFTIKHAR ALI DSP TOPI.

Memo:

It is submitted that the subject departmental enquiry against SI: Mukhtat Khan was entrusted to the undersigned vide Endst: No.08/CC/PA dated 28.01.2020 on the following allegation.

## ALLEGATIONS.

it is alleged that SI Mukhtaj Khan, while posted as OII Police Station Kalu Khan received illegal gratification and facilitated the most notorious PO namely Yousaf Aamir alias Aamir s/o Said Ghafoor r/o Kalu Khan who was involved in the following different cases:-

- Case FIR No.96 dated 28.01.2019 u/s 324/34 PPC PS Kalu Khan. 1.
- Case FIR No.299 dated 09.04.2019 u/s 506/452/34 PPC PS Kalu Khan. 2.
- Case FIR No.332 dated 21.04.2019 u/s 324/109/34 PPC PS Kalu Khan. 3.
- Case FIR No.507 dated 14.016.2019 u/s 506/447/511 PPC PS Kalu Khan. 4.
- Case FIR No.813 dated 13.10.2019 u/s 324/353 PPC PS Kalu Khan. 5.
- Case FIR No.964 dated 06.12.2019 u/s 9-DCNSA/11-BCNSA PS Kalu Khan.
- Case FIR No.1004 dated 16.12.2019 u/s 302 PPC PS Kalu Khan. 7.
- Case FIR No. 1005 dated 16.12.2019 u/s 324 PPC PS Kalu Khan. 8.

All this shows inefficiency, lack of interest in official work and misconduct on part of

SI: Mukhtaj Khan.

Certified to be True Copy.

### PROCEEDING.

During the course of enquiry the undersigned summoned the delinquent officer SI: Mukhtaj Khan IO of the above cases and SI: Haji Muhammad Khan the then SHO Police Station Kalu Khan for recording statement and provision of relevant record. Case file of the above FIR numbers perused and discussed in detail.

#### CONCLUSION.

From perusal of the relevant documents, case files as well as secret enquiry, it is evident that :-

- PO Yousaf Aamir @ Aamir s/o Said Ghafoor r/o Kalu Khan was most wanted PO to the local Police and involved in the aforementioned criminal cases. He was arrested by SI: Hajji Muhammad the then SHO Police Station kalu Khan on 14.01.2020 at 07:00 AM and confined in lock-up at 08:30 AM vide DD No.20 dated 14.01.2020. Soon after the arrest at 09:00 AM on the same day he was brought to court in private vehicle despite the fact that government vehicle was parked in Police Station. The court concern granted him 02 days custody for interrogation and necessary verification. After expiry of two days custody he was admitted in judicial lock-up Swabi.
- The delinquent officer SI: Mukhtaj Khan did not enter names of private witness in FARD pointation of spot ( FARD NISHAN DAH) MOQA) in all the cases. He only entered names of Police which gave advantage to the accused

Soon after the arrest of PO Aamir, preparation of apprehension documents in so short time and production before the court creates several doubts and depict melafidy on part of the delinquent officer SI: Mukhtaj Khan.

PO Aamir was interrogated by the delinquent officer SI: Mukhtaj khan in the above cases, but 4. while produced before the court deny from his confessional statement which showed poor interrogation on part of the delinquent officer.

RECOMMENDATIONS:-

In view of the above allegations leveled against the delinquent officer SI: Mukhtai Khan proved and he is recommended for the award of SUITABLE punishment, if approved please.

Sub Divisional Police Officer
TOPI.(Swabi)

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District Porce Officer, Swabi.

# FINAL SHOW CAUSE NOTICE

Whereas you SI Mukhtaj, while posted as Oll Police Station Kalu Khan, you received illegal gratification and facilitated the most notorious PO namely Yousaf Aamir alias S/O Said Ghafoor R/O Kalu Khan who was involved in the following different cases:-1. Case FIR No.96 Dated 28.01.2019 U/S 324/34 PPC PS Kalu Khan.

2. Case FIR No.299 Dated 09.04.2019 U/S 506/452/354/34 PPC PS Kalu Khan.

3. Case FIR No.332 Dated 21.04.2019 U/S 324/109/34 PPC PS Kalu Khan. 4. Case FIR No.507 Dated 14.06.2019 U/S 506/447/511 PPC PS Kalu Khan.

5. Case FIR No.813 Dated 13.10.2019 U/S 324/353 PPC PS Kalu Khan. 6. Case FIR No.964 Dated 06.12.2019 U/S 9-DCNSA/11-BCNSA PPC PS Kalu Khan.

7. Case FIR No.1004 Dated 16.12.2019 U/S 302 PPC PS Kalu Khan.

8. Case FIR No.1005 Dated 16.12.2019 U/S 324 PPC PS Kalu Khan.

All this shows of your inefficiency; lack of interest in official work and mis-conduct on the part of you, which is highly against the discipline and amounts to gross mis-conduct.

In this connection you were charge sheeted and served with summary of allegation and DSP, Topi, was appointed to conduct proper departmental enquiry. The enquiry officer held enquiry and submitted his findings, wherein, he found you SI Mukhtaj, guilty for the mis-conduct and recommended for suitable punishment.

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

Hence, I, Imran Shahid, PSP, QPM, District Police Officer, Swabi in exercise of powers vested in me under Rules 5(3) of the Khyber Pakhtunkhwa Police Rules 1975 call upon you SI Mukhtaj, to show cause finally as to why the proposed punishment should not be awarded to you.

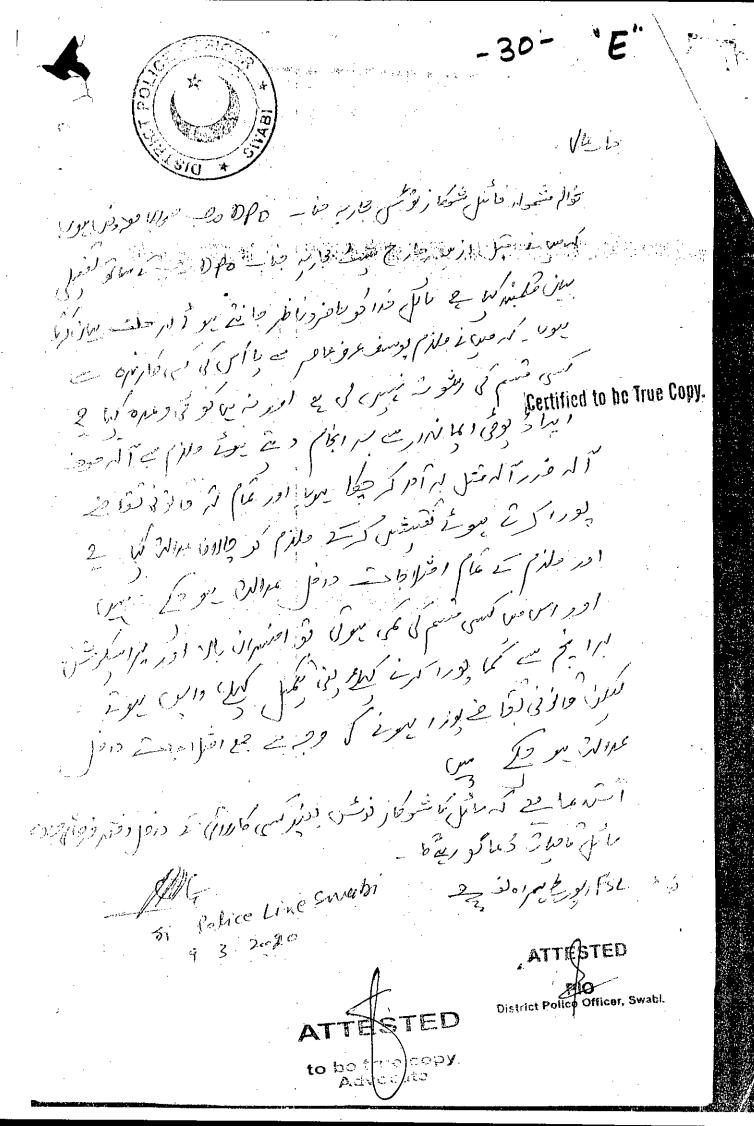
Your reply should reach to the office of the undersigned within seven days of the receipt of this notice failing which it will be presumed that you have no explanation to offer.

the undersigned.

17

You are also at liberty to appear for personal hearing before

District Police Officer. Swabi.



This order of mine is going to dispose of departmental enquiry gainst St Mukhtai Khan. He while posted as OH Police Station Kalu Khan, he received illegal gratification and facilitated the most notorious PO Namely Yousaf alias Aamir S/O Said Ghafoor R/O Kalu Khan who was involved in the following different cases:-

1. Case FIR No.96 Dated 28.01.2019 U/S 324/34 PPC PS Kalu Khan.

Case FIR No.299 Dated 09.04.2019 U/S 506/452/354/34 PPC PS Kalu Khan.

Case FIR No.332 Dated 21.04.2019 U/S 324/109/34 PPC PS Kalu Khan.

Case FIR No 507 Dated 14.06.2019 U/S 506/447/511 PPC PS Kalu Khan.

Case FIR No.813 Dated 13.10.2019 U/S 324/353 PPC PS Kalu Khan.

Case FIR No.964 Dated 06.12.2019 U/S 9-DCNSA/11-BCNSA PPC PS Kalu Khan.

Case FIR No.1004 Dated 16.12.2019 U/S 302 PPC PS Kalu Khan.

Case FIR No.1005 Dated 16.12.2019 U/S 324 PPC PS Kalu Khan.

All this shows of his inefficiency, lack of interest in official work and mis conduct on the part of him, which is highly against the discipline and amounts to gross mis-conduct.

Therefore, he was served with Charge Sheet and Summary of allegations DSP, Topi was appointed as Enquiry Officer. The Officer conducted proper departmental enquiry, collected evidence and recorded statements of all concerned. The enquiry officer submitted his findings, wherein he found SI Mukhtaj Khan, guilty for the mis-conduct and recommended him for suitable Punishment. The undersigned perused the enquiry papers, and by agreeing with the recommendation of Enquiry Officer, Served him with a Final Show Cause Notice, The reply of final show cause notice was received, perised and found unsatisfactory besides he was also heard in Orderly Room but he faited to offer any plausible explanation in his defense.

Therefore, I, Imran Shahid, PSP, QPM District Police Officer, Swalid in evereise of the powers vested in me under Khyber Pakhtunkhwa Police Rules 1975, M Mukhtaj Khan is hereby awarded, Major Punishment of reduction in rank from Sub-hopes for to the rank of ASI with immediate effect. He is re-instate in service from the date of his suspension.

Certified to be True Copy

0.B No. 187

District Police Officer. Swahi.

OFFICE, OF THE DISTRICT POLICE OFFICER, SWABI Str. C. 7 /PA, dated Swabi, the 10/03 /2020. Copies to the: -

1. Deputy Inspector General of Police Maradan Region I Mardan for favor of Information, please.

DSP Swabi.

DSP H.Qrs

Pay Officer.

Establishment Clerk.

Fauji Missal Clerk.

Official concerned.

District Police Officer, Swabis

بخدمت جناب OIG مناحب مردان ريجن مردان.

شون محلیانہ ویل برطاف آری کہا 307 مجوز 9/3/2020 جس کی یو سے سائل کوسب انسیکٹر کے مہدے سے سنزلی کرکے ASI معالیا کرتے ہے ۔ اُن برار تقابل

بناب عالى المشمون البل اسباديل ب

1 - میں کہ سائل محکمہ پولیس میں 1 9 9 1 / 7 / 1 کو ابلور کا تیجیل جمرتی ہوا اور بعد ازاں مختلف کورسسز اگر کے بعیدہ سب انتیام طرقیاب ہوآ۔ 2 - یا کہ سائل نے 29 سالیہ سروس میں جمعی بھی اپنے افسران کو شکامیت کا موقع تنہیں دیا۔سائل اس دوران مختلف پوسٹوں پر یعنی تحریر فقات، و اور انگیلیشن وُتک میں سوائی کے سالادہ سردان ، نوشیرہ میں ڈیوٹی سرانجام دے چکا ہے۔اور اس دوران بھی تجمی مس کنڈ کمٹ کا مرتکب ٹیس

3 بریک بنده 14/15 ماه بطور انجاری الوسکیفین تفانه زیده انتینات ریا اور ای دوران کافی این قرایس مقدمات کو فرایس کر ک الاسیانی سیامتان کیا بیادر مخلف مقدمات الورنفتنیش این خدمات انجام دین-

وری 31/12/2020 کوافسران بالا کے حکم سے سائل کا نبادلہ مختان زیدہ سے کالوخان ابلود انجاری الوسکیلیفن کیا گیا۔ 4۔ پرکہ اس دوران حاجی تحدخان SHO فتانہ کالوخان نے بدنام زبانہ اشتباری ملزم بوسف عرف عامر ولدفعل غفور عرف سیدنفور ساکن کالوخان کو کرفار کیالور تفتیش کے لیے من سائل کے حوالے کیا۔

5 ریک کرائن مائل سلیمان کے جملے مقدمات میں 2/2 ہوم حراست پولیس حاصل کرکے انگاروگیٹ کرکے دوران حراست ملزم سے کالیے توفید، آل بشرر اور آافیل برا کہ کرچکا دوں اور ہا قاعدہ آلہ ضرر اور آلون کی اللہ کا بیٹاورکو کیجوا کر جوگہ FSL استفاف کی تائید میں وصول اواجس کے فوٹو کہنے ابلاد دویہ شودت لف ہے۔

9 بے کر سائل نے دوران انگوائری مجملہ امتلاجات اور رائے FSL موسولہ انگوائری آفیسر کوچیش کی جی کیکن انگوائزی آفیسر نے س سائل کے شواہ کا بہ نزر جیس ایا اور ان سائل کونسور وارشہرایا۔ سلاوہ اڑی ووران انگوائری کسی بھی ایسے تھیں کا بیان قلمبند خیس کیا جو کہ من سائل کے خلاف رشوت دیسے یا وجدہ دئریکر کے کا بیان دے بٹا ہو۔

170 ہے کہ جناب DPO صاحب نے اکوائزی آفیسر کی سفارشات کی روشن میں سائل کو قائل شوکازلوٹس جاری کیا جس کا سائل نے تفصیلی جواب قامیند آپ یہ الاہاب کی تزوید کی ملین اس کے باوجود سائل کی سنزلی کی علی جو کد افساف کے تفاضوں کے منافی ہے۔ 1 1 سے اس سائل کے 19 سالہ سروس میں مجھی سمنی افسر نے کوئی سزائیس وی اور نہ میں انسان اور انسان اور انسان اور ا

سأتل تاخياست وعا كورسيكا

سأنل مختاج على ASI بوليس لائن صوالي

ATTESTED TOPY

-33° OR
19-5-20

## ORDER.

ASI Mukhtaj Khan No. 427/MR of Swabi District Police against the order of District Police Officer, Swabi, whereby he was awarded major punishment of reduction in rank from Officiating Sub Inspector to the rank of ASI vide OB: No. 307 dated 09.03.2020. The appellant was proceeded against departmentally on the allegations that he while posted as Officer Incharge Investigation Police Station, Kalu Khan received illegal gratification and facilitated the most notorious proclaimed offender namely Yousaf alias Aamir s/o Said Ghafoor resident of Kalu Khan by not associating any private witness during spot pointation. He was involved in the following different criminal cases registered in Police Station Kalu Khan District Swabi:-

- 1. FIR No.96 Dated 28.01.2019 U/S 324/34 PPC.
- 2. FIR No.299 Dated 09.04.2019 U/S 506/452/354/34 PPC.
  - 3. FIR No.332 Dated 21.04.2019 U/S 324/109/34 PPC.
  - 4. FIR No.507 Dated 14.06.2019 U/S 506/447/511 PPC.
  - 5. FIR No.813 Dated 13.10.2019 U/S 324/353 PPC.
  - 6. FIR No.964 Dated 06.12.2019 U/S 9-DCNSA/11-BCNSA PPC.
  - 7. FIR No.1004 Dated 16.12.2019 U/S 302 PPC.
  - 8. FIR No.1005 Dated 16.12.2019 U/S 324 PPC.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Sub Divisional Police Officer Topi was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings wherein he found the delinquent Officer guilty of misconduct and recommended him for suitable punishment.

He was issued Final Show Cause Notice to which, his reply was received and found unsatisfactory. He was also provided opportunity of self defense by summoning him in the orderly Room held in the office of District Police Officer, Swabi. But he failed to advance any cogent reason in his defense. Hence, he was awarded major punishment of reduction in rank from Officiating Sub Inspector to ASI vide District Police Officer, Swabi OB: No. 307 dated 09.03.2020.

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Feeling aggrieved from the order of District Police Officer, Swabi, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 19.05.2020.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations against the appellant have been proved. Being Investigating Officer of the case he was supposed to associate private witnesses during pointation proceedings. Besides, if private witnesses were either not available or reluctant to be witnesses, he should have mentioned the same in case diary. It is, however, pertinent to mention here that the order passed by the District Police Officer, Swabi is not in consonance with the punishments provided by the Khyber Pakhtunkhwa Police Disciplinary Rules, 1975 as amended 2014. According to Rule 4 Sub Rule (2) clause (b) which provides that reversion from an officiating rank is not a punishment. Hence, the order passed by the District Police Officer, Swabi warrants interference.

Officer, Mardan, being the appellate authority, hereby modify the major punishment of reduction in rank into major punishment of reduction in pay by two stages.

Order Announced.

Regional Police Officer, Mardan.

No. 3569 /ES, Dated Mardan the 03-06 \_ /2020.

Copy forwarded to District Police Officer, Swabi for information and necessary w/r to his office Memo: No. 55/Insp: Legal dated 11.05.2020. His service record is returned herewith.

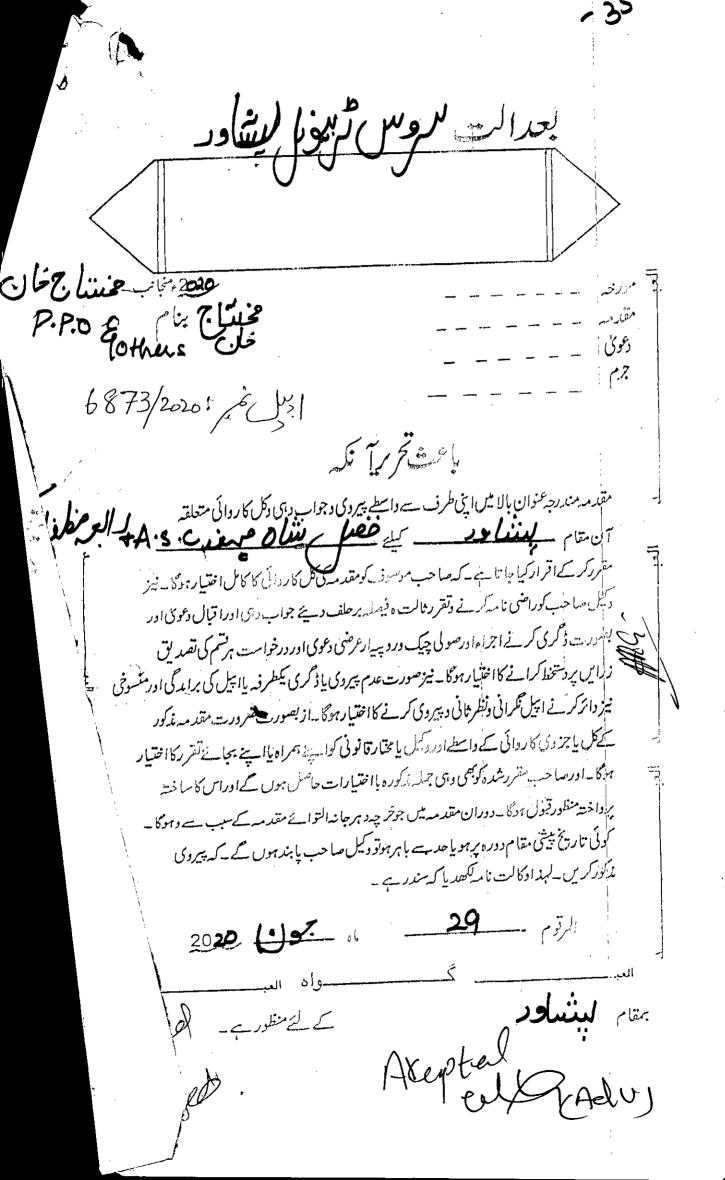
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# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR. Service Appeal No. 6873/2020.

Mukhtaj Khan SI No. 427/MR...... Appellant

#### **VERSUS**

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# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR. Service Appeal No. 6873/2020.

Mukhtaj Khan SI No. 427/MR..... Appellant

#### **VERSUS**

Respondentship

#### WRITTEN REPLY BY RESPONDENTS.

Respectfully Sheweth:

#### Preliminary Objections.

- 1. That the appellant has got no cause of action and locus standi to file the present appeal.
- 2. That the appeal is bad due to misjoinder and nonjoinder of necessary parties.
- 3. That the appeal is barred by law & limitation.
- 4. That the appellant has not come to this Tribunal with clean hands.
- 5. That this Hon'ble Tribunal has got no jurisdiction to entertain the present appeal.
- 6. That the instant appeal is not maintainable in its present form.
- 7. That the appellant concealed the material facts from this Hon'ble Tribunal.
- 8. That the appellant has been estopped by his own conduct to file the appeal.

  REPLY ON FACTS.
- 1. Para No. 01 of appeal pertains to service record, hence need no comments.
- 2. Para No. 02 of appeal is correct to the extent of issuance of Charge Sheet on account of receiving illegal gratification and providing unnecessary help to a notorious proclaimed offender namely Yousaf Amir, who was involved in number of heinous cases (Copy of Charge Sheet and Summary of Allegations are annexed as Annexure "A&B").
- 3. Para No. 03 of appeal to the extent of departmental enquiry is correct, however on the request of appellant, the Enquiry Officer was changed and enquiry was entrusted to another officer. During enquiry, appellant was provided opportunity of defense.
- 4. Para No. 04 of appeal is correct to the extent that in the light of recommendations of Enquiry Officer, appellant was served with Final Show Cause Notice, however his reply was found unsatisfactory (Copy of Final Show Cause Notice is annexed as Annexure "C").
- 5. Para No. 05 of appeal to the extent of major punishment is correct, however after personal hearing appellant was awarded major punishment of reduction in rank by respondent No. 2, which was later on modified to major punishment of reduction in pay by two stages by the appellate authority i.e. respondent No. 1 (Copy of appellant order is annexed as Annexure "D").
- 6. The orders of respondents are quite legal and in accordance with law/rules and the instant appeal is groundless which is liable to be dismissed with costs.



#### GROUNDS.

- A. Incorrect. Appellant while posted as Officer Incharge Investigation PS Kalu Khan received illegal gratification and provided unnecessary help to one notorious proclaimed offender namely Yousaf Amir involved in number of heinous cases, on account of which he was proceeded against and awarded major punishment.
- B. Incorrect. Appellant in the capacity of Officer Incharge Investigation PS Kalu Khan misuses his official powers by extending illegal support to the criminal, which is gross misconduct on his part, on account of which he was treated accordingly by awarding major punishment.
- C. Incorrect. Proper departmental enquiry was conducted during which appellant was found guilty for the misconduct and before passing final order, he was personally heard, but he failed to prove his innocence nor produce any plausible explanation in support of his defense (Copy of enquiry report is annexed as Annexure "E").
- D. Incorrect. Appellant was treated in accordance with law/rules and the punishment awarded by the respondents are quite legal and in accordance with law/rules.
- E. Incorrect. The order of appellate authority is quite legal and in accordance with rules.
- F. Incorrect. Reply already given vide above preceding paras.
- G. Incorrect. During enquiry, appellant was found guilty for the misconduct and he was recommended for punishment.
- H. Incorrect. During enquiry, appellant was found guilty for the misconduct after fulfillment of all codel formalities, appellant was awarded major punishment in accordance with law/rules.
- I. Incorrect. Reply already given vide above preceding paras.
- J. Pertains to record, however during enquiry, appellant was found guilty for the misconduct and awarded major punishment.
- K. The respondents also seek permission from this Hon'ble Tribunal to advance further grounds at the time of hearing.

#### Prayer.

Keeping in view the above narrated facts, it is humbly prayed that the instant appeal being devoid of merits may very kindly be dismissed with costs, please.

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar. (Respondent No. 3)

Regional Police Officer, Mardan (Respondent No. 1)

District Police Officer Swabi, (Respondent No. 2)

## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 6873/2020.

Mukhtaj Khan SI No. 427/MR...... Appellant

#### **VERSUS**

#### **AFFIDAVIT:-**

We the respondent No. 1 to 3 do hereby solemnly affirm and declare on oath that the contents of the written reply are correct/true to the best of our knowledge / belief and nothing has been concealed from the honorable Tribunal.

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar. (Respondent No. 3)

Regional Police Officer, Mardan (Respondent No. 1)

ATTESTED

District Police Officer Swabi, (Respondent No. 2)

## CHARGE SHEET

Whereas I am satisfied that formal enquiry as contemplated by Khyber Pakhtunkhwa Police Rules 1975 is necessary and expedient.

And whereas I am of the view that the allegations if established would call for Major/Minor penalty as defined in Rules 4(b) a & b of the aforesaid Rules.

Now therefore as required by Rules 6(1) of the aforesaid Rules I Imran Shahid, PSP, District Police Officer, Swabi charge you SI Mukhtaj Khan on the basis of statement of allegations attached to this charge sheet.

In case your reply is not received within seven days without sufficient cause it will be presumed that you have no defence to offer and exparte action will be taken against you.

> District Police Officer, Swabi.

(B) (S)

#### **SUMMARY OF ALLEGATIONS**

It is alleged that SI Mukhtaj Khan, while posted as OII Police Station Kalu Khan received illegal gratification and facilitated the most notorious PO namely Yousaf Aamir alias Aamir S/o Said Ghafoor R/o Kalu Khan who was involved in the following different cases: -

- 1. Case FIR NO. 96 Dated 28.01.2019 U/s 324/34 PPC PS Kalu Khan
- 2. Case FIR NO. 299 Dated 09.4.2019 U/s 506/452/354/34 PPC PS Kalu Khan
- 3. Case FIR NO. 332 Dated 21.04.2019 U/s 324/109/34 PPC PS Kalu Khan
- 4. Case FIR NO. 507 Dated 14.06.2019 U/s 506/447/511 PPC PS Kalu Khan
- 5. Case FIR NO. 813 Dated 13.10.2019 U/s 324/353 PPC PS Kalu Khan
- 6. Case FIR NO. 964 Dated 06.12.2019 U/s 9-DCNSA/11-BCNSA PS Kalu Khan
- 7. Case FIR NO. 1004 Dated 16.12.2019 U/s 302 PPC PS Kalu Khan
- 8: Case FIR NO. 1005 Dated 16.12.2019 U/s 324 PPC PS Kalu Khan

All this shows inefficiency, lack of interest in official work and misconduct on the part of SI Mukhtaj Khan, which entails proper departmental action, hence summary of allegations..

MR. JAN ZADA, SDPO SWABI is appointed to conduct proper departmental enquiry against him.

District Police Officer, Swabi.

No. 88 /CC/PA
Dated: 88 / pt /2020

## FINAL SHOW CAUSE NOTICE

Whereas you SI Mukhtaj, while posted as OII Police Station Kalu Khan, you received illegal gratification and facilitated the most notorious PO namely Yousaf Aamir alias S/O Said Ghafoor R/O Kalu Khan who was involved in the following different cases:-

1. Case FIR No.96 Dated 28.01.2019 U/S 324/34 PPC PS Kalu Khan.

2. Case FIR No.299 Dated 09.04.2019 U/S 506/452/354/34 PPC PS Kalu Khan.

3. Case FIR No.332 Dated 21.04.2019 U/S 324/109/34 PPC PS Kalu Khan.

4. Čase FIR No.507 Dated 14.06.2019 U/S 506/447/511 PPC PS Kalu Khan.

5. Case FIR No.813 Dated-13.10.2019 U/S 324/353 PPC PS Kalu Khan.

6. Case FIR No.964 Dated 06.12.2019 U/S 9-DCNSA/11-BCNSA PPC PS Kalu Khan.

7. Case FIR No.1004 Dated 16.12.2019 U/S 302 PPC PS Kalu Khan.

8. Case FIR No.1005 Dated 16.12.2019 U/S 324 PPC PS Kalu Khan.

All this shows of your inefficiency, lack of interest in official work and mis-conduct on the part of you, which is highly against the discipline and amounts to gross mis-conduct.

In this connection you were charge sheeted and served with summary of allegation and DSP, Topi, was appointed to conduct proper departmental enquiry. The enquiry officer held enquiry and submitted his findings, wherein, he found you SI Mukhtaj, guilty for the mis-conduct and recommended for suitable punishment.

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

Hence, I, Imran Shahid, PSP, QPM, District Police Officer, Swabi in exercise of powers vested in me under Rules 5(3) of the Khyber Pakhtunkhwa Police Rules 1975 call upon you SI Mukhtaj, to show cause finally as to why the proposed punishment should not be awarded to you.

Your reply should reach to the office of the undersigned within seven days of the receipt of this notice failing which it will be presumed that you

the undersigned.

You are also at liberty to appear for personal hearing before

Reduction in A.S.I.
from 51. to A.S.I.

9 9/3/2020

District Police Officer, Swabi.

Received Li.



## OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA PESHAWAR.

/21, dated Peshawanthe

#### <u>ORDER</u>

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by SI Mukhtaj Ali No. 427/MR. The petitioner was awarded punishment of reduction in rank from officiating SI to the rank of ASI by District Police Officer, Swabi vide OB No. 307, dated 09.03.2020 on the allegations that he while posted as Officer Incharge Investigation PS Kalu Khan received illegal gratification and facilitated the most notorious proclaimed offender namely Yousaf alias Aamir s/o Said Ghafoor r/o Kalu Khan by not associating any private witness during spot pointation. He was involved in the following different criminal cases registered in PS Kalu Khan District 1.

- FIR No. 96, dated 28.01.2019 u/s 324/34 PPC 2.
- FIR No. 299, dated 09:04.2019 u/s 506/452/354/34 PPC 3,
- FIR No. 322, dated 21.04.2019 u/s 324/109/34 PPC 4.
- FIR No., 507, dated 14.06.2019 w/s 506/447/511 PPC
- FIR No. 813, dated 13.10.2019 u/s 324/353 PPC
- FIR No. 964, dated 06.12.2019 u/s 9-DCNSA/11-BCNSA PPC 7.
- FIR No. 1004, dated 16.12.2019 u/s 302 PPC 8 .
- FIR No. 1005, dated 16.12.2019 w/s 324 PPC

The Appellate Authority i.e. Regional Police Officer, Mardan modified his punishment into reduction in pay by two stages vide order Endst: No. 3509/ES, dated 03.06.2020.

Meeting of the Appellate Board was held on 28.01.2021, wherein the petitioner was present and heard in detail.

Petitioner failed to advance any plausible explanation in rebuttal of the charges. Since he has already been granted relief by Regional Police Officer, Mardan. Therefore, the Board decided that his petition

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

Copy of the above is forwarded to the:

- 1. Regional Police Officer, Mardan. One Service Book, one Service Roll and one Fauji Missal of the above named SI received vide your office Memo: No. 6045/ES, dated 30.09.2020 is returned herewith for your office record. 2. District Police Officer, Swabi.
- 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-III, CPO Peshawar.
- 8. Officer concerned.

DY: No. DATED: 03

DEPARTMENTAL ENQUIRY AGAINST SI MUKHTAJ KHAN CONDUCTED BY MR, IF

ALI DSP TOPI.

Memo:

It is submitted that the subject departmental enquiry against SI: Mukhtat KI entrusted to the undersigned vide Endst: No.08/CC/PA dated 28.01.2020 on the following alle

## ALLEGATIONS.

it is alleged that SI Mukhtaj Khan, while posted as OII Police Station Kalu Khan illegal gratification and facilitated the most notorious PO namely Yousaf Aamir alias Aamir Ghafoor r/o Kalu Khan who was involved in the following different cases:-

- Case FIR No.96 dated 28.01.2019 u/s 324/34 PPC PS Kalu Khan.
- Case FIR No.299 dated 09.04.2019 u/s 506/452/34 PPC PS Kalu Khan. 2.
- Case FIR No.332 dated 21.04.2019 u/s 324/109/34 PPC PS Kalu Khan. 3.
- Case FIR No.507 dated 14.016.2019 u/s 506/447/511 PPC PS Kalu Khan. 4.
- Case FIR No.813 dated 13.10.2019 u/s 324/353 PPC PS Kalu Khan. 5.
- Case FIR No.964 dated 06.12.2019 u/s 9-DCNSA/11-BCNSA PS Kalu Khan. 6.
- Case FIR No.1004 dated 16.12.2019 u/s 302 PPC PS Kalu Khan. 7.
- \*Case FIR No. 1005 dated 16.12.2019 u/s 324 PPC PS Kalu Khan. 😱

All this shows inefficiency, lack of interest in official work and misconduct of

Sh Mukhtaj Khan

## PROCEEDING.

During the course of enquiry the undersigned summoned the delinquent officer S' Khan IO of the above cases and SI: Haji Muhammad Khan the then SHO Police Station Kalı recording statement and provision of relevant record. Case file of the above FIR numbers  $p\epsilon$ discussed in detail.

#### CONCLUSION.

From perusal of the relevant documents, case files as well as secret en evident that :-

- PO Yousaf Aamir @ Aamir s/o Said Ghafoor r/o Kalu Khan was most wanted PO t Police and involved in the aforementioned criminal cases. He was arrested by SI: Hajji Muhi then SHO Police Station kalu Khan on 14.01.2020 at 07:00 AM and confined in lock-up a vide DD No.20 dated 14.01.2020. Soon after the arrest at 09:00 AM on the same day he w to court in private vehicle despite the fact that government vehicle was parked in Police ? court concern granted him 02 days custody for interrogation and necessary verification. of two days custody he was admitted in judicial lock-up Swabi.
- The delinquent officer SI: Mukhtaj Khan did not enter names of private witne

Soon after the arrest of PO Aamir, preparation of apprehension documents in so short time and production before the court creates several doubts and depict melafidy on part of the delinquent officer SI: Mukhtaj Khan.

PO Aamir was interrogated by the delinquent officer SI: Mukhtaj khan in the above cases, but while produced before the court deny from his confessional statement which showed poor interrogation on part of the delinquent officer.

RECOMMENDATIONS:-

In view of the above allegations leveled against the delinquent officer SI: Mukhtaj Khan proved and he is recommended for the award of SUITABLE punishment, if approved please.

Sub Division Police Officer
TOPI (Swabi)

Mol Small 200