$\frac{\text{ORDER}}{22^{\text{nd}} \text{ Sept, } 2022}$

1. Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

2. Vide our detailed judgment of today placed in Service Appeal No. 7392/2021titled "Majid Ali-vs- Provincial Police Officer, Khyber Pakhtunkhwa and others" (copy placed in this file), this appeal is also decided on the said terms. Costs shall follow the events. Consign.

3. Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal on this 22nd day of Sept, 2022.



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(Kalim Arshad Khan) Chairman Camp Court Abbottabad

(Ra/reeha Paul)

Member(Executive) Camp Court Abbottabad

21th July 2022

1. A.

Learned counsel for the appellant present. Kabiruallah Khttak, Addl: AG and Mr. Noor Zaman Khattak, District Attorney for respondents present.

, A

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Adjourned. To come up for arguments on 22.09.2022 before D.B at camp court Abbottabad.

(Salah Ud Din) Member (Judicial)

(Kalim Arshad Khan) Chairman Camp Court Abbottabad

19.01.2022

Learned counsel for the appellant present. Mr. Shamraiz Khan, ASI alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and sought time for submission of written reply/comments. Adjourned. To come up for written reply/comments on 14.02.2022 before the S.B at Camp Court Abbottabad.

> (Salah-ud-Din) Member (J) Camp Court A/Abad

17.05 2022

Counsel for the appellant present. Mr. Muhamad Riaz Khan Paindakhel, Assistant Advocate General alongwith Mr. Shamraiz, SI for the respondents present.

Written reply/comments on behalf of respondents submitted which is placed on filed. A copy of the same is handed over to the learned counsel for the appellant. To come up for rejoinder as well as arguments before D.B on 15.06.2022 at camp court Abbottabad.

(Kalim Arshad Khan) Chairman Camp Court Abbottabad

15.06.2022

Appellant present through counsel.

Noor Zaman Khan Khattak, learned District Attorney alongwith Shamrazi ASI (Legal) for respondents present.

A request was made for adjournment on behalf of learned counsel for the appellant in order to produce relevant documents; granted. Learned DDA also requested for placing on file relevant record in respect of inquiry which is allowed and the entire record is placed on file. To come up for arguments on 21.07.2022 before D.B at Camp Court, Abbottabad.

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

(Rozina Rehman) Member (J) Camp Court, A/Abad 01.11.2021

Appellant in person present. Preliminary arguments heard and case file perused.

Learned counsel for the appellant argued that the appellant is aggrieved of original impugned order dated 10.06.2021 whereby he was dismissed from service. The appellant preferred departmental appeal on 21.06.2021 which was filed vide appellate order dated 12.08.2021, hence, the instant service appeal instituted in Service Tribunal on 10.09.2021. Moreover, the ends of justice have not been met. Neither opportunity of personal hearing granted nor examination of any witnesses done. No proper procedure has been followed and no findings of any enquiry provided to the appellant and as such the appellant has been condemned unheard. The appeal is admitted for regular illia hearing subject to all just 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 10.01.2022 before the D.B at camp court Abbottabad.

> (Mian Muhammad) Member(E)

10.01.2022. Due to concellation of tour, the case is adjourned to 19/01/2022.

Leader

Form-A

FORM OF ORDER SHEET

Court of /2021 Case No.-Order or other proceedings with signature of judge S.No. Date of order proceedings 2 3 1 The appeal of Mr. Faisal Ali Shah presented today by Mr. 10/09/2021 1-Muhammad Aslam Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR This case is entrusted to S. Bench for at Peshawar. Notice be issued 2to appellant/counsel for preliminary hearing to be put up there on-01/11/21: RMAN CH

 $\mathcal{A}_{\mathcal{A}} = \mathcal{A}_{\mathcal{A}}$

BEFORE KHYBER PKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR CHECK LIST

1.	This appeal has been presented by Mannad Atlan fordi Ad	ode	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the		
	requisite documents?		
3.	Whether Appeal is within time?	1	
4.	Whether the enactment under which the appeal is filed mentioned?	~	
5.	Whether the enactment under which the appeal is filed is correct?	1	
6.	Whether affidavit is appended?	\mathcal{V}_{\perp}	
7.	Whether affidavit is duly attested by competent oath commissioner?	1	
δ.	Whether appeal/annexures are properly paged?	1	
9.	Whether certificate regarding filing any earlier appeal on the		
	subject, furnished?	1	
10.	Whether annexures are legible?	1	
11.	Whether annexures are attested?	E	
12.	Whether copies of annexures are readable/clear?	Ū/	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	~	
14.	Whether Power of Attorney of the Counsel engaged is attested and	V	
17.	signed by petitioner/appellant/respondents?	2	
15.	Whether numbers of referred cases given are correct?	V	
16.	Whether appeal contains cuttings/overwriting?		V
17.	Whether list of books has been provided at the end of the appeal?		<u> </u>
18.	Whether case relate to this Court?	V	
19.	Whether requisite number of spare copies attached?	V	
20,	Whether complete spare copy is filed in separate file cover?		
21.	Whether addresses of parties given are complete?	1	
22.	Whether index filed?		
23.	Whether index is correct?	V	
24.	Whether Security and Process Fee deposited? on		
	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974		
25.	Rule 11, notice along with copy of appeal and annexures has been sent		
	to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite		1
<i>21</i> .	party? on		

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

Name:

Moham; (Advocante)

4

No

Signature:

Dated:

BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.....

Faisal Ali Shah (Ex-Sub Inspector Police Abbottqbad)R/OVillage Changi Bandi, Tehsil & District Haripur.(Appellant)

VERSUS

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

(Respondents)

SERVICE APPEAL

S/No	Description of Document	Ann-	Page
		exure	No.
1.	Appeal.		01-08
2.	Charge Sheets & its reply	"A&B"	09-11
3.	Final Show Cause Notice & Its reply.	"C&D"	12-14
-4	Impugned Order dated 10-06-2021 of DPO-	"E" *	15.13
[•] 5.	Departure & Arrival report and FIR No.139	"F,G &	16_17
	7	H''	18
6.	Departmental Appeal dated 21-06-2021		9=22
7:	Appeal Rejection Order dated 12-08-2021.		23->
9.	Wakalatnama		

Through

(Mohammad Aslam Tanoli) Advocate High Court at Haripur

Dated: 0^{-0} 2021

BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No..

Khyber Pakhtakhuw Service Tribugat Diary N.

Faisal Ali Shah (Ex-Sub Inspector Police Abbottqbad) R/O Village Changi Bandi, Tehsil & District Haripur. (<u>Appellant)</u>

<u>VERSUS</u>

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.

2. Regional Police Officer, Hazara Region, Abbottabad.

3. District Police Officer, Abbottabad (Respondents)

SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST ORDER DATED 10-06-2021 OF THE DISTRICT POLICE OFFICER ABBOTTABAD WHEREBY THE APPELLANT HAS BEEN "DISMISSED FROM SERVICE" AND ORDER DATED 12-08-2021 OF THE REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD WHEREBY APPELLANT'S DEPARTMENTAL APPEAL HAS BEEN FILED.

PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH THE IMPUGNED ORDERS DATED 10-06-2021 AND 12-08-2021 OF THE RESPONDENTS MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN SERVICE FROM THE DATE OF DISMISSAL WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS. I

Respectfully Sheweth:

Registrar 10 09 2021 That appellant while posted as SHO Police Station Nawansher (Abbottabad) was served upon with a charge sheet dated 02-04-2021 by the District Police Officer Abbottabad which was replied on 12-04-2021 explaining all facts and circumstances of the matter and the allegations were denied. (Copies charge sheet and its reply are attached as Annex-"A & B").



That similarly thereafter the District Police Officer Abbottabad issued a final show cause notice dated 04-06-2021 with the same allegations which was also replied on 08-06-2021. The allegations were denied vehemently. (Copies of final show cause notice and its reply are attached as Annex-"C & D").

2.

- 3. That proper departmental enquiry was not conducted. No witness was called by the so-called inquiry officer in the presence of appellant nor was he afforded to cross examine such a witness, if any. Neither documentary evidence was produced against the appellant before the enquiry officer nor was he confronted with such documentary evidence. Copy of enquiry findings, if any, was also not issued to the appellant before serving final show cause notice. Even opportunity of personal hearing was not provided to appellant and he was condemned unheard thus principle of natural justice was seriously violated in his case.
- 4. That the District Police Officer Abbottabad without giving any consideration to the stance taken by appellant in his reply dismissed him from service vide order dated 10-06-2021 in a whimsical and cursory manner and that too without any reason, justification and proof. (Copy of dismissal order dated 10-06-2021 is attached as Annex-"E").
- 4. That in fact on 07-03-2021 at 18:55 hours, the appellant alongwith police party set-out from Police Station Nawansher on routine patrolling duty. When appellant

alongwith police party present at Kund-Barrier-Road he noticed that a person on seeing police started trying to slip away. Being suspected one he was arrested and his body was searched. During search a 30 bore pistol alongwith 10 live cortèges was recovered for which he could not produced any license/permit etc. On query he disclosed his name as Hazrat Gul S/O Bahadar Gul R/O Kotkay Sokari Bannu. Murasila etc were prepared on the spot and sent to the Police Station through Constable Majid Ali No. 351 for registration of FIR. An FIR No.139 dated 07-03-2021 U/S-15AA was registered against the accused. Accused was confined in the Police Station's Lock-up. After having completed necessary proceedings the accused was produced before the Judicial Magistrate from where he was sent to jail on judicial remand. (Copies of Departure, Arrival reports and FIR are attached as Annex- "F, G & H").

5. That appellant had no knowledge that accused was also charged in a case u/s-302/34 dated 07-03-2021 at Bunnu District. Appellant did that which actually happened. Appellant did not know the accused, and had no previous relation or enmity etc with accused. It is totally incorrect that during preliminary inquiry planning of registration of bogus case or obtaining any illegal gratification/bribe was ever proved against appellant. Nothing wrong on the part of appellant was proved. Allegations are quite baseless, false, fabricated and based on malafide having no nexus with truth. That anove mentioned impugned order of the DPO Abbottabad was appealed against on 21-06-2021 before the Regional Police Officer, Hazara Region, Abbottabad which was *filed* vide order dated 04-08-2021 and that too without giving any heed to the grounds taken by appellant in the memo of appeal. (Copies of departmental Appeal dated 21-06-2021 and order 12-08-2021 are attached as Annex-"I & J"), hence instant service appeal, inter alia, on the following amongst other:-

GROUNDS:

6.

10-06-2021 and 12-08-2021 dated of That orders A) unlawful, against the illegal, respondents are departmental rules & regulation, issued in a cursory, whimsical and arbitrary manner; hence are liable to be set aside.

B) That proper departmental enquiry was not conducted. No witness was called by the so-called inquiry officer in presence of appellant nor was he afforded to cross examine such a witness. Neither documentary evidence was produced against the appellant nor was he confronted with such documentary evidence, if any. Copy of enquiry findings, if any, was also not issued to the appellant before serving final show cause notice. Even opportunity of personal hearing was not provided to appellant and he was condemned unheard thus principle of natural justice was seriously violated in his case.



That appellant had no knowledge that accused was also charged in a case u/s-302/34 dated 07-03-2021 at Bunnu District. Appellant did only that which had actually happened and discharged his duty honestly. Appellant did not know the accused, and had no previous relation or enmity etc with accused. It is totally incorrect that during preliminary inquiry planning of registration of bogus case or obtaining any illegal gratification/bribe was ever proved against appellant. Nothing wrong on the part of appellant was proved. Allegations are quite baseless, false, fabricated and based on malafide having no nexus with truth.

- D) That the appellate authority has also failed to abide by the law and even did not take into consideration the grounds taken in the memo of appeal. Thus the 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 10A of the Constitution of Islamic Republic of Pakistan 1973.
- F) That instant service appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain & adjudicate upon the lis.

PRAYER:

C)

It is, therefore, humbly prayed that on acceptance of instant Service appeal order dated 10-06-2021 and 12-08-2021 of respondents may graciously be set aside and the appellant be reinstated in his service from the date of dismissal 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.

Through:

) ;

(Mohammad Aslam Tanoli) Advocate High Court At Haripur

Dated 10 -07-2021

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 (0 -0)-2021

(7)

BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Faisal Ali Shah (Ex-Sub Inspector Police Abbottqbad) R/O Village Changi Bandi, Tehsil & District Haripur. (Appellant)

VERSUS

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

(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.

Dated:/D-06-2021



BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Faisal Ali Shah (Ex-Sub Inspector Police Abbottqbad) R/O Village Changi Bandi, Tehsil & District Haripur. (Appellant)

<u>VERSUS</u>

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.

2. Regional Police Officer, Hazara Region, Abbottabad.

3. District Police Officer, Abbottabad

(<u>Respondents</u>)

SERVICE APPEAL

AFFIDAVIT:

I, Faisal Ali Shah, 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.

A B AL

Deponent/Appellant

Dated: $\sqrt{\mathcal{D}}$ - $\sqrt{\mathcal{D}}$ -2021

Identified By:

Mohammad Aslam Tanoli Advocate High Court At Haripur

I, Zahoor Babar Afridi (PSP) District Police Officer

Abbottabad as Competent Authority of the opinion that you SI Faisal Ali Shah SHO PS Nawansher rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975 (amended 2014)!

DISCIPLIN

STATEMENT OF THE ALLEGATIONS

As per preliminary enquiry conducted by Addl: SP Abbottabad vide his office memo: No. 1317/PA dated 01-04-2021, you SI Faisal Ali Shah while posted as SHO at PS Nawansher, on 07-03-2021 at 19:35 hrs you have registered a fake/ bogus case vide FIR No. 139 dated 07-03-2021 u/s 15AA PS Nawansher while on the same day at 17:15 hrs the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari Bannu was also charged in murder case vide FIR No. 178 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused is charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegations of preplanning in registering bogus case and obtaining of illegal gratification/

bribe has been proved. All this shows your ill-will in performance of official duties. Your this act is a sever violation, a senior professional dishonesty and gross misconduct in term of police E&D Rules- 1975, hence charge sheeted.

For the purpose of scrutinizing your conduct with reference to the 2). $1 \cap \underline{V}$ At $\underline{\partial}$ is hereby appointed as Enquiry officer. SP. above allegations, The Enquiry Officer shall in accordance with the provision of this 3). ordinance, provide reasonable opportunity of hearing to you, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against you.

You are hereby directed to attend the proceedings on the due date, 4), time and place fixed by the Enquiry Officer.

obr Babar Afridi) PSP **District Police Officer ZAbbottabad**

/PA, Dated Abbottabad the $\partial 2/\partial 4$ /2021. Copy to:

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Superin

vendent

Police Abbottaba

2.

Enquiry Officer for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975 (amended 2014) and submit findings within stipulated period.

ر احق مالی مارد کو اور احق مالی مارد کو

SI Faisal Ali Shah SHO PS Nawansher (delinquent officer/ official).

Page 2 of 2

Anner-مجنوب الي في مع الدسي تسبي الديدا، د (اللوري) أعسر) من على المريس - مرحار) تنبي في ما ير وعول مرى عربي حود من حسب خرا مرض حدمت محرب -18:55 18-20-10 200 vill na 10 200 01-03-21 18:55 تحقام لوس ترسم ومراله مرد معول ی تشب سرتها - حدود قدین تقان ما تسب المريسية المارية المريسية المريسية المريسية المالية المالية المالية المالية المالية المالية المالية الم مريسة المريسية المريسية المريسية المريسية المريسية المريسية المالية المالية المالية المالية المالية المالية الم كون و فران و در المر ادهر اد فراد و المو تا ي و تس م فران . میں ترکی کان مرکولی باری میں اج تمانی کی - جوران تلائی ، الم مكر مبرها ترور الل مارد 25 در مراجع 10 برد مارتوس مرا مراجع یزل، بت وقد در تویی اس نیس ما زمازت ما می سب نی مر سبعا - مذیر و شعب درما فت را انیا ما کرفزت مل ولد ایر درمل کمینه کو تک سرمری مزن لدما - طبيح مدجا رجر مرضا رير و حراسه ليزخن الدراج وقدم بديدت ما نتيا ماهيم من <u>الحقق والتر</u>حقا من من - لعبر علي أرت علم ما يواني حيض لط ملزم لك المكى على ميتر في في في من من من المن المن على من من من 2 - الم النواعاً ما يدروه جارج من على - بر بنا داور من الرماني - ذاتى عنا دعن منزم فرور ما اس دور در رعلدقم م محام منجن من جرم الد الدهد عالم يوفع القلق ع معن عينام كورس مايت توقى عارية في من المنام في في الله التي للرود تحالم من عبر المما 1574 من علوت ما المرابي - لور ili But out - 2 - why - 2 - why is the why the why the فاخ من وع رو من مع رو الدر الدين تاريخ او تطور وزم جراع من - مع -

المع والماري المكر منارى جمهم فل مدر الخر ومن المرصف المري . 3- سرمار مرور سراح من من ماوى لعلى جان لنمان ما رشي تربع - أس م رسی مرفلیات بن مواجع - این توین سیس ی زیر این می وی geneplaning ع- ليرن رتر: طورى مردا مير موق - فر مشر مخلط لير ب متباد الطلاع ذاتى عنادى منا بردى ى ع - مەن مىن كرار مىن مىن مارى كى تىكى الى الى مارى مەن مىن مىن كى مەركى مەن مارى مارى كى مەركى مەن مەن مىن مەركى مەركى مەركى مەركى مەركى مەركى 4- مرمین میں جراب رہے کر الکھتی مرحی کر کھتے سے سرانی دیے میں حق می Violation 636 of 10 of 10 of 10 of 100 0 0 000 6 july 0 2 5 cm / w (c) in 10 - De (dishones lig روزی مدر الی روز الح می ی فقوت مو برا خام معاط مس -6- مرمین میزم کور این می طوف وط سا - تر تحلم حمالی مید کی حام ATTESTED ATTESTED ATTESTED Multiple of the service of the sold of the service 2 204 (21)

OF THE DISTRICT POLICE OFFICER, ABBOTTABAD No: 210/PA, Dated Abbottabad, the 04/06 /2021. FINAL SHOW CAUSE NOTICE (Unit Rule (3) KPK Police Rules, 1975 amended 2014)

Annex - C

- 1. That you SI Faisal Ali Shah rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) for following misconduct;
 - I. As per preliminary enquiry conducted by Addl: SP Abbottabad vide his office memo: No. 1317/PA dated 01-04-2021, you SI Faisal Ali Shah while posted as SHO at PS Nawansher, on 07-03-2021 at 19:35 hrs you have registered a fake/ bogus case vide FIR No. 139 dated 07-03-2021 u/s 15AA PS Nawansher while on the same day at 17:15 hrs the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari Bannu was also charged in murder case vide FIR No. 178 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused is charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegations of preplanning in registering bogus case and obtaining of illegal gratification/ bribe has been proved. All this shows your ill-will in performance of official duties. Your this act is a sever violation, a senior professional dishonesty and gross misconduct in term of police E&D Rules- 1975:-

II. During proper departmental enquiry the allegations have been proved against you.

- 2. That by reason of above, as sufficient material is placed before the undersigned therefore it is decided to proceed against you in general Police proceedings without aid of enquiry officer;
- That the misconduct on your part is prejudicial to good order of discipline in the Police force. 3.
- 4. That your retention in the police force will amount to encouragement of inefficient Police. officers;
- 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 of the kind

Addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(amended 2014) for the misconduct addition of accordance with the Khyber Pakhtunkhwa Police Rules, 1975(Superintender Abbort ab referred to above. Police Abbort 7. You show!

- 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.
- 9. Grounds of action are also enclosed with this notice.

Distri Officer GAbbottabad

Received by Dated / /2021

del

13) Annox-D shi che D. P.O. - lo - je TANTOX-D حسا جوام من جسب زيل معروس فرمت ون (1) یم کم ورج ۲۵ کو س طارم ممراه لولی یارٹی بوت کا ایک تھا، لالنشر سے روانہ سو کر سے لکی گشت ہر تھا۔ حدود علاقہ تھا، کی گشت کے سوت کنٹ سر پر روٹہ مرجود تھا کہ اسی دوران ایک شخص بر لی یارٹی کو دیکھ ىرىس وينش بوت نقا - بولى بار فى مجراه قابوك محافق المرتى محدور از رُسَع بثرها فلوارس 1 بک عدد تو ول 28 بور مع 1 عدد کارتوس با مراج وزكورم در بافت در اینانام حفیر مل ولد بهادر قل سکن كوشك سورى بور سبلاياً- حسب صب صابط كرفتار كر عمر اسلم بخرمن عالى مقدم عقان بجواياً-د به ته عاشر کرده الرات غلط، به سناد، برسی اور ذاقی عناد سے کت فرائ كرده اطلاعات كاشتجر عن - لفنو حقران مس راي بجر بعى حقيقت مريم فر كور فارم مناو بنون ت سى تقام مين جرا الد مع مين داوت بوت ت دى بركرملز مزكور مكسا تقرمن طلار كاكوني تعلق جان در كان المحد شي مرج من معناد معنان من معالی معنان انکواری من طلاح کی اندراج معنی میں کوئی رسی میں کوئی مربع ایسی معادی میں معادی میں معادی میں معادی میں معادی میں کوئی مربع ایسی معادی میں کوئی مربع ایسی معادی میں کوئی مربع ایسی معادی میں معادی میں معادی میں معادی میں معادی میں کوئی میں معادی میں کوئی میں معادی میں معادی میں معادی معادی میں معادی معادی معادی معادی میں معادی میں معادی معادی میں معادی میں معادی معادی میں معادی ٩-٢٠ من طرف غلاف غلاف علط اور بسباد اطلاع خاتى عناد تى سادى ٥-٢٠٩ دى كى بير من طرف كالروى كو نقصان بخاط جو ج-

دائى مركز من ملازم خراب خرالفى منصى نم من طرف سى سرائى من من جن بن سى سى مى كەرى بى مەرى بى مورنىم بى خرائفن كارلىم دى كا مىلى خان كەرى بى مىلا ئىل قرارى سى دى قەلىچ كى برائىم كى چى ی یہ من ملازم کو اگر سنے بن کا محقع دیا گی ڈجلہ مقانی پنی کی کردین ؟ ج کو بے مقبور تا بت کو نگا۔ استری معملہ مندرج بالاحقاق کی روتنی میں فاشل شوکر وزنى مرجوا م ور أخل د فتر م ح ح م فار الكر طو ٥٠ (2) ac 12 (2) المح منعيل على شاه حال لولى لافى ايت آبار Atternes superintendent of Police Abbottabard

This office order will dispose off the departmental enquiry against SI Faisal Ali Shah. As per preliminary enquiry conducted by Addl: SP Abbottabad vide his office memo: No. 1317/PA dated 01-04-2021, he while posted as SHO at PS Nawansher, on 07-03-2021 at 19:35 hrs he has registered a fake/ bogus case vide FIR No. 139 dated 07-03-2021 u/s 15AA PS Nawansher while on the same day at 17:15 hrs the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari Bannu was also charged in murder case vide FIR No. 178 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused is charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegations of preplanning in registering bogus case and obtaining of illegal gratification/ bribe has been proved. All this shows his ill-will in performance of official dutics. His this act is a sever violation, a senior professional dishonesty and gross misconduct in term of police E&D Rules- 1975.

He was issued with Charge Sheet along with statement of allegations.

SP Investigation Abbottabad was appointed as Enquiry Officer. He conducted proper departmental enquiry against the delinquent officer and recorded statements of all concerned. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings wherein he reported that the allegations level against delinquent officer are proved correct. He was issued with Final Show Notice. He was summoned to appear in Orderly Room on 09-06-2021. He was given a patient hearing but he had

nothing plausible to state in his defence. Therefore, in exercise of the powers vested in the undersigned Police Disciplinary Rules-1975 (Amended 2014), I, Zahoor Babar Afridi, PSP, District Police Officer, Abbottabad as a competent authority, am constrained to award him the punishment of **Dismissal form Service** with immediate effect.

Order announced.

nendent o Police Abbottabark OB No. Superin Dated :

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SRC DPO Office alongwith Enquiry containing 32 pages for Pay Officer DPO Office. completion of record.

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ابتدائى وطلان السبت جرم قابل وست المداري السال ولووث شده ويرد فعراه الجموع ضابط فوجدارى

<u>الح</u> 219135 25-71 03 - 230 139 20:40 23.7,63 2'19262397 3.021 Julianton 0.3335872260 نام وسكون اطلال ومنده مستغيث وتسمل وسال B الحالي في الم مريد وم المركز المركز المراجعة وحص المحاج المحاجة المرح مثل 30 لمرفع 10 ما المراجع ما يروم فاطلقات الوطن طوي المحالي 2 في المراح المرحل بر الم 0300 663 330 م) تعقق ولد المحتول فم ال متون تما ي م و قرى الم الم ال 111615 8 90124 44 كاردالي يستن يحطى كالكراطان دروا كري تراوقت والدور بالاكرد جرصيك والمرد ومحاط لو Sil-Le ما- - دوا تال تارد /دوت

التال) اطلال تحديث كرومد الموسم ولا = 12 357 275 د مریک کر میں او کر باطان میں 101231 - (JJ, U, 1/1/2) العرار هرا قيال حالود 2-01919 JAOP/JUNG/6 Twee porto 10 5 A30/5 420% 1067 26 422 will and support of the DE was م او لی دین 3,563 12 SIL 13 540 012 000 36 (S)Herole 1 BAUS ÷D 1-120 fts NSK 3 2027



BEFORE HONOURABLE REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD.

DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 184 DATED 10-06-2021 OF THE DISTRICT POLICE OFFICER ABBOTTABAD WHEREBY APPELLANT HAS BEEN DISMISSED FROM SERVICE".

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL ORDER DATED 10-06-2021 OF THE DPO ABBOTTABAD MAY KINDLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN SERVICE FROM THE DATE OF DISMISSED WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Respected Sir,

The following few lines are submitted for your kind consideration and favorable order please:-

1. That appellant while posted as SHO Police Station Nawansher" (Abbottabad) was served upon with a charge sheet No. 127/PA dated 02-04-2021 by the District Police Officer Abbottabad which was replied explaining all facts and circumstances of the matter and the allegations included therein were straightaway denied. (Copies charge sheet and its of reply are attached as "B").

2. That similarly the District Police Officer Abbottabad issued a final show cause notice dated 04-06-2021 with the same allegations as previously to the appellant which was also replied on 08-06-2021. The allegations were once again denied. (Copies of final show cause notice and its reply are attached as "C & D").

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3.

That no proper departmental enquiry was conducted. No witness was called by the so-called inquiry officer in the presence of appellant nor was he afforded to cross examine such a witness if any. Neither documentary evidence produced before the enquiry officer nor was appellant confronted with such an evidence, if any. Copy of enquiry findings, if any, was also not issued to the appellant before serving final show cause notice. Even opportunity of personal hearing was not provided to appellant and condemned unheard thus principle of natural justice was seriously violated in the case of appellant.

4. That thereafter the District Police Officer Abbottabad without giving any consideration to the stance taken by appellant in his reply as referred above, without any reason, justification, proof and in a whimsical and cursory manner awarded the appellant with major penalty of dismissal from service vide order dated 10-06-2021. (Copy of dismissal order dated 10-06-2021 is attached as "E").

5. That in fact on 07-03-2021 at 18:55 hours, the appellant alongwith police party set out from Police Station Nawansher on routine patrolling duty. When appellant alongwith police party present at Kund-Barrier- Road he noticed that a person on seeing police party started trying to slip away. Being suspected one was arrested

and his body was searched. During search a 30 bore pistol alongwith 10 live cortèges recovered for which he could not produced any license/permit etc. He disclosed his name as Hazrat Gul S/O Bahadar Gul R/O Kotkay Sokari Bannu. Murasila etc were prepared on the spot and sent it to the Police Station through Constable Majid Ali No. 351 for registration of FIR. An FIR No.139 dated 07-03-2021 U/S-15AA was registered against the accused. Accused was confined in Lock-Up. After having completed necessary proceedings the accused was produced before the Judicial Magistrate from where he was sent to jail on judicial remand. (Copies of Departure, Arrival and FIR are attached as "F. G & H").

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- That appellant had no knowledge that accused was also charged in a case u/s-392/34 dated 07-03-2021 at Bunnu District. Appellant did only that actually happened. Appellant did not know the accused, and had no previous relation or enmity etc with accused. It is totally incorrect that during preliminary inquiry planning of registration of bogus case or obtaining any illegal gratification/bribe was ever proved against him. Nothing wrong on the part of appellant was proved. Allegations are quite baseless, false, fabricated and based on malafide having no nexus with truth.
- 7.

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6.

That appellant has discharged his assigned duties with zeal, zest, devotion, dedication and honesty. There is

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nothing wrong on his part. The extreme major punishment of dismissal from service awarded to the appellant is wrong, against the facts, whimsical and cursory in manner, illegally and without lawful authority hence liable to be set aside.

8. That appellant has rendered more that to years service and always performed his duties with devotion, dedication and honesty and never provided a chance of reprimand having good service record at his credit.

 That if the appellant is afforded with the opportunity of personal hearing she will really prove herself as innocent by adducing credible facts of the matter.

It is, therefore, requested that order dated 10-06-2021 of the District Police Officer Abbottabad may graciously be set aside and the appellant be re-instated in his service from the date of dismissal with all consequential service back benefits. The appellant shall pray for your long life and good health.

ADDRESS:

Dated: 21-06-2021

(Fais lí Shah) Ex-Sub Inspector

Village: Changi Bandi, Tehsil & District Haripur Cell No. 0333-5072260



OFFICE OF THE REGIONAL POLICE OFFICER HAZARA REGION, ABBOTTABAD 0992-9310021-220992-9310021-220992-9310023r.rpohazara@gmail.com0345-9560687NO: 18556 / PA DATED 12 / 08/2021

<u>ORDER</u>

effect.

No. CC. 18557

This order will dispose-off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex-SI Faisal Ali Shah No.273/H of District Abbottabad against the order of punishment i.e. *Dismissal from service* awarded by DPO Abbottabad vide OB No.184 dated 10.06.2021.

Brief facts leading to the punishment are that the appellant while posted as SHO PS Nawansher, registered a fake/bogus case vide FIR No.139 dated 07.03.2021 u/s 15AA PS Nawansher while on the same day the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkha Sokari Bannu was also charged in murder case vide FIR No.178 dated 07.03.2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused was charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegation of preplanning in registering bogus case and obtaining of illegal gratification/bribe were proved.

The appellant was issued charge sheet along with summary of allegations and SP Investigation, Abbottabad was deputed to conduct formal departmental enquiry. The EO after enquiry proceedings held him responsible of misconduct and recommended for major punishment. He was issued final show cause notice and heard in person by the competent authority; however he failed to advance any cogent reason in his defense. Consequently, DPO Abbottabad awarded him major punishment of dismissal from service. Hence, the appellant submitted this present appeal.

After. receiving his appeal, comments of DPO Abbottabad were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. However, he could not bring forward any evidence or plausible justification in his defense. Perusal of his track record shows his undisciplined attitude during his service while in the instant case allegations of misconduct are proved beyond reasonable doubt. Thus, the disciplinary action taken by the competent authority seems genuine and appeal liable to be dismissed. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is hereby *filed* with immediate

> Mirvais Niaz (PSP) REGIONAL POLICE OFFICER HAZARA REGION, ABBOTTABAD

1. DPO Abbottabad for information and necessary action with reference to his office Memo No 1645/Legal dated 12-07-2021. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

/PA, dated Abbottabad the 12/08 /2021

کورٹ فیس بيدالت جناب فيتم فيسم م in Init is دعوى ياجرم مست مستر مستر العمام مستر ميآنكه ب مندرجه بالاعنوان مين اپني طرف يروى دجوابدي مقام <u>السيد أما د / سيت</u> محر مرارمتر می اندود کردی بدین شرط دکیل مقرر کیا۔ کہ میں ہر پیشی پرخود یا بذریعہ مختار خاص رد بروعدالت حاظر ہوتار ہول گا۔ادر بوقت بکارے جانے وکیل صاحب موصوف کواطلاع دے کرحاضر کروں گا۔اگر کسی پیشی بیر مظہر حاضر ندہوا۔ اور حاضری کی دجہ ہے کسی دجہ پر مقدمہ بمیر بے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوئے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کی ادرجگہ یا کچہری کے مقرر اوقات سے پہلے یا بروز تغطیل پیردی کرنے کے مجاز نہ ہوئے۔اگر مقدمہ مقام کچہری کے کسی اور جگہ ساعت ہونے پر یابروز کچہری کے اوقات ک آگیا یا بیچھے ہونے پر مظہر کوکوئی نقصان پنچے تو ذمہ داریا اس کے رابط سی معاوضہ ادا کرنے مختار نامہ دا پس کرنے کے بهجي صاحب موصوف ذمه دارنه ہوئے ۔ جھے کل ساخنہ پر داختہ صاحب مثل کردہ ذات خود نظور وقبول ہوگا ادرصاحب موصوف کو برضی دعوی اور درخواست اجرائے ڈگری دنظر تانی اپل نگرانی دائر کرنے نیز ہوشم کی درخواست پر دستخط تصدیق کرنے کابھی اختیار ہوگا۔اور کی تھم یا ڈگری کے اجرا کرنے اور ہر شم کا روپیدوصول کرنے اور رسید دینے اور داخل کرنے کا ہوتم کا بیان دینے اور سپر و ثالثی درانٹی نامہ و فیصلہ برخلاف کرنے اقبال دعوے کا اختیار ہوگا۔اور بصورت اپیل و برآ مدگی مقدمہ پامنسوخی ڈگری یکطرفہ درخواست تھم امتناعی یا ڈگری قبل از فیصلہ اجرائے ڈگری بھی صاحب موصوف کو بشرطادا ئیکی علیحدہ پیروی مختارنا مہ کر نیکا مجاز ہوگا۔اوربصورت ضرورت اپیل یا اپیل کے داسطے سی دوسرے دکیل یا بیرسٹر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کوبھی اس امریں وہی اختیارات حاصل ہوئے جیسے صاحب موصوف کو یوری فیس تاریخ پیشی سے پہلے ادانہ کروں گا۔ تو صاحب موصوف کو یورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اورایس حالت میں میرامطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔لہذا مطار نام کھودیا ہے کہ سندر بے مضمون , cet مختار نامدين لياب اوراحيهي طرح سمجوليا اور منظور ب 01-202)

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

and the second second

SERVICE APPEAL No. 7393/2021.

Faisal Ali Shah (Ex-Sub-Inspector Police, Abbottabad) R/O Village Changi Bandi Tehsil & District Haripur.

.....Appellant.

<u>VERSUS</u>

- 1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2. Regional Police Officer, Hazara Region, Abbottabad.

3. District Police Officer, Abbottabad.

.....Respondents.

Para wise comments on behalf of Respondents.

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1	Reply		1 to 3
2	Affidavit		4
3	Charge sheet, statement of allegations.	"A&A-1"	5&6
4	Order No. 184 Dated 10.06.2021	"B"	7 .
5	Order No. 18556/ PA dated 12.08.2021	· · · · · · · · · · · · · · · · · · ·	8
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DSP Legal, Abbottabad.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL PESHAWAR CAMP COURT, ABBOTTABAD

SERVICE APPEAL No. 7393/2021

Faisal Ali Shah (Ex-Sub-Inspector Police, Abbottabad) R/O Village Changi Bandi Tehsil & District Haripur.

.....Appellant.

<u>VERSUS</u>

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

.....Respondents.

Para-wise comments by respondents.

Respectfully Sheweth.

PRELIMINARY OBJECTIONS:-

- 1. That the instant Service Appeal is not maintainable in the present form.
- 2. That the appellant is estopped by his own conduct to file the instant appeal.
- 3. That the appellant has not come to the Hon'ble Tribunal with clean hands.
- 4. That the appellant has suppressed material facts from the Hon'ble Tribunal.
- 5. That the instant Service Appeal is not maintainable for non-joinder/miss-joinder of necessary and proper parties.
- 6. That the instant Service Appeal is barred by law and limitation.

ON FACTS:-

- In reply to this para it is submitted that the appellant while posted as SHO Police Station, Nawanshehr registered a fake case vide FIR No. 139 dated 07.03.2021 u/s 15# AA KPK, PS Nawanshehr and charged the accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari, Bannu who was also charged in case FIR No. 178 dated 07.03.2021 u/s 302/324/34 PPC, PS Cantt, District Bannu. Therefore, the appellant was issued charge sheet and statement of allegations vide District Police Officer, Abbottabad office No. 1207/PA Dated 02.04.2021. (Copies of charge sheet and statement of allegations are attached as Annexure "A & A-1").
- 2. In reply to this para, it is submitted that the appellant could not give satisfactory reply in response to the charge sheet.

- 3. In reply to this para, it is submitted that proper departmental enquiry was conducted. The appellant joined the enquiry proceedings and all legal requirements were fulfilled during the course of inquiry.
- 4. Incorrect, respondent No. 03 took into consideration all facts, circumstances and relevant evidence which proved the misconduct of the appellant. Consequently, the appellant was awarded major punishment of dismissal from Service vide OB No. 184 dated 10.06.2021. (Copy of order is attached as Annexure "B").
- 5. In reply to this para, it is submitted that the appellant registered a case against the accused who was already charged in a heinous case vide FR No. 178 dated 07.03.2021 u/s 302/324/34 PPC, PS Cantt, District Bannu. The matter was probed through enquiry proceedings in which the appellant was held guilty of misconduct.
- 6. In reply to this para, it is submitted that the registration of case against the accused of heinous offence at District Abbottabad was dishonesty on the part of appellant. Therefore, upon charges of misconduct, appellant was awarded the major punishment of dismissal from. Service as per law/rules.
- 7. Incorrect, the appellant filed departmental appeal against the order of punishment to the respondent No. 02, who considered the same and dismissed vide order No. 18556/PA dated 12.08.2021. (Copy of order is attached as the annexure "C").

ON GROUNDS:-

- a. Incorrect, both the orders are legal and in accordance with law/rules hence, liable to be remained intact.
- b. Incorrect, proper departmental inquiry was conducted by the respondents. The appellant joined the enquiry proceedings. He was given the right of personal hearing and self-defense. Having fulfilled all legal requirements the appellant was awarded the major punishment of dismissal from Service.
- c. Incorrect, the appellant registered a fake case against the accused in this district.
 Therefore, the matter was thoroughly probed and appellant was held guilty of gross misconduct.

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- d. In reply to this para, it is submitted that the appellate authority took into consideration all facts, circumstances and relevant evidence, while rejecting the departmental appeal of the appellant. Therefore, the order of punishment is lawful and maintainable.
- f. Incorrect, the instant service appeal is badly time barred and not maintainable under the law.

PRAYER.

In view of above, it is most humbly prayed that the instant service appeal does not hold any legal force which may graciously be dismissed with costs please.

Provinci Police Officer, Khyber Rakhtunkhwa, Péshawar. (Respondent No.1)

IRVAID Regional Police Officer,

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

District Police Officer, Abbottabad. (Respondent No. 3)

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

SERVICE APPEAL No. 7393/2021

Faisal Ali Shah (Ex-Sub-Inspector Police, Abbottabad) R/O Village Changi Bandi Tehsil & District Haripur.

.....Appellant.

<u>VERSUS</u>

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

.

.....Respondents.

AFFIDAVIT.

We, do hereby affirm on oath that the contents of written reply are true to the best of our knowledge & belief and nothing has been concealed from the honorable Service Tribunal.

Submitted please. NOTARY P High Cour 11

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

IEUMO

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

Die Officer, Abbottabad. (Respondent No. 3)

CHARGE SHEET

1). I, Zahoor Babar Afridi (PSP) District Police Officer Abbottabad as competent authority hereby charge you <u>SI Faisal Ali Shah SHO PS Nawansher</u> as explained in the attached statement of allegations.

You appear to be guilty of misconduct under Police Disciplinary Rules
 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Police Disciplinary Rules.

3). You are therefore, directed to submit your written defense within seven days on the receipt of this Charge Sheet to the Enquiry Officer.

4). Your written defense, if any shall reach the Enquiry Officer with in the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

Intimate whether you desire to be heard in person or otherwise.

A statement of allegations is enclosed.

5). 6).

(Zahot Afridi) PSP District Police Officer ZAbbottabad

Page 1 of 2

Annexure

A:1"

DISCIPLINARY ACTION

I, Zahoor Babar Afridi (PSP) District Police Officer Abbottabad as Competent Authority of the opinion that you <u>SI Faisal Ali Shah SHO</u> <u>PS Nawansher</u> rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975 (amended 2014)!

STATEMENT OF THE ALLEGATIONS

As per preliminary enquiry conducted by Addl: SP Abbottabad vide his office memo: No. 1317/PA dated 01-04-2021, you SI Faisal Ali Shah while posted as SHO at PS Nawansher, on 07-63-2021 at 19:35 hrs you have registered a fake/ bogus case vide FIR No. 139 dated 07-03-2021 u/s 15AA PS Nawansher while on the same day at 17:15 hrs the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari Bannu was also charged in murder case vide FIR No. 137 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused is charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegations of preplanning in registering bogus case and obtaining of illegal gratification/ bribe has been proved. All this shows your ill-will in performance of official duties. Your this act is a sever violation, a senior professional dishonesty and gross misconduct in term of police E&D Rules- 1975, hence charge sheeted.

2). For the purpose of scrutinizing your conduct with reference to the above allegations, SP, 1nV; A(d) is hereby appointed as Enquiry officer.

3). The Enquiry Officer shall in accordance with the provision of this ordinance, provide reasonable opportunity of hearing to you, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against you.

4). You are hereby directed to attend the proceedings on the due date, time and place fixed by the Enquiry Officer.

District Police Officer GAbbottabad

No: 127 /PA, Dated Abbottabad the 2109 /2021. Copy to:

> Enquiry Officer for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975 (amended 2014) and submit findings within stipulated period.

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I.

SI Faisal Ali Shah SHO PS Nawansher (delinquent officer/ official).

<u>ORDER</u>

This office order will dispose off the departmental enquiry against SI Faisal Ali Shah. As per preliminary enquiry conducted by Addl: SP Abbottabad vide his office memo: No. 1317/PA dated 01-04-2021, he while posted as SHO at PS Nawansher, on 07-03-2021 at 19:35 hrs he has registered a fake/ bogus case vide FIR No. 139 dated 07-03-2021 u/s 15AA PS Nawansher while on the same day at 17:15 hrs the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari Bannu was also charged in murder case vide FIR No. 178 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused is charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegations of preplanning in registering bogus case and obtaining of illegal gratification/ bribe has been proved. All this shows his ill-will in performance of official duties. His this act is a sever violation, a senior professional dishonesty and gross misconduct in term of police E&D Rules- 1975.

Annexure "B"

He was issued with Charge Sheet along with statement of allegations. SP Investigation Abbottabad was appointed as Enquiry Officer. He conducted proper departmental enquiry agains: the delinquent officer and recorded statements of all concerned. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings wherein he reported that the allegations level against delinquent officer are proved correct. He was issued with Final Show Notice. He was summoned to appear in Orderly Room on 09-06-2021. He was given a patient hearing but he had nothing plausible to state in his defence.

Therefore, in exercise of the powers vested in the undersigned Police Disciplinary Rules-1975 (Amended 2014), I, Zahoor Babar Afridi, PSP, District Police Officer, Abbottabad as a competent authority, am constrained to award him the punishment of <u>Dismissal form Service</u> with immediate effect.

Order announced. 184 OB No. Dated 10-6-21

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Öfficer Patre ZAbbottabad

Pay Officer DPO Office.

SRC DPO Office alongwith Enquiry containing 22 pages for completion of record.



OFFICE OF THE REGIONAL POLICE OFFICER HAZARA REGION, ABBOTTABAD 0992-9310021-22 0992-9310023 r.rpohazara@gmail.com 0345-9560687 NO: 18556 / PA DATED 12 / 08/2021

Annexure "C

<u>ORDER</u>

This order will dispose-off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex-SI Faisal Ali Shah No.273/H of District Abbottabad against the order of punishment i.e. *Dismissal from service* awarded by DPO Abbottabad vide OB No.184 dated 10.06.2021.

Brief facts leading to the punishment are that the appellant while posted as SHO PS Nawansher, registered a fake/bogus case vide FIR No.139 dated 07.03.2021 u/s 15AA PS Nawansher while on the same day the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkha Sokari Bannu was also charged in murder case vide FIR No.178 dated 07.03.2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused was charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegation of preplanning in registering bogus case and obtaining of illegal gratification/bribe were proved.

The appellant was issued charge sheet along with summary of allegations and SP Investigation, Abbottabad was deputed to conduct formal departmental enquiry. The EO after enquiry proceedings held him responsible of misconduct and recommended for major punishment. He was issued final show cause notice and heard in person by the competent authority; however he failed to advance any cogent reason in his defense. Consequently, DPO Abbottabad awarded him major punishment of dismissal from service. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of DPO Abbottabad were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. However, he could not bring forward any evidence or plausible justification in his defense. Perusal of his track record shows his undisciplined attitude during his service while in the instant case allegations of misconduct are proved beyond reasonable doubt. Thus, the disciplinary action taken by the competent authority seems genuine and appeal liable to be dismissed. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is nereby *filed* with immediate effect.

Mirvais Niaz (PSP) REGIONAL/POLICE OFFICER HAZARA REGION, ABBOTTABAD

No. CC.

/PA, dated Abbottabad the 12/08 /202

1. DPO Abbottabad for information and necessary action with reference to his office Memo No 1645/Legal dated 12-07-2021. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

DEPARTMENTAL ENQUIRY AGAINST SI FAISAL THE THEN SHO PS WANSHER PRESENTLY POSTED IN POLICE LINES DISTRICT ABBOTTABAD.

ا نلوا برمی رموب جمیل شمان ۱۰۶

ALLEGATIONS:-

Vide charge sheet & summary of allegations No: 127/PA dated 02-04-2021 issued by your good office for the purpose of scrutinizing the conduct of SI Faisal Ali Shah with the allegations that "while he was posted as SHO PS Nawansher, on 07-03-2021 at 1935 hours he has registered a fake / bogus case vide FIR No. 139 dated: 07-03-2021 u/s 15-AA / KPK PS Nawansher. While on the same day at 1715 hours the same accused namely Hazrat Gul s/o Bahadur Gul r/o Kotkah Sokari Banu was also charged in murder case vide FIR No. 178 dated: 07-03-2021 u/s 302/324/34 PPC PS Cantt District Banu, how is it possible that the accused is charged in two FIRs at the same time and date in two very far away districts. During preliminary enquiry the allegation of pre-planning in registering bogus case and obtaining a illegal gratification / bribe has been proved, which tantamount to gross misconduct". The undersigned was appointed as enquiry officer.

PROCEEDINGS:-

After the receipt of enquiry papers the record was thoroughly examined and the delinquent officer was called upon / summoned, heard in person, ample opportunity was given to him and a session of cross question was also made. The statements of the following were recorded which are placed on file.

- 1. HC Waseem Ayub MHC PS Nawansher.
- 2. LHC Nadeem Qadir MM PS Nawansher.
- 3. HC Muhammad Niaz AMHC PS Nawansher.
- 4. Constable Nazar Muhammad No. 183 Control Room Police Lines.
- 5. Constable Zeeshan No. 740 GD PS Nawansher.
- 6. Constable Sheraz No. 1132 GD PS Nawansher.

1. STATEMENT OF DELINQUENT OFFICER SI FAISAL ALI SHAH

The delinquent officer stated in his statement that on 7-03-2021 at 1855 hours he along with police party was present on routine patrolling near Kund barrier road, meanwhile on seeing police party a person tried to decamp from the spot. Being suspect police party arrest him and during his body search recovered one 30-bore pistol along with 10 cartridges from his possession. He failed to produce any legal documents of the said pistol. On query he disclosed his name as Hazrat Gul s/o Bahdur Gul r/o Kotkah Sokari Banu, upon which the above cited case was registered against him. He further stated that the allegations leveled against him are based on personnel enmity, fake and baseless. So far as the involvement of said accused in any other district is concerned he was unaware about the matter and he arrested him from the jurisdiction of PS Nawansher. He did not know as to whether the arrest of above named accused in district Bannu is correct or not. Moreover, he stated that he have no relation or personally known to him prior the incident. It is not true that the registration of case u/s 15-AA / KPK is pre-planned or he took any bribe / gratification from the accused during preliminary enquiry. He has honestly performed his duties and has made no violation / dishonesty. He further prayed to file the charge Sheet.

2. STATEMENT OF HC WASEEM AYUB MHC PS NAWANSHER

He stated in his statement that on 07-03-2021 due to an emergency he went to his home on the permission of SHO. When he returned back a case vide FIR No. 139 dated: 07-03-2021 u/s 15-AA / KPK PS Nawansher was already registered. He did not know any information about the incident.

3. STATEMENT OF LHC NADEEM QADIR MM PS NAWANSHER.

He stated in his statement that on 07-03-221 he along with additional Moharrar HC Muhammad Niaz was present in the Moharrar office. SHO ordered him to keep pending the Roznamcha as he has to registered an FIR. On the order of SHO he kept the Roznamcha pending. On 08-03-2021 at about 4:30am or 05:0am while he was sleeping SHO gave him a Marasla and directed to chalked the confinement of involved accused and also register the FIR. He brought into the notice of SHO that Control Room does not write daily progress after 12 O'clock. On this SHO personally informed the control room through his mobile phone that he has to register an FIR u/s 15-AA and asked him to add the said case in morning report. Operator Gulfam posted at Control Room informed the SHO that operator Nazar Shah has been slept, he will brought into his notice and he will add the said case in the morning. On the order of SHO he has chalked the FIR vide No. 139 dated: 07-03-2021 u/s 15-AA / KPK PS Nawansher.

4. STATEMENT OF HC MUHAMMAD NIAZ AMHC PS NAWANSHER

He stated in his statement that on 07-03-2021 while he was present in Moharrar office. At evening time SHO came to Moharrar office and asked him to keep the Roznamcha pending as he has to register an FIR. He remained present in the office of Moharrar office till 12:00am and after conveying the whole FIRs of day to Control Room he went to sleep in his room. After him MM LHC Nadeem Qadir was present on duty in Moharrar office. The said case was not registered in his presence.

5. <u>STATEMENT OF CONSTABLE NAZAR MUHAMMAD NO. 183</u> <u>CONTROL ROOM POLICE LINES.</u>

He stated in his statement that on 07-03-2021 while he was receiving the information regarding registration of cases in different police station of District Abbottabad. At about 11:30 pm additional Moharrar PS Nawansher conveyed him the details of cases from FIR No. 135 to 138. On 08-03-2021 at 07:30am LHC Nadeem Qadir MM PS Nawansher conveyed the details of FIR No. 139 dated: 08-3-2021 u/s 15-AA /KPK PS Nawasher.

6. <u>STATEMENT OF CONSTABLE ZEESHAN NO. 740 GD PS</u> <u>NAWANSHER.</u>

He stated in his statement that on the day of occurrence he was present at Ghari Phana Chowk Nawansher on routine patrolling along with SHO PS Nawansher, IHC Shahzad Shah, FC Majid and FC Sheraz No. 1332. In the meanwhile he received a mobile call from his brother that his father was ill and his brother brought him to hospital. He brought the said information into the notice of SHO and after obtaining permission proceeded towards the hospital.

7. <u>STATEMENT OF CONSTABLE SHERAZ NO. 1132 GD PS</u> <u>NAWANSHER.</u>

He stated in his statement that at the day of occurrence he was present at Ghari Phana Chowk Nawansher on routine patrolling along with SHO PS Nawansher, IHC Shahzad Shah, FC Majid No. 351 and FC Zeeshan No. 740. Due to an emergency after obtaining permission from SHO he went to his home.

OBSERVATIONS

3

During the course of enquiry the undersigned has observed the following facts: -

- 1. During cross question session the witness of the "Fard" Constable Sheraz No. 1132 stated that his name was included in the "Fard" but neither he was present on the spot nor he has signed on the "Fard".
- 2. The witnesses of the "Fard" did not verify their presence in the Marasla.

- CDR of all the relevant person was collected in previous preliminary enquiry which revealed that Constable Majid, Gunner SHO Faisal Shah reached to the Kokhar Maira Interchange as indicated in the CDR, which clearly indicates that he received the accused in protocol under the direction of SHO from Kokhar Maira Interchange (out of jurisdiction of PS Nawansher). Similarly, several suspect numbers are also found in the CDR of SHO Faisal Shah and his gunner.
- 4. Similarly, During the proceeding of previous preliminary enquiry in cross questioning IHC Shahzad Shah confessed that he has visited to Kokhar Maira Interchange at the day of occurrence on 08-03-2021 which is also found suspicious and proves that IHC Shahzad Shah and Constable Majid (Gunner) received accused from Muslimabad Interchange.
- 5. As the accused Hazrat Gul s/o Bahadur Gul belongs to a far away district Bannu and his sudden arrival in District Abbottabad is also a question mark
- The arrest point of the accused was showed in FIR is Kund Barrier, Thandiani Road which was cross checked with CDR of all Police personnel including SHO, which is not found correct.
- 7. The arrival / departure of SHO Faisal Ali Shah in Daily Roznamcha were check and found that although SHO has mentioned about the incident i.e. recovery of Arms & Ammunition etc but he did not mentioned to whom he handed over the recovered arm & ammunition. Similarly, Moharrar was also unaware about the entire episode.
- 8. It is also astonishing that initially a person made confined himself in PS lockup u/s 15 AA/KPK, as the said offence is bail able the accused despite of making arrangements for guarantors in respect of his bail, he preferred to go in judicial remand. It is also a question mark.
- 9. Statement of LHC Nadeem Qaider No.1267 (Muharrir staff) revealed that SHO told them to keep the Roznamcha pending and after it he was directed to register case on Murasala report on 08-03-2021 at round about 04:00/05:00 Am. Meant by case was not registered at till 08:40 Pm as incorporated in the FIR. This statement also speaks that case was registered on bogus grounds with malafide intentions.
- 10. It is also surprising that how two different FIRs are lodged against the same accused on the same date and time in two far away districts.

3.

<u>RECOMMENDATION:</u> -

Keeping in view of above facts & circumstances and as per statements of concerned officials all the allegations leveled against SI Faisal Shah, the then SHO Nawansher are stand proved. As he with the help of his Gunner Constable Majid and IHC Shahzad Shah are directly found guilty in pre-planning the matter with accused Hazrat Gul, who was charged in Murder case in FIR No.178 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt District Bannu and the accused Hazrat Gul s/o Bahadur Gul tried to established alibi with the help of SHO, his gunner and IHC in registering bogus case vide FIR No.139 u/s 15AA dated 07-03-2021 PS Nawansher by some unknown means in order to damage the Murder case registered in District Bannu. Hence as per the statements of the officials, CDR analysis, record of the police station and cancellation of the case proved him guilty. Therefore, keeping in view of above SI Faisal Ali Shah (delinquent Officer) is hereby recommended for **Major Punishment** for creating embracement for the Department for some ulterior motives.

Submitted please.

(MUHAMMAD ISHTIAQ) Superintendent of Police, Investigation, Abbottabad.

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CHARGE SHEET

1). I, Zahoor Babar Afridi (PSP) District Police Officer Abbottabad as competent authority hereby charge you <u>SI Faisal Ali Shah SHO PS Nawansher</u> as explained in the attached statement of allegations.

You appear to be guilty of misconduct under Police Disciplinary Rules
 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties
 specified in the said Police Disciplinary Rules.

3). You are therefore, directed to submit your written defense within seven days on the receipt of this Charge Sheet to the Enquiry Officer.

4). Your written defense, if any shall reach the Enquiry Officer with in the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

5). Intimate whether you desire to be heard in person or otherwise.

6).

A statement of allegations is enclosed.

(Zaho ATTic District Police Officer bbottabad

DISCIPLINARY ACTION

I.

Zahoor Babar Afridi (PSP) District Police Officer Abbottabad as Competent Authority of the opinion that you SI Faisal Ali Shah SH()

PS Nawansher rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975 (amended 2014)!

STATEMENT OF THE ALLEGATIONS

As per preliminary enquiry conducted by Addl: SP Abbottabad vide his office memo: No. 1317/PA dated 01-04-2021, you SI Faisal Ali Shah while posted as SHO at PS Nawansher, on 07-03-2021 at 19:35 hrs you have registered a fake/ bogus case vide FIR No. 139 dated 07-03-2021 u/s 15AA PS Nawansher while on the same day at 17:15 hrs the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari Bannu was also charged in murder case vide FIR No. 178 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused is charged in two FIRs at the same time and date in two very faraway districts. During preliminary enquiry the allegations of preplanning in registering bogus case and obtaining of illegal gratification/ bribe has been proved. All this shows your ill-will in performance of official duties. Your this act is a sever violation, a senior professional dishonesty and gross misconduct in term of police E&D Rules- 1975, hence charge sheeted.

2). For the purpose of scrutinizing your conduct with reference to the above allegations, is hereby appointed as Enquiry officer.

The Enquiry Officer shall in accordance with the provision of this 3). ordinance, provide reasonable opportunity of hearing to you, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against you.

4). You are hereby directed to attend the proceedings on the due date, time and place fixed by the Enquiry Officer.

(Zahoor Babar Afridi) PSP **District Police Officer** Abbottabad

No: 127 /PA, Dated Abbottabad the 02/04 /2021. Copy to:

Enquiry Officer for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975 (amended 2014) and submit findings within stipulated period.

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I.

SI Faisal Ali Shah SHO PS Nawansher (delinquent officer/ official). .

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مر من من الي من من الوسي كليش الديد ما ، د (العدر ما أمر عنورن :- حورب بابت جارج منتب بز ۱۹ / ۲۶۱ حرب من ا حنه مایی - مرجع من متبع محوله ما بد وهول مردی عرب حود من هسيد ويل فرقن حدمت ملي -تقام وور سن مرور الم ترجيم معول كالشب سرقيا - حمد وقلام قعام نی آست مرجع بی مربع المربع المربع المربع المال مون الل مربع المربع المربع المربع المربع المربع المربع الل اللي المربع المربع المربع المربع المربع المربع اللي اللي اللي تحق ول الجرار المرابي المرار المراد والمرابي المرابي المرابي المرابي المرابي المرابي المرابي المرابي المرابي الم مستقوف طان مربولی ماردی می اج آن - دوران تلاستی ، در مانو کیا - دوران تلاستی علی مانو کیا - دوران تلاستی ع است مبرُها ترور ایس مدد وجر بر مع ما مدر مارتوس مرا مربق ا در مدر و را مدر مربق مع ما مدر مارتوس مرا مربق یژل، بټ وهو درکښې لد نس طرف زت مام بيستې نې کر سرما - در کرد د د بې سرما - در کرد کې ابنا ما صورت مل ولد به در مل کنه کو تل مرکزی مون ر جاری از مر و مراسل کی خون اندر ج وقدم رویس کا نتیبل ماهر على عريحة ودانم محانم مي س - لبر على من ورائي حرين لام مار -لو المكى حميم مير في موالد مي مي - حميان من المسطل من موالي حرين لام مار -- بم م النوا عالد مرده جارج من علط بيناد العدمني مرمد من - ذاتى عنادي ATTESTER Wind CONTROL للرمان مم نيم حق - لعرز ديكر إن من رق معرجي طقيقت في ج افرور ما الله دور در رعادتم م محمام منون س جم رد اد محد علم سیع بی من میں کو (من مایت کوتی علم ان 2 میں میں کا میں ک ما الالم تو تطور مترم جرار ج سنار

المدين ومن أملى مونارى عظم المحت لعرفار فح ومن للرصف المري الساهم من من ماؤى لعلى جان لنمان ما دشم برا ال كرتب الماطر رمار روا بند المل من من - مرمان علوج Proplaning Est nil (into a wind) into propland تامي مواجع - المترقون تنتي في أندر المن في والم المعام كادى محلم بيم بيخا من سرم من من من من من من من منه الله ذاتى عنادى مذاجري كى ج - مرز من من كور المون من لعقمان الى المايك لعر تر ان الون فاحصفت مع مورة دام مع من ج - م كام ندور وم 4- سرمزی میزم فراغی الفی مرفی مرفی مرفی واقع سے سرانی دیے سی حن می م اللغان المرابع ومام الم و المرابع وزالعن ف وقا الم (3) in the set of the second o روزتنى لدروالي روز ما محير ما فقوت فو مرا عام مساغل س -6 - مرمن مدرم كرام المقصر طلوقة وإلها - لوحد حمالي ميد الم عرم التجاركو في فقورتا ب وملعا ATTESTED المريط هعد مندوج ما يد حقاكي ي عني عن ظار المعد و دنوار مند 12 04 12/1 2021 12/1

××× ... FIR + FIR - 2 1 - 2 2 4 6 (- 2 3) حواب و تحفیرای روز نیز سرسر حا_، ندر ند مرم مرم و <u>معیر</u>, مراغ میں تو ترفیں کی آ کی تو دیگر میں زر کارن تھ ج را بی دیں : جار با عمد احتماد عبا - نسل ما جراد هم - به جرار المرا علی المرا کا کا می المرا کا کا کا می المرا کا کا کا کا م مراجع . - جو سرط ورو بر آ - یا یا س کون سی کا طرا کا کا کا کا $\frac{1}{5} \frac{1}{5} \frac{1}$ 0348-1583260 × 1645 - 0333-5072260 × 000 - 1- $\frac{1}{5}$ ملا - - - الد ملا علا - ما جراب مراب مراب را مرد المرجند مر وال 8 - F. J. W. S. J. S. عن المراجع معنى من المرجعة المرجع من المرجع من المرجعة المرجعة المرجعة المرجعة المرجعة المرجعة المرجعة المرجعة ا المرجعة ملابع د در آری منب کو خیاری دسای طابع نمینی سے اسلی کون سی ایسا م حراج بر آری مدین کو خیاری دسای طابع نمینی سے اسلی کون سی ایسا م حراج بر آری مدین un a fel i - 12 ATTESTE موس 25 نرار مدو سے جراب کو وال کر و سے نے - P- (2) - P- (dus) (dus بر المحط في معل عمر محار و-

XXX ، ما بوقت ارضا معنوم عام حاس وماسل و عا حواب، فراس من عط -××× : حلم ورود مراج عرف من مندف مروز وقوم 5:15 كر لوق 15:25 در ما 178 . 2 ما 302 (عنان من مرد) رور برناس . اور اس رور لوقت 25: جرائ نے کی توریک و گفتے لیے حدم من 13 جز من مرود مان طرم من بزائر من من موما رموا. مرد اليك أماد - فو دوراكي كنيم مس بخا مشعل - -XXX ... بغراندام هرام آب انسب 2 عمد فلموم عاقت مدند ک امر ان عماری رشوت کے عوض ان تحقوق جارج دی ج م ماں چر- · · سر ما ج مانع المطرحيم حين بدا AAI برك رد من حين من سے کی جر کی دیتر شرائی ہے ، سالیم انہوں رکھ میں میں ی سے رزام کر بیرو (تاب) سائل اس) اس کا سے اس کا ماس ومن تخوس تموت من قر اما كو مساحف لدما كان ATTESTED Faisal Ali Shah (5.1) rintendent of Police 27-04-2021 Myssugation, Abbottabad

in the second se ی فیصل شماہ 042 30/80 وقت 10:00 سنع اس وقت مس مے کی این اور براہ وقتی مالا کی از فسر ایمنٹ گنیت دیکیر کار سر کار د الم محافة ساواس الما يهون فطانا سا دوانة موكر مرك دود ول طاريا لا الم وعبر ۲۰ - ۱۹۸۹ رود فصنايا رود وغير ۲ مس كريت كى كى - دوران كريت الم كريد سير شير رود بر فوجود فطابه الم المي شخص مسير طاب مدى ملاق 01 ر - جس كو فالوجن كرا شكرى بنا ير جامع الاتى سب صارط عل مسر الل - دوران الاحى مذكورا كر برفط مرارس المجار سا المجرب يدفل ط*ارلوس*) ٥٤ بورمنرد) -4 2,706 2,76 مع 10 جزي كارل سر) كريرة المرا- درما في مر مذكور لاسة أينا الم حفرت كل وله بهادر كل ب في سلم و فل مراك المول الله المول في المول المول في المول بج بوس ر، مد توره توم منه جرم الاط ما تر حسب خماد طرفنار مراسل برائد الدرائي محرف ارسال وعاز المح - المعداد جل بنك بادارج د بداران موجن بهاجام بدایا 2 منامطه مروع میں - دیک وزیر قررى - معرانيان س الم الجون فن درست طور برداخل ار روالا كرا-جناجاني ATTESTED Storigites Je 1000 MM-PS-N84 108-03-021

فطار لوال in the less of the former of the less of t روانکی فیصل شاہ 645 3 / 10 وقت 18:55 - 18:55 میں میں میں 6 351 - 113231 - 740 (12) in - 140 - 140 - 140 - 140 - 140 - 140 - 140 - 140 - 140 - 140 - 140 - 140 - 140 - 140 درست باورد ما ما معلی این من تست دیم ماد رط روا نه حدود Ulique? pp 6.6. 101 PS-NSR 1.11 PS-NSR 1.101 PS-021 - Blo Blog - Bus 6 & ISAA/400 139 14 - 20 13/2/10/ ت معالی اجل (S 10N - PS-NSK MAM - PS-NSK 07-03-02 ATTEST من عام مرب من مدر المعن من الكل كالك ما تر مراج من مراج مع مراج المراج الم المراجع المراج المراح المراح المراح المراح المراح المراح المراح المراح المراح المراج المراح المراح المراح المراح المراح المراح المراح المراح ال MM-PS-NSK MM-PS-NSK

بمال وسم الحر م جاد طل مر حق قوال الم وليظ مان بر مام مرج 30 مرد جر المرابر حسب فارت ما - On على المرد مراري الم - «اللي برقطة أما تو في معاسم 139 قرار 03 03 70 قرام المكم إحمد 15 مالي المكم المحمد 15 مالي المكم المحمد 15 مالي الم مانع در از رفتی - عدرون زیر تحری مری می ورد. مراجع در از رفتی - عدرون زیر تحری مری می می مرود و ده ۲۵ ی ی ی ی ی در ورد مراجع در از رفتی - عدرون از بی می می مراجع در از مرد از می می ی ی در از مرد م تفا عمرور مرجوع مر . نوم موان مالی معد می روم المعمير المرف المرجوب عالم عرب العرو المراح مرادي مالم مر - مرم فر فران ال ما راج عار MA وطع وال عرفر رف -ATTESTED 04. WH Burerintendent of Police MIZ Wyssugation, Abbottabad 29

فازكرال in the local for the 100 100 100 100 100 والرافيجم شاد ٥٢ ٢٦ (٥٩ وقت ٥١:00 منه اس وقت من مع تح رفية جوالروف الا بعراد فرانت كثبت ديكر كارسركار AAS, فطانه سیوانی آرایون - قطانه سی روانه یوكر مرى رود - و كار ومرد - ۱۹۸۹ رود فصنایای روژ ون رو میں کسندی کی - دوران کس حند سیر شر رود سر موجود تمار ایک حض مشبه حلت میں ملاقی سرا - جس کو خار میں کریا شکل کی بنا ، ام جامع لات کی حسب صارط ال 01 مول لال - دوران ثلاث مذكوره ، بردها مرارس راي بال كماركوس 30 Levin 3,6 4, 2906226 4- 01 4, 0 3, 1, 10 30 مجرا- درما فن مير مذكور لاست اينا نام حضرت كل ولد بهادر كل ف محرف سكة كو للم مرك منون تبلايا - الله المروت ف بوت ف ج بور مار م الالوم عد عد جرا مال ط ما الم حسر حار ج المما ما لمبرات المدراني مفرق ارسال تحاز مع - المرا جاري باذارج دماران رویک درجان برای خان ما مع و مارط مروع من - در مر و این لمزوى - معرانيان سر اسل اعرف فا درسد طور برداخل كر روايا في ATTESTED جنالي! intendent of Polici estigation, Abbottabad S Joi jo lbe je 5 101 PS-NSP MM-PS-NSP 108-03-021 ð.,

خطاندلواں سم دوانیکی فصل شماء 64 5 ق / 70 وقت 8:55 سبع اس وقت میں مع سشین دولار کالا - من الموں دولار ماد من ماد من من مع درست باوردن باعل بغرض رسا تحست دئم كار ماد روا فرحمر فكاز كاليوكا يول-جناب عالیٰ! نقل مطابق (حمل معرد) آمر رتب برج , سف الرحن 123 <u>30/10 ومت 10:00 نغار من ومت</u> فريركام الم مرتبة فيصل شالا 1000 برست ماجرا 25 في مول المول - K-Ble BE, 2 But 6 & ISAA/ 40 139 Junge ATTESTED اخار ملك! For Jer Broger 15 10v - ps - NSK 107 - 03 - 021 م فالم بر بر مر 12A 20/10 وم 02, 95 ع اس مغت (135, 8 م بوالرف - بال ف جا ليرى م يركز تركز نعل برك مع مرابيل راد سراه مادر در المجام مع المراح ور تحل /جنام قاليا! · JPI JUBE

قعا يزلوان شرر مرابع إيب أنا نقل رس فد 33 روزما فجر 20 /10 مر 33 روازگر منظل متراه ۲۵۵ 30 /۲۵ وقت ۲۵۶۶ بح اس وقت میں سے شرزاد متراہ علام کنیسل فریشان ۲۹۵، میں از ۱۱۵۷ ما کر اکد کے درمست ماوردی ما مسل کوہر فر کس کس کا دسر کا دسر کا در ارز کرود معامر کول . صِنَابِ عالى تُعَلَّ عُطَابِقَ اجمل من MM-PS-NSK ATTESTED 07-03-021 AWANSHEHR tendent of Police ation, Abbottabad تصامر لون شرير نتل رسيط قد 47 روزنا عي دو/80 *عنگه ایسظ آباد* من الورن سبب مدر بربر الدر الورها من من من مالات من المن المرابعة من المن المرابعة من المن المرابعة من المرابع موال مالو عالو من قريمة شاب في منا الحر حاصر علا من حسب عنا مطرع ل من لاتي -وولان مالاه المرابع من المرابع المرابع المرابع من المرابع المرابع المرابع المرابع المرابع المرابع المرابع المرا جوران ملاح مالوی مرحم می می بر در منبطل 30 بور عنوی می مرد مرد می م ۱۵ دنده از یکی میرفوره که در ها سلوارس این همرمه می مل 30 بور عنوی 4 29062 می مورس علاجی صرفوره می میرها میلوارسته دید. سرب و سی من ور سرن ۴ علالالال با این مارس کرد. مرافع مواجر درماعت در مذکوره مرایین خام حفرت محل همد مسادر عل قوم دسترین مارس میروندی مسرول مدانیا اسلحرا محوث میں معملی عذکوره کردی (انتسب یا اجازت خاص میں مرکز مسلما اسلحرا محوث شن مروث عثرو تدوم ول بر انتشار می ا حول مندر از دان در مند از حرسم اسل مراغ افرراج مسور ول بر انتشار معادر مدر از حول مندر از دان در مند از حرسم اسل مراغ افرراج مسور مارسال معاذر می در در در حول مندر از در دان در مند از حرسم اسل مراغ افرراج مسور مارسال معاذر می در در در در در میر حول مندر از دارد در دان در مند از حرسم اسل مراغ افرراج مسور مارسال معاذر می در در در در در در میرد حقر بنيف فاذار ديوليدين توجد ليد حاكر مداغ بت منا رهر يودي هين وتير صرمير ميت وردي مروان سط الملحدا يموسين درمست طور فرد اخل كومت قروايا كي . CE STATIC حناد_عالی فمثل عطالق (جمل سع.

AWANSHEHR

باي ازان لانباز 1456 فنع تحاير لواسخ عَزَير مَنْ لَمُ مَرِ دِينَ أَلَ لَم حُرَدٍ مَنْ أَنْ مُرْجَدٍ مَنْ اللَّهُ عَلَى المَعْدَةِ عَلَى الله worde. بر میں اور) مار مرار میں معروف تما شا) مان تے خباب ohs (is a for the for the for the و دختر روز الحجر میں آ کم مرد WE 12 0 مر میں تو جو I we I dig & Fin y and in the in the in Word. امر مراع مر مراجر الم م ومر مر مركو جور خاص مر عمل والان (Jā 19 ر عرب اور تلد اوز ناجم ، معلق مرا بای مر حرجور مي النياموي واقع يس مزايا مرايي بدان 4 (- WI) N 2 H ار مر تقرير الم 20:00:00 ومتر قرارا أم 1/ 10 (وز الجر و Rif مر م (SAA/APK 1 P. 071 03 j/0/139 -wpip NI, والم تر الم الله ما الله على مر الى برا ل ي in a war as (as proposed) E (11) /3 NYR . ps 021 THE 04 - 05-ATTESTE tendent of Poller

Top The H? 139 Cue Fire coole - 5 Mon With the H? 21 Cue Fire coole - 5 Mon View fly 21 (9) · les 1 por con pro con file - (1) = Willing alle bill a company alle and a mole bill and and and the first of the color in which the with a who sho is the the man W/1 (m 13 ling of constants of the main of the main of the state of th TA 1913 P Cur No Vici je pilo la contro de - TV Ulan Tor 192 - TV Ulan Le plie de la contro de - TV Ulan جوار . جى منين ميں نيس جانتا توار رم بر) رابع توا $\frac{1}{2} \frac{1}{2} \frac{1}$ 1 Alder N SR 1 C PS N SR 1 - 05 - 021 ATTESTED Bullinyestigation, Abbottabad 0333-5012176

ان مرعظ در علم منعن های والی محلی الما مالی موس 2, 3, 9 LANIK JU & W, 3, W & W 9 07 5, 7, 9 Me We 2 1 2 White 3 Universite Che SHO by by Willing i gill bound will a construct of the construction of $0 \frac{1}{2} \frac{9}{2} \frac{1}{2} \frac{$. War way and way 191 way by the way $\frac{2}{6} \frac{1}{6} \frac{1}$ $\frac{1}{88} (W) = ($ · g) - Fill glight Main Crive Lis Sugar in the side of the $\frac{1}{3} \frac{1}{2} \frac{1}$ by i while a field of the the start of the start of the start in the start of the s Alle and a set of the contract of the and the contract of the Endifut fol og Uge Ling & Up $\frac{1}{\sqrt{2}} \stackrel{<}{=} \stackrel{<}{=} \stackrel{\sim}{=} \stackrel$ (139/16 g 18/3 21 G FIR G 15AA (10 21 21 09/3) (Wi all all all and the sub our FIR MAL as the wi 2 Gen and Igrhu Glo 2 Olu Compe ATTESTED SUPErintendent of Police Examination, Abbottabad 1160 2021 04105

July of Band in 139 11 FIR Cing and Fully 91345 دواب: - میں رقب 3, میں وجود خان نام نائم نائل ایچ ناخ Fir is Fir with the store store in the store of the store $(e(3)^{2}9^{4}9^{4}9^{4})^{1/2} e^{2}(3)^{1/2} e^$ برانی . کرانی کو ملک مان وقع داخان روز از بسان وزیر 419:00 cig of 60 9.9 cus can e came in be cus i - 19 Zits Fill i we and S Jihn 3610 (10 abiles 340 March 139 Very Contraction of the Store of Store 2 cloquic bilo que que con con 13 Sige as a fine is in a fire of the start of the FIRMUS J's Clining of Clesho - 10 7 bir - 103 É G G JUB É pér L he S 140 CP. up Many Sili clar of 1267, 625 ATTESTED Superintendent of Police 04/05/021 0324 -7788548 investigation, Abbottabad 0310 - 6544466

وزير ولا معان مود 13 231 5 ins ~ 1139 :13 . 351 106 940 00, 12 The de , b / lips call set in Usiles care SHO سے روابہ بیوں اسی اشاء میں اوسی دینہ جرب سام اور تھ ک (male greater - 12 star 2. 12 (3 p) for for ن مدى و مرب ما - مار من شرار اماز ت in a set and and in the set and the ATTESTED Superintendent of Polics المبغر فالشرال بر مربع معين عاء فوال شم 20/04 15051 XXX " ... بروز فوع فوفت وهوم أيك ما لوزليشان لمك ? جا-: بر مرم و مرجوع ملا کر می کا کر میران گینات مرحما اس از ما د می والد و کا کاری اران ی اطلاع مرامی فرن معاتی نے ری جو من سائل صب اطارت با سرل جلا کی . ۷۷۷ فیمر یہ کما نا ب گوں ضرو میں ۶ جورب دیا جی میں لالالاع الحرب كما أبر كم مردك اولا رسمنى فر الرس ا ××× بن وقوم ى نيات أ المو على المراحم عار حفر ف محلاف مفد ره مرد مرد مرد من ؟ وا-1. شرم من وجرد تحا ادر من عبر علم من س XXX في رقوم ى سبت ASHO في في مراسلاف في مود مالى في سبت أمكونى الملاع اى Un 3 -2-13 0346-9535548-كيل أستان فطل تعل

سان ازان شیخ برد بر دوار عنانه خان از مرحار در المن من المراج عد الما المراك بال بار مرد والو من بر الم عام و ist ، زران رود م و فن وروم 23 16 kon in se solo siles Cale Sho it's i مای سے اجازے ۔ در تعری عید جرک سے تعرفرد روانہ ہو اس س 1 7 0 0 1 the Cul 1 ATTESTED میتر مرزد مدین مقید جری معري مفارير الن Superintendent of Police 28/04 = 25 XXX بشرار مدمر مرتوع موضف وتوعم أ من الج زمني ل لا واب: مرمزر موج ملا کا تے میران گینٹ ہو تھا گوت عینہ جرک نوال م تو ہے ، ملا کا سے امار نے میک کھ فور درائم میوکی الا المين مناا - مردع كون من ؟ جواري. جى بان من كون مرو شل مقدم من دولا كما مون مدين - من وقع باولور جواري. جما اور من مدين مدين مشين رسخط مرد بر ورور من « الملاية : مي - - - مردير مشخط مرجورس ، وا- د. جى منى مور منغ مرد بر منى ين ببب المربي من الموسل من الموسل على الفرائ كم فلاف معدى الم سوا عبد in ? وا ، جى منى مد علم من - ع المريخ . في مردع ما من الله مالك ما لار ملاف فعام ما أيكو اطلاع ركان ؟ 0344.190.8547 1 1 1 1 1 1 2 2 1 2 view 11322 / 1

نيشل نذر 3 منهر 183 مينغز انطول رد) كولين البين البين ال - برورون روافن بیان با ے جس حور 7, 5/7 کو أندول ردم میں خان جات سے مفرمات رزج مغیرہ کا لغوا لكورا محا-لات فردب ٥٤:١١ بم مناز الأرشيل قرر موان شر نے مقرمات علب 135 تا 138 کی کفیل تھوائی کے وہ 5:70 بح دور ج 31 کو کرد کا مرد قرر نے فون کر سے بقر علت 139 حررم 313 8 15 AA 17 كالفيل للوراني ع برای بران <u>م</u> و رورست <u>م</u> منظر فررو 183 متيع انظرون رم لولس لابن ATTESTED ng) 013-05-21 ndent of Polic ation, Abbottabad 0346.9561350 ا) وتوطع نے روز اب لسرول رد) دیم فرونی در موجور مق mel اللي في الم موجود في ا حواب ٤) دفرم فلات 139 . (?) 'AA 15 م الفيعل لب الموالي سوال جور ، في لوريسًا 2:70 في المريخ فادر مرد قررت مودن

رچ 3-7 - كنزول روم ايبي آباد-مارنتك ريور مشمور خه £.4 برآمدگی بحوالہ FIR نمبر بنام بذرلعه 7. نا تقانه المتر فودر كالرمرون إيرا حاجريو 365.34 فرار بي زديم 250 هورلنال 2 digits life a و فارا شارم رکو ج مول it of all 1k_ حو) فورز را مرا 11-19-11 012341 عر) المفارقان 9763078 Ľ 279. خدم الأركم ولوفه poli gray 25/ ۶ رور کان^ی کان 377-9 حض ورف رجرد 6.06 23)6577 ر در ال معد مشر المراس سے عور الم م مراکار الر س بستل 25% SHC Jas ISAA KPR 139 لو/0 لي 01/1/16 45° ATTY Sapenntendent of Police ST.T.T.

- كفرول روم اليوف آباد--2-21 مارنتك، د الإرم مود محد خلاصه 24 م. مرآ پر گی مو کل مبره ی يذ زلعه بحراليه FIR تمبر جرهم وأصبحنا شعر Elits Cadely & 188 13:6 نوران متر رک *[57* ۶ ۶ 90 SHO 138 ۶ ومعلى متراه LEJA رتحا) IEC NO 90 4 10 בקורך 69 wsp Que (1) L ATTE אך און 32LISA حض _{رَر}ز کر مِرکز 23,5 . فيركور رحير ولر ولر اختر Per i cety احرمن 1 دهم ferto 3.76 139 · (~ 50 اي فاس 12410 5/1. 34 ojudo يشقدب ولولاامع 1520 1.5 279. 322 12 64 9 ارز من من ر 4845024 مرور 337-4 كم حاركا تك O Ling de 323 34 EHC HAC 1416 ۶ Z 17 This 2 <u>é (-</u> (1/10) (7;⁷ àc ぶっつ

- كمرو (اروم ا بيف آماد-7-3-21 بارتنگ رېږ ري سور خه جااحه برآ وکی موبال نمبر . گ بذرليه بحواليهFIR تمبر جرم 20 al al cuis 162 10 al al al **تام تحانه** لنو أر دلر حر ومار ١٢٢ 278 مارى 48 (15610 88 ور کا کا SHO 96 OY) O. Gott ENSA امين سامين ولاكو سرار حق مر وحد رد 109 ICRBA 40 5 (Py) 9)Å ور در من B () ورج مفد H (A ول مر) مروز مرد i sali 0343 3.24 p.Pc 1 min 9 6 69 مكنولا 84 0661348 الكالح بين بركوس مولى في ورس في مورية مرصف من روا موالم ما حمل احملو) محسن بالشما من ع 100 المیش سے کا ترکینا کر کے کو میں ایک تھا ہے کہ c.Str 620 6621 ج أنهار الميم ورون Culis 279 161 لليروران 2 العارل د الوريش 1.62 Vjb' AS; 4 4 س[.] در م ndent of Police nuent of ron tion. Abbottabad 163 5 why angenter i فيرور فورو مرك فرود الم 47 ۶ <u>[6</u>3 34LisiA 7663 9 (1, 1) (2) yu de i) 29 4 9, 164 135 قوال لي IAC 188 (HIS CHIR & VOS P. حمل ابرائيم die 01.11 @ مر مراف الله الم الرواب 134 Ubrie annie ale Fair A Party

ent ni of . gation Anbortab-v

She aliver is a وسرور والرطان وروار سلطان سالقرقترل مترا وكم فكافا .». مراجرز رسها مراده مزدر بالماز ، ان سالی و ... مزدن و بن ان من مرد مرد مرد مرد مرد من من مرد من مندم و السان المرد ان دار مرد مرد مرد مرد من الالع ما رود مرا) بالمرون رفا متر تجرل الدر ودرس در من در م مر الافور بران من بر مران من مر مران می دو می دار م در من مر تبر ب مسيرار شقود مانسان الرقامة الدروس بالمعالى راهون مراجير و قرم موالا من كر أور شعب من مدينة أمام معمرة ارت حال ولود العلم ب عال ا المون المرق الدوس معروس محراب مع مترول مع مدين مقرق المرين الي ا " با با بوا بالنام مرد " با بوا و بت و عامرت بدا ما ما الو ما را م دم الن برب ال المرجم (المرجم (المرجم المرجم ا مرت من المنتخب المربع من الرمز المراب لرب المرب المربع المربع المربع المربع المربع المربع المربع الم الما ب مردان الربال المربع ... بوطن ربال ما رفع الا زاران الم المرابط منارس مرمد المراجع بين اللوج في موريس مريد منارس مرمد مرجز برا اللوج في موريس مريد الماع مرد المنت محد الماع مان مناصات مساح مرجز برا مستعمل ويرب (زر مساح ما علم ما علم ما علم ما علم ما علم ما علم ما ما م

13.13 E. J. 400 (2mm) Form No.5 24

ابتدائي اطلاعي ريورث

سكرجزل يولبس موبه خيبر يخو بخول فارم نمر 12

فائتل

ابتدائى اطلاع نسبت جرم قابل دست اندازى بوليس ربورف شده زيردفعهم ۱۵ مجوعه ضابط فوجدارى ضلع البيب آبار ارم وفي وفرم -703 ä £,. 39 <u>40</u> -/: مَانِينَ دِيم د. تاريخ دوقت ريورك 70:40 23-7163 219:452307.3:021 0.3535872260 نام دسکونت اطلاع د منده مستغیث د Joples SHO OLS CE الجلور الجر- 2 مخفر كيفيت جرم (معدد فعه) حال اكر كجوليا كما بو- وحصص المكار 5) 2 10 2, 3° J المحائ دتوعدفا مسارتهاندب إدريه م مس*کسطان شر*ی لعاً 1/12/ كالموطر تام وسكونت لمزم التقريق C. Suc 665330 لولر براور المروح jile1569 134 () کاردائی جوهنیش کے متعلق کی تن اگراطلاع درج کرنے میں تو تف ہوا ہوتو دجہ بیان کرو لكى وإرام والمر تماند بردائكي كى تاريخ دوقت _4 ايتدائي إطلاع يتجدرج كروبه ارم وصو <u>واکرد</u> 357. 4132 -0,9,7 Ju His ふび وكوس مراجر مواير 日世,1月 1,201 En las ألمو 1067 26 4× マイ جر و (NSC 63 7 és. 66357,0 اکم کک کو کی کھ بك وسول جراه م そうれ 1632 1/615917€0 ATTESTED 2NI ji H& PS.N.B.R .2021

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CHARGE SHEET

1). I, Zahoor Babar Afridi (PSP) District Police Officer Abbottabad as competent authority hereby charge you <u>SI Faisal Ali Shah SHO PS Nawansher</u> as explained in the attached statement of allegations.

2). You appear to be guilty of misconduct under Police Disciplinary Rules 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Police Disciplinary Rules.

3). You are therefore, directed to submit your written defense within seven days on the receipt of this Charge Sheet to the Enquiry Officer.

4). Your written defense, if any shall reach the Enquiry Officer with in the specified period, failing which it shall be presumed that you have no defense to put in and ir. that case ex-parte action shall follow against you.

5). Intimate whether you desire to be heard in person or otherwise.6). A statement of allegations is enclosed.

(Zaho PSP **District Police Officer** Abbottabad

1. S. L. T.

ORDER 24 02.2022

011-21

Learned counsel for the accused present. Learned SPP Miss. Tasleem Shahid Advocate also present.

IM L States

The instant cancellation report is submitted in case FIR # 139, dated 07.03.2021, u/s 15AA KPK, PS Nawansher, Abbottabad. The local police have sought for cancellation of the FIR on the ground that the FIR is fake, fictitious and was preplanned to benefit the accused namely Hazrat Gul S/o Bahadar Gul R/o Bannu in a murder case registered against him on the same day at District Bannu vide FIR # 178, dated 07.03.2021, u/s 302/324/34 PPC PS Caritt, District Bannu.

During course of proceedings, the accused appeared before the court and contested the instant cancellation report by supporting the FIR to be true and correct.

Arguments heard and record perused.

Perusal of record reveas that the through FIR # 139, the accused namely Hazrat Gul was charged for commission of offence u/s 15AA KPK. As per the story narrated in the FIR, while on gusht, the SHO PS Nawansher, on suspicion searched accused and 30 bore istol bearing # 2906254 was found in his possession. On 08,03.2021, accused was produced before the court Learled JM-III, Abbottabad/MOD, the effence was builable therefore, the accused was ordered to be eleased on bail. Later on, it surfaced that, on same day and time accused was also charged in case FIR # 173. dated 07.03.2021, u/s 302/324/34 PPC, PS Cantt, District Bannu and the present FIR was preplained so as to favour the accused in FIR No. 178. Accordingly, departmental inquiry was initiated against the SHO namely Faisal Shah of PS Nawansher, Abbettabud

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State vs Hazrat Gul

(complainant in the instant case) and other police. officials involved in the matter. During the inquiry, and accused SHO and other officials were found guilty of the charges leveled against them and they were dismissed from service vide order dated 10.06.2021. Upon directions of this court, the fact finding as well as final inquiry reports are produced before the court today and are placed on file. Perusal of the same revealed that the officials of the concerned police station in their statements before inquiry admitted that the FIR was registered at about 04:30 AM or 05:00 AM in the morning time on 08.03.2021 and in this respect on day prior i.e. on 07.03.2021, the SHO called the Muhartir to keep pending the Roznamcha of 07.03.2021 as he has to register an FIR and on the order of the SHO, the Muharrir kept the Roznamcha of 07.03.2021, pending till 08.03.2021 (morning) while in the FIR the time of lodging the FIR was mentioned as 20:40 hours (08:40 PM). Meaning thereby the FIR was registered in back date. Similarly, one constable Sheraz No. 1132 alco admitted before the inquiry that his name was included in the Fard as witness, but neither he was present on the spot nor he has signed on the Fard. Since, in the department inquiry it is proved that the FIR was lake, bogus and preplanned therefore, this cancellation report was filed. As the prosecution does not want to probeed with the instant FIR and has requested for its cancellation, therefore, in view of the above while agreeing with the prosecution this case in hand stands cancelled. File be consigned to record room after its

cessary completion and compilation.

JM-I/Magistrate Sec.30 C Abbottabad