

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.3324/2020

Date of Institution ... 24.04.2020
Date of Decision ... 02.12.2021

Muhammad Abid No.408 Ex-Driver Constable District Police
Kohat.

... (Appellant)

VERSUS

Inspector General of Police Khyber Pakhtunkhwa Peshawar and
two others.

... (Respondents)

Ashraf Ali Khattak,
Advocate

... For appellant.

Muhammad Adeel Butt,
Additional Advocate General

... For respondents.

Rozina Rehman
Atiq ur Rehman Wazir

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

JUDGMENT

Rozina Rehman, Member(J): Appellant was Driver Constable in the Police Department. He was dismissed from service on 16.01.2020. It is the legality and validity of this order which has been challenged by him U/S 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.

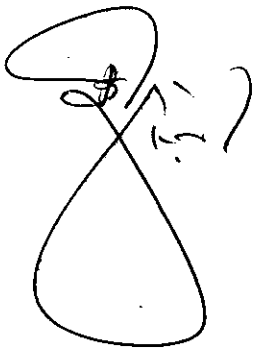
2. Brief facts leading to filing of the instant appeal are that complainant of case F.I.R No.1593 dated 15.12.2019 registered at Police Station City Kohat U/S 365 P.P.C reported regarding the kidnapping of his son by a person in Police uniform. The appellant had allegedly telephonic contact with the nominated accused in the above mentioned F.I.R before and after the occurrence. The appellant was also suspected for contact with the accused on the eventful day i.e. before and after the occurrence. He was served with charge sheet

alongwith statement of allegations, where-after, he submitted reply and after issuance of the final show cause notice, appellant was awarded major punishment of dismissal from service.

3. We have heard Ashraf Ali Khattak and Muhammad Adeel Butt, learned Additional Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

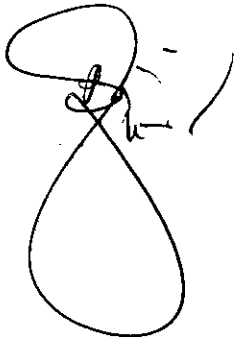
4. Ashraf Ali Khattak Advocate, learned counsel for appellant, inter-alia, contends that no proper inquiry was conducted as none from the general public was examined in support of the charges leveled against the appellant. He contended that the appellant was never informed about the inquiry proceedings and that he was condemned unheard. He contended that Sub Inspector Ayat Ullah was also proceeded against departmentally on the score of charges leveled against the present appellant and that in pursuance of the judgment of this Tribunal, Ayat Ullah Sub Inspector was reinstated in service and minor punishment of stoppage of three increments without cumulative effect was imposed upon him vide order of the District Police Officer, Kohat dated 31.08.2021. Learned counsel submitted that the present appellant was Driver Constable with Sub Inspector Ayat Ullah and that his order of dismissal was set aside, therefore, the present appellant being Driver Constable may also be reinstated in service with all back benefits.

5. Conversely, learned AAG submitted that S.H.O Ayat Ullah and his gunners Abdul Wahab and Muhammad Abid were found in contact with the accused who was charged in case F.I.R No.1593 dated 05.12.2019 registered at Police Station City Kohat U/S 365 P.P.C. He contended that after getting C.D.R of the accused, his telephonic



contact with the accused of the aforementioned case was established, therefore, departmental proceedings were initiated against the appellant under the relevant rules and on completion of all codal formalities, he was awarded major punishment.


6. From the record is evident that one Mst. Fatima Gul reported the matter on 3rd December 2019 that her son was taken away in a motorcar by a person wearing Police uniform. Her report was properly entered and investigation U/S 156 (III) Cr.PC was initiated which culminated in registration of F.I.R No.1593 dated 05.12.2019 U/S 365 P.P.C. Not only the present appellant Abid Ali but also S.H.O Ayat Ullah and his gunner Constable Abdul Wahab were also departmentally proceeded against on the allegations of their telephonic contact with the accused of the above mentioned criminal case. Admittedly, complainant party of case F.I.R No.1593 has patched up the matter with the nominated accused Farhad and main accused was discharged vide order of the learned Judicial Magistrate-II dated 10.10.2020. It merits a mention here that the appellant was Driver Constable with S.H.O (S.I. Ayat Ullah) who had been dismissed from service on the same allegation and who filed the service appeal which appeal was partially accepted and case was remanded to the Department to receive reply of the appellant to the final show cause notice within 7 days of the receipt of judgment vide judgment of this Tribunal in Service Appeal No.3325/2020. In pursuance to the directions of this Tribunal, process was initiated and S.H.O submitted his reply to the final show cause notice. He was heard in person and vide order of D.P.O Kohat dated 31.08.2021, he was reinstated into service and minor punishment of stoppage of three increments without cumulative effect was imposed upon him. The present appellant was




Driver Constable with S.H.O Ayat Ullah. He was not charged by the complainant of case F.I.R No.1593 dated 05.12.2019 registered U/S 365 P.P.C. The allegations in respect of contact of the present appellant with the nominated accused Farhad in case F.I.R No.1593 has also got no force as accused Farhad was not charged by the complainant party and accordingly he was discharged by a competent of Law.

7. For what has gone above, the appeal at hand is accepted. Consequently, the impugned order of imposition of penalty with disciplinary proceedings wherefrom it resulted, are set aside and the appellant is reinstated into service from the date of his dismissal from service with all back benefits. The concerned respondent on receipt of the copy of this judgment shall issue the order of appellant's reinstatement with all back benefits having accrued or accruable from the date of his dismissal from service. With no order as to costs. File be consigned to the record room.

ANNOUNCED.
02.12.2021


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

22.10.2021

Appellant alongwith his counsel present. Mr. Ishaq Gul, DSP (Legal) alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment being not prepared for arguments today. Adjourned. To come up for arguments on 21.12.2021 before the D.B.


(MIAN MUHAMMAD)
MEMBER (E)


(SALAH-UD-DIN)
MEMBER (J)

Order

02.12.2021

Appellant present through counsel.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present. Arguments heard and record perused.

Vide our judgment of today of this Tribunal placed on file, the appeal at hand is accepted. Consequently, the impugned order of imposition of penalty with disciplinary proceedings wherefrom it resulted, are set aside and the appellant is reinstated into service from the date of his dismissal from service with all back benefits. The concerned respondent on receipt of the copy of this judgment shall issue the order of appellant's reinstatement with all back benefits having accrued or accruable from the date of his dismissal from service. With no order as to costs. File be consigned to the record room.

Announced.
02.12.2021



(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

25.03.2021

Junior to counsel for the appellant present. Mr. Kabirullah Khattak learned Addl. AG alongwith Arif Saleem Stenographer for respondents present.

Representative of respondents submitted reply/comments which is placed on file. To come up for rejoinder if any, and arguments on 26.07.2021 before D.B.


(Atiq Ur Rehman Wazir)
Member (E)

26.07.2021

Junior to counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Former made a request for adjournment as senior counsel is busy before District Courts Kohat. Request is accorded. To come up for arguments on 14.09.2021 before D.B.


(Rozina Rehman)
Member (J)



Chairman

14.09.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional A.G alongwith Ishaq Gul D.S.P for respondents present.

Former submitted rejoinder with a request for adjournment. Request is acceded. To come up for arguments on 22.10.2021 before D.B.


(Rozina Rehman)
Member (J)


Chairman

01.12.2020

Junior counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is also present.

Written reply on behalf of respondents not submitted. Learned Additional Advocate General is directed to ensure presence of representative of the department and submit reply on the next date. Adjourned to 04.01.2021 on which date file to come up for written reply/comments before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

04.01.2021

Junior to counsel for the appellant and Addl. AG alongwith Arif Saleem Steno for the respondents present.

Representative of the respondents seeks time to furnish reply/comments. Adjourned to 29.01.2021 on which date the requisite reply/comments shall be positively submitted.

Chairman

29.01.2021

Junior to the senior for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Arif Saleem, Steno, for the respondents are also present.

Written reply on behalf of respondents not submitted. Representatives of the department are seeking further time for submission of written reply/comments. Last chance is given to the respondents for filing of written reply/comments. Adjourned to 25.03.2021 on which date file to come up for written reply/comments before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

06.08.2020

Mr. Noor Muhammad Khattak, Advocate for the appellant is present.

This appeal is also admitted for regular hearing in the light of order sheet recorded in **Service Appeal No. 3326/2020 titled Abdul Wahab Versus Inspector General of KPK Police Peshawar and two others** instituted on 24.04.2020, as common questions of law and facts are involved in the appeal. Appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 06.10.2020 before S.B.

Appellant Deposited
Security & Process Fee

[Handwritten signature]
6/8/20

[Handwritten signature]
(MUHAMMAD JAMAL KHAN)
MEMBER

06.10.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

Learned AAG seeks time. He is required to contact the respondents and facilitate the submission of requisite reply/comments on next date positively.

Adjourned to 01.12.2020 before S.B.


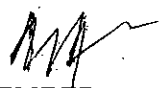
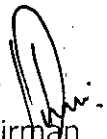
[Handwritten signature]
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 3324 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/04/2020	<p>The appeal of Muhammad Abid submitted today i.e 24.04.2020 by Mr. Syed Mudasir Pirzada, Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR,</p>
2-	29.05.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up on <u>29-05-2020</u></p> <p>Nemo for appellant.</p> <p>Notices shall be issued to appellant/counsel for preliminary hearing on 06.08.2020 before S.B.</p> <p style="text-align: right;"> MEMBER</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal 3324 2020

Muhammad Abid No-408 Ex-Driver Constable District Police Kohat

(Appellant)

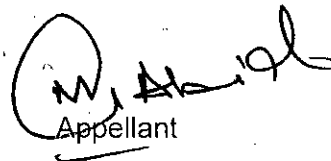
VERSUS

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION KOHAT
3. DISTRICT POLICE OFFICER KOHAT.

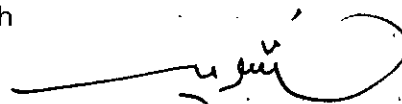
(Respondent)

INDEX

Sr No	Description of Documents	Annexure	Page
1	Memo of Appeal		1-4
2	Affidavit		5-6
3	Address of the Parties		7
4	Copy of impugned Order dated 16-01-2020 and charge sheet with reply and FCN	A	8-13
5	Copy of Departmental Representation dated 20-01-2020	B	14
6	Wakalatnama	C	


Appellant

Through


Syed Mudasir Pirzada
Advocate HC
0345-9645854

Date 24/4/20

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Muhammad Abid No-408 Ex-Driver Constable District Police Kohat

(Appellant)

VERSUS

Khyber Pakhtukhwa
Service Tribunal

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION KOHAT.
3. DISTRICT POLICE OFFICER KOHAT.

Diary No. 2652

(Respondent)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 16-01-2020 VIDE OB-NO 35 IN WHICH THE RESPONDENT NO:-3 WITHOUT ANY PROPER ENQUIRY DIRECTLY AWARD THE MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE WITH IMMEDIATE EFFECT AND THE APPELLANT PREFERRED DEPARTMENTAL REPRESENTATION DATED 20-01-2020 BUT THE SAME WAS NOT ENTERTAIN NOR CONSIDER TILL TO DATE

Respectfully Sheweth,

With great veneration the instant appeal is preferred by the appellant on the following Facts and grounds:-

Facts:

I:-Briefly facts as per impugned order are that on 03-12-2019 complainant of case FIR No-1593 dated 05-12-2019 U/S 365 PPC PS City reported regarding taking of her /his son by a person in Police uniform .

II:-As contemplated from report of SP Investigation Kohat ,the appellant had telephonically contact with charged accused before and after the occurrence which shows professional misconduct.(Copy of Impugned order is annexed as annexure A)

That appellant was served with the charge sheet along with statement of allegation and the appellant had properly submitted his reply which was deliberately not consider nor discussed in impugned order as well as issued the Final Show Cause notice and then an ex-party proceeding were conducted against the appellant.(Copy of charge Sheet with reply and FCN is annexed as annexure B)

That there is nothing is on the record which connect the appellant with the allegation nor proved and the appellant is blessed with impugned punishment which not warranted by law.

That an unjust has been done with the appellant by not giving ample opportunity of cross examination as well as not heard in person nor properly enquired the allegation and ex-party proceedings conducted against the appellant without

Photo-day
Registrar
24/04/2020

probing held guilty the appellant without following the prescribed rules relating to enquiry proceedings as per Police Rules 1975 (amended 2014).

That nothing has been proved beyond any shadow of doubt that the appellant has committed any misconduct or tarnished/damaged the image of Police department.

That the complainant had also record his statement in the court of law in which the appellant has been declare as innocent having no concern with the commission of offence as well as in so called departmental enquiry proceedings also exonerated the appellant by complainant while conducting identification parade but this fact was also not consider by enquiry officer and only on the basis of CDR the appellant has been consider guilty and blessed with impugned order without keeping in mind the Judgment of Superior Courts that only on the basis of Mobile data etc no one should be punished.

That the appellant being a subordinate junior officer were duty bound to obey all the lawful orders of senior officer and never ever indulge in any subversive activities which were not warranted by law only on the basis of presumption the appellant has been held guilty by enquiry officer more over the allegations which are not proved against the appellant at any forum till to date but without any cogent reason the appellant has been blessed with the impugned order which is against the rules *ibid*.

That there are numerous good entries in the service record of the appellant which could be verified but this fact has not been taken in consideration while awarding the major punishment which is against to the canon of justice.

That the appellant was neither provided an opportunity to cross examine the witnesses nor to produce defense evidence and the enquiry proceedings accordingly defective. Furthermore the requirements of rules regarding enquiry have not been observed while awarding the impugned punishment.

That the appellant feeling aggrieved from the impugned order prefer departmental representation which was not consider nor entertain till to date (Copy of departmental representation annexed as annexure C)

That the appellant dragged unnecessarily into litigation which is clearly mentioned in 2008 SCMR 725.

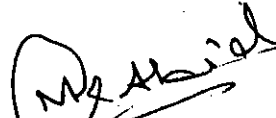
That while awarding the impugned major punishment the enquiry report has not been given to the appellant which is very much necessary as per 1991 PLC CS 706 & PLC 1991 584.

Grounds:

- a. That no proper enquiry has been conducted none from the general public was examined in support of the charges leveled against the appellant. No allegation mentioned above are practiced by the appellant nor proved against any cogent reason against the appellant.
- b. That the appellant was neither intimated nor informed by any source of medium regarding enquiry proceedings for any disciplinary action which shows bias on the part of respondents above even though the statement of the complainant which was tender by complainant was also not consider regarding the actual crux but in vain
- c. That the appellant was not heard in person nor called in orderly room and also not mentioned in the impugned order that the appellant was called because the when the expertly proceedings were conducted then how could it possible that the appellant was heard and called for orderly room which does not appeal to a prudent mind .
- d. That as per the contents of allegation mentioned in FCN and in departmental proceedings are different with each other.
- e. That it is not ascertainable that what element had promoted the competent authority to award punishment to the appellant in hasty manner.
- f. That as per the constitution of Islamic Republic Of Pakistan clearly speaks about the fundamental rights that the fair and transparent enquiry is the right of any employee.
- g. That the punishment is harsh in nature and the appellant is vexed for undone offence which is against the constitution of Islamic republic of Pakistan 1973.
- h. That the appellant is honest and dedicated one and leave no stone unturned to discharge his duties.
- i. That as per universal declaration of human rights 1948 prohibits the arbitral / discretion:
- j. That the Respondent No-3 has acted whimsically and arbitrary, which is apparent from the impugned order.
- k. That the impugned order is not based on sound reasons and same is not sustainable in the eyes of law. The same is based on wrong assumption of facts.
- l. That the departmental enquiry was not conducted according to the rules.
- m. That the impugned order is outcome of surmises and conjecture.

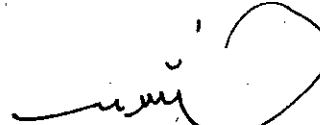
Pray:

In the view of above circumstances it is humbly prayed that the impugned order of Respondent No-3 dated 16-01-2020 Kohat may please be set aside for the end of justice and the appellant may please be graciously re-instate in service with all back benefits.


Appellant

Date 24/4/20

Through


Syed Mudasir Pirzada
Advocate HC Kohat
0345-9645854

Certificate:-

Certified that no such like appeal has earlier been filed in this Hon able Service tribunal as per instruction of my client.

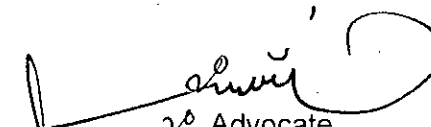
List of Books

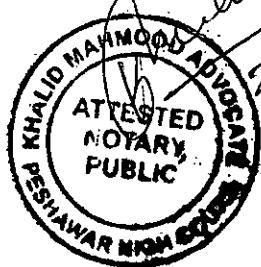
- 1:- Constitution of Pakistan 1973
- 2:- Police Rules
- 3:- Case Law according to need.

Service Appeal _____ 2020

AFFIDAVIT

I, Syed Mudasir Pirzada Advocate, as per instruction of my client do here by solemnly affirm and declare that all the contents of accompanying service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.


Advocate
24-4-20



BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Muhammad Abid No-408 Ex-Driver Constable District Police Kohat

(Appellant)

VERSUS

1. INSPECTOR GENERAL OF POLICE KPK PESHAWAR.
2. DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION KOHAT
3. DISTRICT POLICE OFFICER KOHAT. (Respondent)

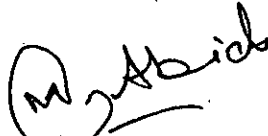
ADDRESS OF THE PARTIES

APPELLANT :-

Muhammad Abid No-408 Ex-Driver Constable District Police Kohat

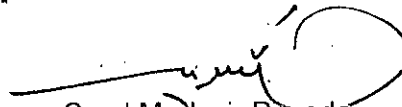
RESPONDENTS

1. INSPECTOR GENERAL OF POLICE KPK PESHAWAR.
2. DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION KOHAT.
3. DISTRICT POLICE OFFICER KOHAT.


Appellant

Through

Date 24/4/20


Syed Mudasir Pirzada
Advocate PHC
0345-9645854

Amex we A
P 8



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT
Tel: 0922-9260116 Fax 9260125

(Handwritten signature)

ORDER

This order will dispose of departmental enquiry against Driver constable Muhammad Abid No. 408 of this district Police, under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

- i. Facts arising of the case are that on 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.
- ii. As contemplated from report of SP Investigation Kohat, that driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on his part.

For the above, serious / professional misconduct of the accused driver constable. Charge sheet alongwith statement of allegations was served upon the accused driver constable. SP Operations Kohat was appointed as enquiry officer to scrutinize the conduct of the driver constable. The enquiry officer stated that the complainant party has patched up the matter with the accused for the reasons best known to him and in order to save the skin of accused official and other police official in the departmental proceedings. However, it has been established that the defaulter official and others are closed to the accused and involved / connivance with the commission of offence. However, irrespective of the statements of the complainant party and confirmation of bail before arrest of the accused, it has been established from CDR and investigation that the accused official and others were in contact with the accused before and after the commission of offence. The defaulter driver constable has earned a bad name to the entire department and caused damage to the image of Police. Therefore, the allegations leveled against the defaulter official and others have been established beyond any shadow of doubt and recommended for a major punishment. He was further served with Final Show Cause Notice. Reply was received and found unsatisfactory.

In view of the available record, I agree with the findings of enquiry officer, therefore, in exercise of powers conferred upon me under the rules *ibid* I, Capt. @ Mansoor Aman, District Police Officer, Kohat is hereby award a **major punishment of dismissal from service** with immediate effect, kit etc be collected and report.

Announced
16.01.2020

DISTRICT POLICE OFFICER,
KOHAT *(Signature)*

OB No. 35
Dated 16-01-2020
No. 204-06 /PA dated Kohat the 16-1-2020.

- 1. Copy of above is submitted for favour of information to the:-
Regional Police Officer, Kohat please.
- 2. R.I/Reader/Pay officer/SRC/OHC for necessary action.

DISTRICT POLICE OFFICER,

(Handwritten notes in Urdu)
17-01-2020
صیب
لانٹ لول
وینٹی
اصطلاحاً
مستند
مستند



Office of the
District Police Officer,
Kohat

No. 59027-30/PA

Dated 27-12/2019

9

Attest
[Signature]

CHARGE SHEET

I, **CAPT @ MASNOOR AMAN, DISTRICT POLICE OFFICER, KOHAT,** as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you **Driver Constable Muhammad Abid No. 408 PS Cantt** rendered yourself liable to be proceeded against, as you have committed the following act/omissions within the meaning of Rule 3 of the Police Rules 1975.

- i. *On 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.*
- ii. *As contemplated from report of SP Investigation Kohat, that you Driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on your part.*

2. By reasons of the above, you appear to be guilty of misconduct under Rule 3 of the Rules ibid and have rendered yourself liable to all or any of the penalties specified in the Rule 4 of the Rules ibid.

3. You are, therefore, required to submit your written statement within 07days of the receipt of this Charge Sheet to the enquiry officer.

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

4. A statement of allegation is enclosed.

**DISTRICT POLICE OFFICER,
KOHAT**

[Signature]
27/12/19



No. 59029-30/PA

Office of the
District Police Officer,
Kohat

Dated: 27-12/2019

10

Attest
[Signature]

DISCIPLINARY ACTION

I, **CAPT @ MANSOOR AMAN, DISTRICT POLICE OFFICER, KOHAT** as competent authority, am of the opinion that you **Driver Constable Muhammad Abid No. 408 PS Cantt** have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) as you have committed the following acts/omissions.

STATEMENT OF ALLEGATIONS

- i. ***On 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.***
- ii. ***As contemplated from report of SP Investigation Kohat, that you Driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on your part.***

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations *SP operation, Kohat* is appointed as enquiry officer. The enquiry officer shall in accordance with provision of the Police Rule-1975, provide reasonable opportunity of hearing to the accused official, record his findings and make, within twenty five days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

The accused official shall join the proceeding on the date, time and place fixed by the enquiry officer.

**DISTRICT POLICE OFFICER,
KOHAT**

No. 59029-30/PA, dated 27-12/2019.

- Copy of above to:-
1. *SP/OPS - Kohat* :- The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.
 2. The **Accused Official**:- with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings.

جواب چارج شیٹ

11

جناب عالی! کنستبل
AM

بحوالہ چارج شیٹ نمبر 30/PA-59024 مورخہ 27.12.2019 ذیل جواب عرض ہے۔

1- یہ کہ مقدمہ بحوالہ مقدمہ علت 1593 مورخہ 15.12.2019 جرم PPC 365 تھانہ سٹی کے ساتھ میرا کوئی واسطہ یا تعلق نہیں ہے اور نہ ہی وقوعہ میں میرا ملوث ہونے کا کوئی ثبوت ہے اسی طرح مدعی مقدمہ نے اپنی رپورٹ یا دوران تفتیش نہ میرا نام لیا ہے اور نہ ہی کسی بھی طرح ملوث یا ملزمان سے رابطے کے متعلق کوئی بیان دیا ہے اور نہ ہی میرا کوئی رابطہ ہوا ہے۔ CDR رپورٹ پر نظر ثانی کی جائے۔

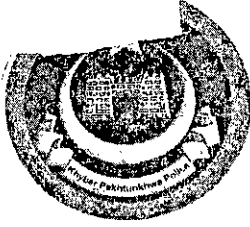
2- یہ کہ بحوالہ ٹیلی فونک رابطہ از بسلسلہ وقوعہ ملزمان غلط اور من گھڑت ہے۔ ایس پی انوسٹی گیشن صاحب نے سراسر یکطرفہ رپورٹ پیش کی ہے جو کسی غلط فہمی پر مبنی ہے جہاں تک ایس پی انوسٹی گیشن کی رپورٹ میں CDR بابت رابطہ ملزمان کا تعلق نہیں ہے میں اس پر معروض ہوں کہ میں نے کوئی رابطہ نہیں کیا ہے اور نہ ہی میں ملزمان کو جانتا ہوں۔

جناب عالی!

استدعا ہے کہ میں ایک ذمہ دار پولیس کنستبل ہوں اپنے اور محکمہ کی عزت کی خاطر اس قسم کی من گھڑت سازش یا سنگین جرم میں ملوث ہونے کا سوچ بھی نہیں سکتا۔ باجواب چارج شیٹ بالا مجھے بے گناہ تصور کیا جا کر انکو آڑی سے بری الذمہ قرار دیا جائے۔

کنستبل محمد عابد نمبر 408
M Abidi

2-1-2020



12
Attest
Munir

OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

Tel: 0922-9260116 Fax 9260125

No 191 /PA dated Kohat the 15/1/2020

FINAL SHOW CAUSE NOTICE

1. I, **Capt. ® Mansoor Aman, District Police Officer, Kohat** as competent authority, under the Khyber Pakhtunkhwa Police Rules 1975, (amended 2014) is hereby serve you, **Driver Constable Muhammad Abid No. 408** as follow:-

- i. That consequent upon the completion of inquiry conducted against you by the inquiry officer for which you were given opportunity of hearing vide office No. 59029-30/PA dated 27.12.2019.
- ii. On going, through the finding and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the inquiry officer.

I am satisfied that you have committed the following acts/omissions, specified in section 3 of the said ordinance.

- a. **On 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.**
- b. **As contemplated from report of SP Investigation Kohat, that you Driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on your part.**


2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you major penalty provided under the Rules **ibid.**

3. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within 07 days of its delivery in the normal course of circumstances, it shall be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.

5. The copy of the finding of inquiry officer is enclosed.

DISTRICT POLICE OFFICER,
KOHAT


M. Abid

ضیاع عالی

13

محلہ ماہل سٹوٹن نوٹس ۱۹۱۱

Abidat
تیسری

۱۵ ۱/۲ ۱۵۰
۱۵۰
۱۵۰
۱۵۰
۱۵۰
۱۵۰

۴۰۸

Abidat

بخدمت جناب ریجنل پولیس سربراہ کوہاٹ ریجن

عنوان :- اپیل برائے بحالی سروس

جناب عالی!

معروض خدمت ہوں کہ:-

- 1- محمد عابد سابقہ کانسٹیبل (ڈرائیور ایس ایچ او چھاؤنی) کو مقدمہ علت 1593 مورخہ 15.01.2019 جرم 365PP تھانہ شی کوٹ ضلعی پولیس سربراہ کوہاٹ نے چارج شیٹ دے کر انکو آئی آئی آفسر ایس پی آپریشن کو مقرر کر کے انکو آئی آفسر کے رو برو چارج شیٹ نمبر 204-06/PA کا تحریری جواب دیا گیا۔ اپنے آپ کو مقدمہ سے لاتعلقی اور بے گناہ بیان کیا کیونکہ حقیقت میں میں بے گناہ ہیں۔
- 2- مقدمہ میں تفتیشی آفسر انور شاہ SI/OII تھانہ شی نے انکو آئی آفسر کے رو برو تحریری بیان جمع کر کے مذکورہ نے اپنے بیان میں واضح طور پر کہا کہ اس نے مغوی اور مدعیہ کو آیت اللہ ایس ایچ او کا زیر استعمال VITS موٹر کار بمقام IMT لائن میں دیکھلا کر مغوی نے اسرا کیا کہ اس کو گاڑی میں چکر دیں تب گاڑی کی شناخت کر سکے گا جس پر OII مذکورہ نے مغوی اور مدعیہ دونوں کو باوجود دیگر پولیس نفری گاڑی میں بیٹھا کر پشاور بانی پاس روڈ OTS روڈ تک VITS گاڑی میں پھیرا گیا۔ IMT واپس آ کر مغوی نے بتلایا کہ یہ وہی گاڑی نہیں ہے جس میں اسکو گھر سے اغوا کر کے اٹھا کر لے گئے تھے۔ بیان جمع کرنے کے بعد تفتیشی آفسر پر انکو آئی آفسر نے کراس سوالات کئے کہ آیت اللہ اور گنز مقدمہ میں ملوث ہیں یا نہیں۔ جواب دے کر کہا کہ اس نے شروع سے لیکر آخر تک مقدمہ کی تفتیش کی ہے پولیس پارٹی کو تفتیش سے ملزمان نہ ہونا ظاہر کیا۔
- 3- انکو آئی آفسر کے رو برو مغوی محمد علی، مغوی کی والدہ مسماہہ فاطمہ گل اور مغوی کے والد اسرار خان نے پیش ہو کر تحریری بیانات دیئے ہیں جس پر انکو آئی آفسر نے کراس سوالات کئے کہ یہ تینوں پولیس اہلکاران جو آپ کے سامنے ہیں کیا انہوں نے آپ کو اٹھا کر اغوا کیا تھا جو جواب مغوی اور مدعیہ نے کہا کہ یہ پولیس اہلکاران نہیں ہیں اور جنہوں نے اغوائگی کی ہے ان اہلکاران کو سامنے آنے پر پہچان کر سکتی ہوں۔

جناب والا!

کسی بھی انکو آئی آفسر کی اصلیت اور حقیقت کے دوام جز ہوتے ہیں جو فیصلہ پر اثر انداز ہوتے ہیں۔

i- تفتیشی کارروائی

ii- مدعی اور مغوی سے شناخت پریڈ

- تفتیشی آفسر کے بیان اور تفتیش کے مطابق ہم پولیس اس مقدمہ سے مترا ہیں کیونکہ ایس ایچ او صاحب کی زیر استعمال VITS گاڑی کو مغوی اور مدعیہ سے دوران تفتیش شناخت پریڈ کرائی گئی ہے جو عدم شناخت بیان ہوئی ہے۔
- 2- مغوی اور مدعیہ سے دوران انکو آئی آفسر بذات خود انکو آئی آفسر نے ہم پولیس نفری کا اپنے دفتر میں رو برو شناخت پریڈ کرنا قبول مدعی اور مغوی ہم وہ پولیس اہلکاران نہ لکھے جنہوں نے وقوعہ کے دوران پولیس کی وردی پہنی تھی۔
- 3- چارج شیٹ جمع کرانے پر انکو آئی آفسر نے میرے اوپر کسی قسم کے کراس سوالات نہیں کئے۔ فائل شو کا نوٹس اسی دن جاری کیا جس سے مجھے سروس سے برخاست کیا۔

نوٹ:- نہ ہی مجھے اردلی روم میں پیش کر کے صفائی کا موقع دیا گیا ہے جو کہ انصاف کے تقاضوں کے برعکس ہے۔

- 4- ایسے ملزمان جو پولیس نے مقدمہ میں خود چارج کئے اور ان ملزمان کے حق میں مدعی فریق نے عدالت میں بیان ریکارڈ کر کے ملزمان کی عبوری ضمانت کفرم ہوئی ہے اگر نامزد ملزمان کا قصور نہیں تو مجھے نامزد ملزمان کے ساتھ رابطہ کی وجہ سے سزا دی گئی ہے کیونکہ نامزد ملزمان کے ساتھ میرا کسی قسم کا کوئی رابطہ اور تعلق نہیں ہے۔

جناب والا!

باوجود اسکے کہ من محمد عابد کے خلاف دوران انکو آئی آفسر کوئی بھی ثبوت نہ ملا کیونکہ میں بے گناہ ہوں لیکن انکو آئی آفسر نے بالا آفسر کو Major Punishment کا لکھ جس میں مجھے محکمہ پولیس سے برخاست کیا جو میں رد کرتا ہوں کیونکہ انکو آئی آفسر میں ظاہر ہونے والے حقیقت کو نظر انداز کر کے منصفانہ فیصلہ نہیں کیا گیا ہے میں اس فیصلے کو اے حافیصلہ قرار دیتا ہوں جو کہ میرا قانونی حق ہے۔

استدعا ہے کہ مندرجہ بالا حالات کو پیش نظر رکھتے ہوئے سال کی اپیل کو منظور فرما کر محکمہ پولیس میں نوکری پر بحال کیا جائے۔

تحریر 20.01.2020

رجسٹرڈ کارڈ نمبر ()

15

العارض

M. Abidul

محمد عابد سابقہ ڈرائیور کاٹھیاں

1277
No.

EC dt 22-1-20

EC
20/1/2020

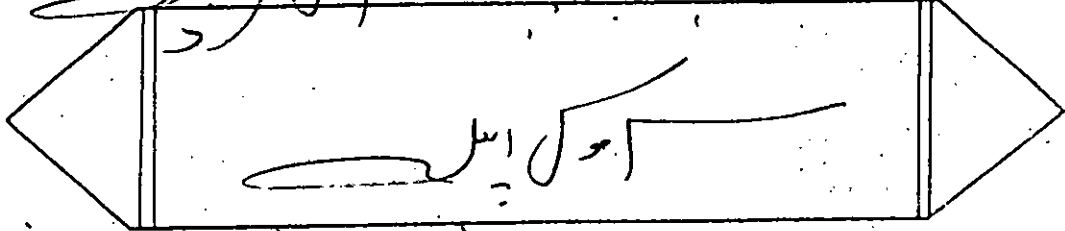
D/O Kohat

For comments, complete enquiry
file & service documents please.

AA est
[Signature]

[Signature]
DIG POLICE
KOHAT
20/1/20

بعد الت صا کے کوکل ٹر ہو لے اور



2022ء منجانب ایٹم سٹوڈیو
بنام

موزخہ
مقدمہ
دعویٰ
جرم

محمد عابد

19/10/2022

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کا ہوائی متعلقہ
آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برادگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

الرقوم 24 ماہ اپریل 2022

واہ الناب

Accepted
کے لئے منظور ہے۔

بمقام
محمد عابد

BEFORE THE HONORABLE KHYBER-PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 3324/2020

Muhammad Abid Ex-D.Const: No. 408

..... Appellant

VERSUS

Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 TO 3

Respectively Sheweth:-

Preliminary Objections:-

- i. That the appellant has got no cause of action.
- ii. That the appellant has got no locus standi.
- iii. That the appeal is not maintainable in its present form.
- iv. That the appeal is bad in law and not maintainable as the appellant has not questioned the order of respondent No. 2 vide which the departmental appeal of the appellant was rejected.
- v. That the appellant is estopped to file the instant appeal for his own act.
- vi. That the appellant has not approached the honorable Tribunal with clean hands.
- vii. That the appeal is bad for misjoinder and non-joinder of necessary parties.
- viii. That the appeal of the appellant is badly time barred.

Facts:-

1. One Mst: Fatima Gul Bibi w/r Israr Khan r/o Mohallah Mian Badshah Kohat reported to local Police on 3rd December-2019 that one the eventful day at 16:30 hrs her house door was knocked. She opened the door and witnessed that one person wearing Police uniform and face mask, who asked about any male of her family. She informed her son named Ali Israr, who went out and the aforesaid person took away him in a motorcar in context of search of his house. She reported for search of her son, upon which an investigation u/s 156 (iii) CrPC was initiated. The investigation culminated in registration of FIR vide No. 1593 dated 05.12.2019 u/s 365 PPC PS City Kohat. Copy is **annexure A**.

During course of investigation of the case. SP investigation vide his report dated 24.12.2019 submitted that SHO Ayat Ullah (now dismissed in the said incident) and his gunners named constable Muhammad Abid (present appellant) and Abdul Wahab were constantly in contact with the accused subsequently charged in the case. In this regard SP investigation obtained CDR of the accused, which established the telephonic contact of appellant and others with accused of the aforesaid criminal case. Copy of report is **annexure B**.

On the involvement of appellant in a heinous crime and pursuant to the report of SP Investigation, Kohat, the respondent No. 3 initiated departmental proceedings against the appellant under the relevant rules. During course of inquiry proceedings, the appellant was held guilty of the charge. Therefore, on completion of all codal formalities the appellant was awarded punishment commensurate to the charges by the respondent No. 3. Copy of inquiry report is **annexure C**.

As contemplated from the report of SP investigation, Kohat the appellant was served with charge sheet with statement of allegation and a regular inquiry was initiated against the appellant. The inquiry officer filed his report and held him guilty of the charges, upon which the appellant was served with final show cause notice. Hence, a regular inquiry was conducted against the appellant and he was associated with the inquiry proceedings, hence, question of ex-parte does not arise / establish. Copy of final show cause notice with signature of receipt of appellant is **annexure D**.

Incorrect, the charges / allegations leveled against the appellant were established beyond any shadow of doubt.

Incorrect, a regular inquiry was conducted, the appellant was associated with the proceedings and afforded ample opportunity of defense, but failed to submit any plausible explanation / reply to his criminal act / misconduct.

Incorrect, the charges / allegations leveled against the appellant during the departmental inquiry were established beyond any shadow of doubt.

Irrelevant, criminal and departmental proceedings are different in nature. The conduct of the appellant was established technically and from the evidence placed on inquiry file.

The appellant has admitted his guilt in this para of the memorandum of appeal as telephonically contact with the criminals charge in the aforesaid case.

Incorrect, reward and punishment in a disciplined department runs side by side and the appellant cannot take benefit of his good entry if any. Furthermore, the appellant was proceeded with departmentally for his gross professional misconduct.

Incorrect, reply is submitted in the above paras.

The departmental appeal of the appellant was processed by respondent No. 2, accordingly, found devoid of merits and rejected vide order dated 25.06.2020 which is not questioned by the appellant. Copy is **annexure E**.

Incorrect, the appellant was proceeded with departmentally by respondent No. 3 for his own serious criminal act. Furthermore, the case law referred by the appellant is not relevant to the instant appeal.

Incorrect, all codal formalities were fulfilled by the respondent during the entire departmental proceedings.

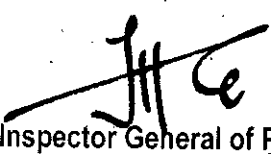
Grounds:-

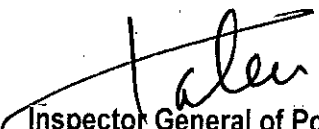
- a. Incorrect, a regular departmental inquiry was conducted against the appellant in accordance with the rules. There was sufficient documentary / technical evidence against the appellant i.e CDR and charges were established against the appellant during department probe.
- b. Incorrect, the appellant was properly served with charge sheet / statement of allegations, final show cause notice and associated with the proceedings. The material / evidence collected during the proceedings were considered, which connected the appellant with the commission of gross professional misconduct, in addition to commission of criminal act.
- c. Incorrect, the appellant was associated with the proceedings and heard in person but fail to submit any plausible explanation.
- d. Incorrect, a legal and speaking order based on the charges / allegations and evidence was passed by the respondent No. 3 being competent authority under the rules.
- e. Incorrect, the departmental proceedings were conducted against the appellant on the basis of findings report of SP investigation Kohat wherein the telephonic contact of the appellant with accused was ascertained through CDR collected in investigation of criminal case. Copy of report of I.O is **annexure F**.
- f. Incorrect, no constitutional / fundamental right of the appellant was violated as he being member of a disciplined department was proceeded with departmentally for his misconduct under the relevant rules.

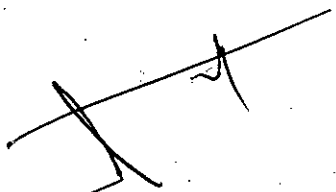
- g. Incorrect, the appellant was awarded appropriate punishment commensurate to the charges / allegations proved against him during probe.
- h. Incorrect, the appellant has indifferent service record. The act committed by the appellant damaged the image of entire disciplined Police department.
- i. Incorrect, the appellant was proceeded with departmentally under the relevant rules.
- j. Incorrect, para No. j of the memorandum of appeal is replication and reply has submitted in the above paras.
- k. Incorrect, a legal and speaking order is passed in accordance with fact and rules.
- l. Incorrect, all the codal formalities have been fulfilled according to law & rules.
- m. Incorrect, all the codal formalities have been fulfilled according to law & rules.

Prayer:-

In view of the above, it is prayed that the appeal being contrary to facts, law & rules and devoid of merits, may graciously be dismissed with costs.


Dy: Inspector General of Police
Kohat Region, Kohat
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
(Respondent No. 1)


District Police Officer,
Kohat
(Respondent No. 3)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 3324/2020

Muhammad Abid Ex-D.Const: No. 408

..... Appellant

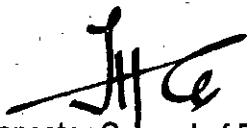
VERSUS


Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

COUNTER AFFIDAVIT

We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.


Dy: Inspector General of Police
Kohat Region, Kohat
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
(Respondent No. 1)


District Police Officer,
Kohat
(Respondent No. 3)

کاؤنٹر فائل

ابتدائی اطلاعی رپورٹ

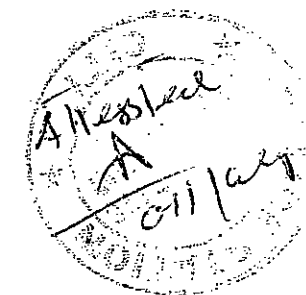
ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ ۱۵۴ مجموعہ ضابطہ نو جداری

تاریخ	۱۵۹۳
مسی	۷
شعبہ	کوہاٹ
تاریخ وقت وقوع	۰۳ ^{۱۲} / _{۱۹} وقت ۱۶:۳۰ بجے

۱۔ تاریخ وقت رپورٹ	۱۹-۱۲-۰۳ وقت ۱۷:۰۰ بجے
۲۔ نام و سکونت اطلاع دہندہ مستغنیث	۱۴۳۰۱-۱۵۷۶۱۱۱-۶
شخصی کارڈ نمبر انویسٹمنٹ نمبر	۰۳۳۳-۹۶۲۶۷۷۱
۳۔ مختصر کیفیت جرم (معدومہ) حال اگر کچھ لیا گیا ہو۔	۳۶۵
۴۔ جائے وقوعہ فاصلہ تھانہ سے اور سمت	نزد خانہ مدویدہ واقعہ محلہ میان بار شاہ سٹی کوہاٹ
۵۔ نام و سکونت ملزم	
شخصی کارڈ نمبر انویسٹمنٹ نمبر	
۶۔ کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو	دوران انکوائری بیان مغوی ۱۶۱/۱۶۴ پر حسب ہدایت افسران بارہ
۷۔ تھانہ سے روانگی کی تاریخ و وقت	بیربیل ڈاک (پہلے دیکھا جاتا ہے۔)

ابتدائی اطلاع نیچے درج کرو۔ ضابطہ ایلی اسٹینڈرڈ نمبر ۲ کی رپورٹ کی رپورٹ ۲۶ روز ماچہ ۱۲/۰۳ تھانہ سٹی درج روز ماچہ ۲۶ کے جس نے سپریشن محلہ علی پور ۱۵ سال کی اغوا شہیدی کی رپورٹ کر کے انکوائری (۱۱۱) R 156 شروع کر کے دوران انکوائری مغوی جی جی بی بازیا ب پور جس کا بیان زیر دفعہ ۱۶۱/۱۶۴ قلم بند ہو کر بیان کی روشنی میں مقدمہ جرم باہر درج رجسٹر کیا گیا کہ انکوائری کاغذات ہم نقل ۱۶۱/۱۶۴ فیصلہ تفتیش کو ال ایس ایف کے ساتھ چلتے ہوئے نقلہ ذیل سے پہلے گزرا ہے۔ ۱۱۱/۱۶۴ درجہ ۲۶ مہمانہ خانہ محلہ علی پور جسے اسرار خان پور ۳۶ سالہ محکم میان بار شاہ شہابی کارڈ نمبر ۱۴۳۰۱-۱۵۷۶۱۱۱-۶ ۱۱۱/۱۶۴ انویسٹمنٹ نمبر ۰۳۳۳-۹۶۲۶۷۷۱ نو فرم ۱۲/۰۳ وقت ۱۷:۰۰ بجے باضری تھانہ اگر رپورٹ کرتی تھیک اندر عمر و یام میں خانہ خود میں موجود تھی۔ یوقہ ۱۶:۳۰ بجے کے دروازے پر دستک پڑی۔ میں نے دروازہ کھولا تو ایک نوجوان جس نے پولیس وردی پہنی ہوئی تھی۔ اور سپریشن ماسک پہنا ہوا تھا۔ اور مجھے کہا کہ گھر میں کوئی مدد نہ ہو تو باہر بھیج دوں گا۔ میں نے سپریشن علی اسرار پور ۱۵ سال کو کہا کہ باہر پولیس آئی ہے جا کر دیکھیں جس گھر کے دروازے میں کھڑی تھی۔ سپریشن کو مدد نہ کرے پولیس کی وردی میں ملے بوس شخص نے موٹر کار (۱۱۱) (۱۱۱) رنگ سفید نمبر معلوم میں تھا کہ مجھے کیا کہ ہم اس سے کسی کے گھر کا پتہ پوچھتے ہیں۔ اور چلے گئے۔ میں اس بات معلوم کرنے آئی ہوں کہ میرے بیٹے کو کون پولیس والے اور کون سے پولیس سٹیشن لے گئے ہیں۔ برائے اطلاع رپورٹ آئی ہوں۔ میری رپورٹ دیکھی جا کر قانونی کارروائی عمل میں لائی جائے۔ تفتیش انکوائری رپورٹ کے ساتھ کارروائی سپریشن حسب تفتیش مہمانہ خانہ رپورٹ درج باہر ہو کر پڑھ کر سنائی سچائی گئی درست تسلیم کر کے زیر رپورٹ خود تفتیش انکوائری ثابت کیا۔ اس دوران علی اسرار خانہ اسرار خانہ اسرار علی حاضر تھانہ آیا۔ جس نے بیان کیا کہ عمر ۸ ماہ قبل میں نے اپنی ارنہ ۲۸ مرحلہ واقعہ ڈھیری یا تارہ مہمی قہر پارہ در نظر آئی کہ گڑھی ڈھول لوال پر مبلغ ۹۵ لاکھ روپے پر فروخت کی تھی۔ جس میں سے تاحال مجھے کوئی رقم وصول نہیں ہوئی ہے اور وہ بھی میں نے رقم کار ملانہ کیا ہے تو مدد کو رخصت میرے ساتھ تعلقات ختم کر دیے ہیں۔ اب مجھے تنگ آچکا ہے میرے بیٹے کو روزم معلوم پولیس وردی میں ملے بوس کسان اٹھا کر لے گیا ہے۔ اور اپنے مفہوم عزم حاصل کرنا چاہتا ہے۔ سپریشن ہم اطلاع رپورٹ کرتے ہیں تو پولیس تفتیش کے حسب ضابطہ عدوی اری کو لگا۔ دیکھو انگریزی رپورٹ نمبر ۱۴۳۰۱-۲۰۶۱۰۸۷-۹ کارروائی پولیس حسب تفتیش مسائل می اسرار جی رپورٹ درج باہر ہو کر پڑھ کر درست تسلیم کر کے زیر رپورٹ خود دیکھو انگریزی تفتیش کیا جس میں تصدیق کرتا ہوں۔ وقوع کے بارے میں تفریق وائر پولیس کنٹرول روم تمام خانہ حیات، جو کہایت افسران باہر صاحبان کو اطلاع دی۔ معاملہ میں اصلیت معلوم کرنے کی خاطر حسب ہدایت ۱۵۹/۱۶۴ انکوائری (۱۱۱) R 156 شروع کرنے کی خاطر نقلہ فیصلہ کارروائی غلطی تفتیش پولیس کو مطلع کیا گیا ہے جس بارے میں تفریق وائر پولیس کو اطلاع دیا گیا۔ ضابطہ ایلی اسٹینڈرڈ نمبر ۲ کے مطابق دی گئی۔ ضابطہ ایلی اسٹینڈرڈ نمبر ۲ کے مطابق دی گئی۔

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
351579111250980	923355556550	923359044743	04/12/2019 11:43	04/12/2019 11:43	0	INCOMING	SMS	
351579111250980	923355556550	923369651718	04/12/2019 11:45	04/12/2019 11:45	0	INCOMING	SMS	
351579111250980	923355556550	923337557557	04/12/2019 11:49	04/12/2019 11:50	54	INCOMING	VOICE	Kharmatu - KO-A
351579111250980	923355556550	923341904204	04/12/2019 11:52	04/12/2019 11:53	35	INCOMING	VOICE	Bora Ghari - BORA GHARI
351579111250980	923355556550	923337557557	04/12/2019 12:03	04/12/2019 12:05	101	INCOMING	VOICE	Bili Tang - BILI TANG
351579111250980	923355556550	923341904204	04/12/2019 12:08	04/12/2019 12:08	0	INCOMING	SMS	
351579111250980	923355556550	923339617279	04/12/2019 12:12	04/12/2019 12:13	54	INCOMING	VOICE	
351579111250980	923355556550	923329623477	04/12/2019 12:32	04/12/2019 12:34	123	INCOMING	VOICE	
351579111250980	923355556550	923059341954	04/12/2019 12:48	04/12/2019 12:49	56	OUTGOING	VOICE	Rustamabad - RUSTAMABAD
351579111250980	923355556550	923336573030	04/12/2019 12:50	04/12/2019 12:51	50	INCOMING	VOICE	Rustamabad - RUSTAMABAD



NO	NUMBER	NUMBER	CALL START TIME	CALL TYPE	CATEGORY	LOCATION
354874102008620	923339999797	923339999797	2019-12-03 15:08:18.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:09:20.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:09:52.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:11:18.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:13:05.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:14:27.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:17:47.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:20:28.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:26:45.0	VOICE	INCOMING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:28:33.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:35:35.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 15:09:42.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:14:29.0	VOICE	INCOMING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:17:23.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:29:50.0	VOICE	INCOMING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:30:20.0	VOICE	OUTGOING	Sangair - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:31:59.0	VOICE	OUTGOING	Usmania colony - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:32:24.0	VOICE	INCOMING	Usmania colony - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:33:11.0	VOICE	INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:34:05.0	VOICE	OUTGOING	Usmania colony - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:36:05.0	VOICE	OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:45:00.0	VOICE	INCOMING	Garhi Muwaz Khar - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:49:25.0	VOICE	INCOMING	Check Post Hangu Road - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 16:54:37.0	VOICE	INCOMING	Usmania colony - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 17:05:38.0	VOICE	INCOMING	Check Post Hangu Road - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 17:11:32.0	VOICE	INCOMING	Nusrat Khel - NUSRAT KHEL
354874102008620	923339999797	923339999797	2019-12-03 17:12:12.0	VOICE	INCOMING	Nusrat Khel - NUSRAT KHEL
354874102008620	923339999797	923339999797	2019-12-03 17:23:41.0	VOICE	OUTGOING	Nusrat Khel - NUSRAT KHEL
354874102008620	923339999797	923339999797	2019-12-03 17:35:07.0	VOICE	INCOMING	Garhi Muwaz Khar - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 17:35:46.0	VOICE	OUTGOING	Garhi Muwaz Khar - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 18:01:13.0	VOICE	INCOMING	Wahab Gunner
354874102008620	923339999797	923339999797	2019-12-03 18:01:57.0	VOICE	INCOMING	Rauf - DSB
354874102008620	923339999797	923339999797	2019-12-03 18:05:14.0	VOICE	INCOMING	Wahab Gunner
354874102008620	923339999797	923339999797	2019-12-03 18:33:33.0	VOICE	INCOMING	Grammat - PATERANA - KOHAT
354874102008620	923339999797	923339999797	2019-12-03 18:43:18.0	VOICE	INCOMING	Wahab Gunner
354874102008620	923339999797	923339999797	2019-12-03 18:44:32.0	VOICE	INCOMING	Minhaj -
354874102008620	923339999797	923339999797	2019-12-03 18:48:14.0	VOICE	OUTGOING	Paizafi
354874102008620	923339999797	923339999797	2019-12-03 18:53:13.0	VOICE	OUTGOING	Missing boy Father - Ismail

- 13 led
- 13 led
- 13 led
- 13 led

Handwritten signature
Date: 12/12/19

NUMBER	DATE	TIME	TYPE	STATUS	LOCATION	REMARKS
923339999797	2019-12-03	18:57:50.0	6	VOICE	OUTGOING	Tehsil Gate - KOHAT
923339999797	2019-12-03	19:02:17.0	20	VOICE	INCOMING	Barisal Colony - KOHAT
923339999797	2019-12-03	19:10:29.0	174	VOICE	OUTGOING	Garni Muwaz Khan - KOHAT
923339999797	2019-12-03	19:16:13.0	59	VOICE	INCOMING	Usmania Colony - KOHAT
923339999797	2019-12-03	19:31:50.0	21	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	2019-12-03	19:38:16.0	33	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	2019-12-03	19:41:20.0	39	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	2019-12-03	19:42:24.0	14	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	2019-12-03	19:49:58.0	18	VOICE	INCOMING	Usmania Colony - KOHAT
923339999797	2019-12-03	19:54:10.0	0	SMS	INCOMING	Usmania Colony - KOHAT
923339999797	2019-12-03	19:54:27.0	0	SMS	OUTGOING	Usmania Colony - KOHAT
923339999797	2019-12-03	20:16:35.0	16	VOICE	INCOMING	Tehsil Gate - KOHAT
923339999797	2019-12-03	20:27:22.0	38	VOICE	INCOMING	Garni Muwaz Khan - KOHAT
923339999797	2019-12-03	20:34:05.0	10	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	2019-12-03	20:43:47.0	12	VOICE	OUTGOING	Garni Muwaz Khan - KOHAT
923339999797	2019-12-03	20:45:30.0	37	VOICE	INCOMING	Garni Muwaz Khan - KOHAT
923339999797	2019-12-03	20:47:10.0	30	VOICE	INCOMING	Tehsil Gate - KOHAT
923339999797	2019-12-03	20:58:19.0	44	VOICE	OUTGOING	Tehsil Gate - KOHAT
923339999797	2019-12-03	20:59:26.0	30	VOICE	OUTGOING	Tehsil Gate - KOHAT
923339999797	2019-12-03	20:59:59.0	14	VOICE	INCOMING	Tehsil Gate - KOHAT
923339999797	2019-12-03	21:07:09.0	0	SMS	INCOMING	Tehsil Gate - KOHAT
923339999797	2019-12-03	21:07:20.0	0	SMS	INCOMING	Tehsil Gate - KOHAT
923339999797	2019-12-03	21:07:56.0	40	VOICE	OUTGOING	Tehsil Gate - KOHAT
923339999797	2019-12-03	21:08:26.0	0	SMS	INCOMING	Tehsil Gate - KOHAT

Qazafi

Rauf - DSB

Shahzada

Missing boy Father Israr

Wahab Gunner Stho Cantt

Wahab Gunner Stho Cantt

Stho Cantt

Shahzada

Stho Cantt Called him to be appeared before Stho Cantt

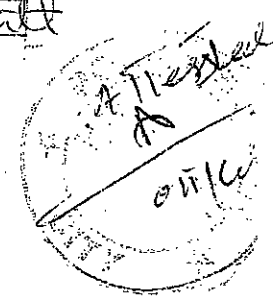
Wahab Gunner Stho Cantt

Wahab Gunner Stho Cantt

Shahzada

Wahab Gunner Stho Cantt

11/12/19



A NUMBER	B NUMBER	CALL START TIME	DURATION	TYPE	LOCATION
102008620	923339999797	2019-12-02 16:45:32.0	0	SMS	Outgoing
102008620	923339999797	2019-12-02 16:45:37.0	0	SMS	Outgoing
102008620	923339999797	2019-12-02 17:15:48.0	33	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 17:18:01.0	28	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 17:29:15.0	56	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 17:34:32.0	63	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 17:38:51.0	84	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 17:40:24.0	158	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 17:46:03.0	32	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 17:53:16.0	11	VOICE	Incoming
354874102008620	923339999797	2019-12-02 17:54:07.0	36	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 18:14:33.0	19	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 18:20:30.0	23	VOICE	Incoming
354874102008620	923339999797	2019-12-02 18:23:05.0	23	VOICE	Incoming
354874102008620	923339999797	2019-12-02 18:25:22.0	6	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 18:37:14.0	26	VOICE	Incoming
354874102008620	923339999797	2019-12-02 18:41:29.0	89	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 18:43:41.0	24	VOICE	Outgoing
354874102008620	923339999797	2019-12-02 19:59:22.0	23	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 12:24:51.0	0	SMS	Incoming
354874102008620	923339999797	2019-12-03 12:34:50.0	29	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 12:35:45.0	47	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 12:41:57.0	73	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 12:45:03.0	0	SMS	Incoming
354874102008620	923339999797	2019-12-03 12:46:27.0	0	SMS	Incoming
354874102008620	923339999797	2019-12-03 12:47:26.0	0	SMS	Incoming
354874102008620	923339999797	2019-12-03 13:02:04.0	115	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 13:04:00.0	14	VOICE	Incoming
354874102008620	923339999797	2019-12-03 13:08:03.0	35	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 13:16:38.0	0	SMS	Incoming
354874102008620	923339999797	2019-12-03 13:22:37.0	0	SMS	Incoming
354874102008620	923339999797	2019-12-03 13:31:25.0	44	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 13:32:28.0	34	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 13:40:56.0	42	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 14:02:40.0	51	VOICE	Incoming
354874102008620	923339999797	2019-12-03 14:18:30.0	55	VOICE	Incoming
354874102008620	923339999797	2019-12-03 14:45:35.0	17	VOICE	Outgoing
354874102008620	923339999797	2019-12-03 15:05:34.0	15	VOICE	Incoming

Handwritten signature and stamp. The stamp is circular and contains the letter 'A' in the center. There are some illegible handwritten notes around the stamp.

Sl. No.	Mobile No.	Sender No.	Sender Name	Time	Date	Direction	Type	Location
31	92335556550	92335556550		12:56	03/12/2019	INCOMING	VOICE	Sargodha - KOHAT
15	92335556550	923345506365		12:57	03/12/2019	RECV	VOICE	Sargodha - KOHAT
64	92335556550	923345506365		13:07	03/12/2019	RECV	VOICE	Check Post Hangu Road - KOHAT
0	92335556550	923315971691		13:16	03/12/2019	RECV	SMS	Check Post Hangu Road - KOHAT
49	92335556550	92336965718		13:24	03/12/2019	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
47	92335556550	923306987605		13:30	03/12/2019	INCOMING	VOICE	Check Post Hangu Road - KOHAT
34	92335556550	923339999797		13:32	03/12/2019	RECV	VOICE	Check Post Hangu Road - KOHAT
12	92335556550	923365065370		13:34	03/12/2019	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
0	92335556550	923059341954		13:53	03/12/2019	INCOMING	SMS	Garni Muwaz Khan - KOHAT
22	92335556550	923059341954		13:53	03/12/2019	OUTGOING	VOICE	Tehsil Gate - KOHAT
0	92335556550	923059341954		14:06	03/12/2019	INCOMING	SMS	Tehsil Gate - KOHAT
152	92335556550	923335090605		14:07	03/12/2019	OUTGOING	VOICE	Tehsil Gate - KOHAT
0	92335556550	923335090605		14:08	03/12/2019	INCOMING	SMS	Tehsil Gate - KOHAT
148	92335556550	923335090605		14:34	03/12/2019	INCOMING	VOICE	Check Post Hangu Road - KOHAT
27	92335556550	923306987605		14:59	03/12/2019	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
13	92335556550	923059341954		15:07	03/12/2019	OUTGOING	VOICE	Oblan Camp - KOHAT
0	92335556550	923059341954		15:07	03/12/2019	INCOMING	SMS	Oblan Camp - KOHAT
55	92335556550	923345506365		15:09	03/12/2019	INCOMING	VOICE	Oblan Camp - KOHAT
26	92335556550	923339999797		15:13	03/12/2019	INCOMING	VOICE	Canal Kohat - KOHAT
67	92335556550	923339999797		15:28	03/12/2019	INCOMING	VOICE	Dhoda Rd Kohat - KOHAT
0	92335556550	923368863183		16:01	03/12/2019	INCOMING	SMS	Bus Stand - KOHAT
162	92335556550	923059341954		16:09	03/12/2019	INCOMING	VOICE	Bus Stand - KOHAT
160	92335556550	923339999797		16:09	03/12/2019	INCOMING	VOICE	Bus Stand - KOHAT
11	92335556550	923339999797		16:17	03/12/2019	INCOMING	VOICE	Bus Stand - KOHAT
63	92335556550	923339617279		16:21	03/12/2019	OUTGOING	VOICE	Miangan Colony - KOHAT
35	92335556550	923339655027		16:25	03/12/2019	INCOMING	VOICE	Usmania Colony - KOHAT
19	92335556550	923339999797		16:30	03/12/2019	OUTGOING	VOICE	Usmania colony - KOHAT
21	92335556550	923364672541		16:32	03/12/2019	INCOMING	VOICE	Usmania colony - KOHAT
22	92335556550	923335090605		16:56	03/12/2019	INCOMING	VOICE	Usmania colony - KOHAT
19	92335556550	923364672541		16:58	03/12/2019	INCOMING	VOICE	Usmania Colony - KOHAT
36	92335556550	923339617279		17:14	03/12/2019	INCOMING	VOICE	Usmania Colony - KOHAT
19	92335556550	923339999797		17:23	03/12/2019	INCOMING	VOICE	Usmania Colony - KOHAT
63	92335556550	923035141917		17:33	03/12/2019	OUTGOING	VOICE	Garni Muwaz Khan - KOHAT
160	92335556550	923035141917		17:39	03/12/2019	INCOMING	VOICE	Garni Muwaz Khan - KOHAT
63	92335556550	923339623479		18:13	03/12/2019	RECV	VOICE	Tehsil Gate - KOHAT
8	92335556550	923335090605		18:17	03/12/2019	INCOMING	VOICE	Tehsil Gate - KOHAT
8	92335556550	923339999797		18:48	03/12/2019	INCOMING	VOICE	Tehsil Gate - KOHAT
5	92335556550	923339999797		18:57	03/12/2019	INCOMING	VOICE	Usmania colony - KOHAT
23	92335556550	923345506365		19:54	03/12/2019	OUTGOING	VOICE	Usmania Colony - KOHAT
18	92335556550	923345506365		20:01	03/12/2019	OUTGOING	VOICE	Usmania Colony - KOHAT

Handwritten signature and stamp. The stamp is circular and contains the text "A" and "Kohat".

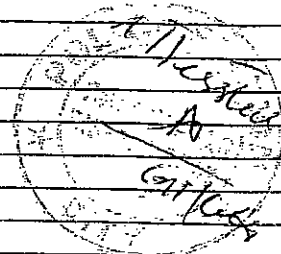
A NUMBER B NUMBER CALL START TIME CALL END TIME

A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A	
92311250980	92335556550	923366661775	03/12/2019 20:29	03/12/2019 20:29	32	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
92311250980	92335556550	923369651718	03/12/2019 21:27	03/12/2019 21:27	0	INCOMING	SMS	
92311250980	92335556550	92335557550	03/12/2019 22:37	03/12/2019 22:37	9	INCOMING	VOICE	Tensi Gate - KOHAT
92311250980	92335556550	923369651718	03/12/2019 22:46	03/12/2019 22:48	112	OUTGOING	VOICE	Tensi Gate - KOHAT
92311250980	92335556550	92335557550	03/12/2019 23:53	03/12/2019 23:54	31	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
92311250980	92335556550	92335557550	04/12/2019 0:48	04/12/2019 0:49	14	OUTGOING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	92335557550	04/12/2019 6:04	04/12/2019 6:05	55	OUTGOING	VOICE	Kohat - KOHAT
92311250980	92335556550	923339618676	04/12/2019 6:51	04/12/2019 6:52	17	OUTGOING	VOICE	Bus Stand - KOHAT
92311250980	92335556550	923341904204	04/12/2019 7:05	04/12/2019 7:05	15	OUTGOING	VOICE	Bus Stand - KOHAT
92311250980	92335556550	923341904204	04/12/2019 7:07	04/12/2019 7:08	24	OUTGOING	VOICE	Bus Stand - KOHAT
92311250980	92335556550	923341904204	04/12/2019 7:12	04/12/2019 7:13	32	OUTGOING	VOICE	Bahdur Kot - KOHAT
92311250980	92335556550	923363631313	04/12/2019 7:15	04/12/2019 7:17	130	OUTGOING	VOICE	Bahdur Kot - KOHAT
92311250980	92335556550	923341904204	04/12/2019 7:22	04/12/2019 7:22	13	OUTGOING	VOICE	Behzadi Chiker kot. - KOHAT
92311250980	92335556550	923341904204	04/12/2019 7:43	04/12/2019 7:45	143	OUTGOING	VOICE	Pir Khel - KOHAT
92311250980	92335556550	923341904204	04/12/2019 7:46	04/12/2019 7:47	21	OUTGOING	VOICE	Pir Khel - KOHAT
92311250980	92335556550	923369655393	04/12/2019 8:22	04/12/2019 8:22	0	INCOMING	SMS	Usmania Colony - KOHAT
92311250980	92335556550	92335557550	04/12/2019 9:06	04/12/2019 9:06	31	OUTGOING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	923339617279	04/12/2019 9:46	04/12/2019 9:46	22	INCOMING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	923339617279	04/12/2019 10:03	04/12/2019 10:03	13	OUTGOING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	923329623477	04/12/2019 10:18	04/12/2019 10:20	125	OUTGOING	VOICE	Usmania colony - KOHAT
92311250980	92335556550	923329623477	04/12/2019 10:18	04/12/2019 10:18	0	INCOMING	SMS	Usmania colony - KOHAT
92311250980	92335556550	923345506365	04/12/2019 10:21	04/12/2019 10:22	112	INCOMING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	923339617279	04/12/2019 10:26	04/12/2019 10:27	25	INCOMING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	92335557550	04/12/2019 10:29	04/12/2019 10:29	7	INCOMING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	923341990045	04/12/2019 10:29	04/12/2019 10:29	0	INCOMING	SMS	Usmania colony - KOHAT
92311250980	92335556550	923339651811	04/12/2019 10:32	04/12/2019 10:33	58	OUTGOING	VOICE	Usmania colony - KOHAT
92311250980	92335556550	923339617279	04/12/2019 10:33	04/12/2019 10:33	19	INCOMING	VOICE	Usmania colony - KOHAT
92311250980	92335556550	923329623477	04/12/2019 10:37	04/12/2019 10:37	24	INCOMING	VOICE	Usmania colony - KOHAT
92311250980	92335556550	923369651718	04/12/2019 10:47	04/12/2019 10:47	22	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
92311250980	92335556550	923337557557	04/12/2019 10:52	04/12/2019 10:55	145	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
92311250980	92335556550	923329623477	04/12/2019 10:55	04/12/2019 10:55	0	INCOMING	SMS	Usmania Colony - KOHAT
92311250980	92335556550	923329623477	04/12/2019 10:56	04/12/2019 10:56	43	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
92311250980	92335556550	923337557557	04/12/2019 11:00	04/12/2019 11:01	96	INCOMING	VOICE	Check Post Hangu Road - KOHAT
92311250980	92335556550	92335557550	04/12/2019 11:02	04/12/2019 11:03	19	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
92311250980	92335556550	923329623477	04/12/2019 11:07	04/12/2019 11:07	41	OUTGOING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	923329623477	04/12/2019 11:11	04/12/2019 11:11	29	INCOMING	VOICE	Usmania Colony - KOHAT
92311250980	92335556550	923339617279	04/12/2019 11:30	04/12/2019 11:30	33	OUTGOING	VOICE	Bus Stand - KOHAT
92311250980	92335556550	923345506365	04/12/2019 11:36	04/12/2019 11:36	0	INCOMING	SMS	Bus Stand - KOHAT
92311250980	92335556550	923337557557	04/12/2019 11:36	04/12/2019 11:36	51	INCOMING	VOICE	Bus Stand - KOHAT

NR	TO	FROM	TIME	TIME	TYPE	STATUS	LOCATION
35157911250980	92335556550	92335556550	02/12/2019 8:08	02/12/2019 8:08	7	OUTGOING	VOIC New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 8:08	02/12/2019 8:08	15	OUTGOING	VOIC New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 8:27	02/12/2019 8:27	14	OUTGOING	VOIC Appara - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 8:04	02/12/2019 8:04	13	OUTGOING	VOIC New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 9:05	02/12/2019 10:06	26	INCOMING	VOIC New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 10:47	02/12/2019 10:48	69	INCOMING	VOIC New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 11:12	02/12/2019 11:21	494	INCOMING	VOIC New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 11:51	02/12/2019 11:51	14	OUTGOING	VOIC New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 12:15	02/12/2019 12:15	0	INCOMING	SMS New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 12:41	02/12/2019 12:42	82	INCOMING	VOIC Sufi Rstrnt IT G-9 4 - ISLAMABAD
35157911250980	92335556550	923343583194	02/12/2019 13:00	02/12/2019 13:03	158	INCOMING	VOIC Tarnol - TARNOL
35157911250980	92335556550	923369651718	02/12/2019 13:06	02/12/2019 13:10	260	OUTGOING	VOIC Tarnol - TARNOL
35157911250980	92335556550	92335556550	02/12/2019 13:27	02/12/2019 13:27	0	INCOMING	SMS
35157911250980	92335556550	923345506365	02/12/2019 13:29	02/12/2019 13:29	21	INCOMING	VOIC Andor Kot - FATEHJANG
35157911250980	92335556550	923336573030	02/12/2019 13:46	02/12/2019 13:46	0	INCOMING	SMS
35157911250980	92335556550	923339999797	02/12/2019 13:50	02/12/2019 13:51	27	INCOMING	VOIC FatehJang - FATEHJANG
35157911250980	92335556550	923366661775	02/12/2019 14:29	02/12/2019 14:29	0	INCOMING	SMS Domaile - DOMAILE
35157911250980	92335556550	923339999797	02/12/2019 14:46	02/12/2019 14:47	71	OUTGOING	VOIC Village Rangli - VILLAGE RANGLI
35157911250980	92335556550	923345506365	02/12/2019 15:12	02/12/2019 15:12	1	INCOMING	VOIC Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923345506365	02/12/2019 15:13	02/12/2019 15:15	122	OUTGOING	VOIC Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923345506365	02/12/2019 15:19	02/12/2019 15:20	34	INCOMING	VOIC Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923369667245	02/12/2019 15:20	02/12/2019 15:22	98	OUTGOING	VOIC Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923369667245	02/12/2019 15:47	02/12/2019 15:48	42	INCOMING	VOIC Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923377570809	02/12/2019 16:08	02/12/2019 16:10	158	INCOMING	VOIC Land between Mobilink Tower and PTCL Exchange(Jhanda) - JAND
35157911250980	92335556550	923339999797	02/12/2019 16:15	02/12/2019 16:16	49	INCOMING	VOIC Khushalgarh - KHUSHALGARH
35157911250980	92335556550	923339999797	02/12/2019 17:15	02/12/2019 17:16	32	OUTGOING	VOIC Babri Banda - BABRI BANDA
35157911250980	92335556550	923339999797	02/12/2019 17:18	02/12/2019 17:18	28	INCOMING	VOIC Babri Banda - BABRI BANDA
35157911250980	92335556550	923315971691	02/12/2019 17:26	02/12/2019 17:26	39	INCOMING	VOIC Togh Bala - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:29	02/12/2019 17:30	56	OUTGOING	VOIC Togh Bala - KOHAT
35157911250980	92335556550	923339623479	02/12/2019 17:32	02/12/2019 17:32	20	INCOMING	VOIC Bahdur Kot - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:34	02/12/2019 17:35	63	INCOMING	VOIC Sector 2 college town - KOHAT
35157911250980	92335556550	923369667245	02/12/2019 17:42	02/12/2019 17:43	40	INCOMING	VOIC Station Headquarters Konat - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:46	02/12/2019 17:46	32	INCOMING	VOIC Tehsil Gate - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:53	02/12/2019 17:53	11	OUTGOING	VOIC Garni Muwaz Khan - KOHAT
35157911250980	92335556550	923368863183	02/12/2019 17:55	02/12/2019 17:55	22	OUTGOING	VOIC Usmania Colony - KOHAT
35157911250980	92335556550	923345506365	02/12/2019 17:59	02/12/2019 17:59	23	OUTGOING	VOIC Usmania Colony - KOHAT
35157911250980	92335556550	923345506365	02/12/2019 18:03	02/12/2019 18:04	117	OUTGOING	VOIC Usmania Colony - KOHAT
35157911250980	92335556550	923359341897	02/12/2019 18:09	02/12/2019 18:13	283	OUTGOING	VOIC Usmania Colony - KOHAT

3/11/19

92335556550



A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location
35157911250980	923355556550	923345506365	02/12/2019 18:14	02/12/2019 18:14	5	INCOMING	VOICE Usmania Colony - KOHAT
35157911250980	923355556550	923325317113	02/12/2019 18:17	02/12/2019 18:21	241	OUTGOING	VOICE Usmania Colony - KOHAT
35157911250980	923355556550	923315971691	02/12/2019 18:21	02/12/2019 18:21	0	INCOMING	SMS Usmania Colony - KOHAT
35157911250980	923355556550	923345506365	02/12/2019 18:22	02/12/2019 18:29	395	INCOMING	VOICE Usmania Colony - KOHAT
35157911250980	923355556550	923345506365	02/12/2019 18:36	02/12/2019 18:43	377	INCOMING	VOICE Garhi Muwaz Khan - KOHAT
35157911250980	923355556550	923339999797	02/12/2019 18:41	02/12/2019 18:42	89	INCOMING	VOICE Garhi Muwaz Khan - KOHAT
35157911250980	923355556550	923345506365	02/12/2019 18:43	02/12/2019 19:26	2577	OUTGOING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923339634123	02/12/2019 19:20	02/12/2019 19:22	65	INCOMING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923339999797	02/12/2019 20:18	02/12/2019 20:18	0	INCOMING	SMS Usmania Colony - KOHAT
35157911250980	923355556550	923339634123	02/12/2019 20:20	02/12/2019 20:20	0	INCOMING	SMS Usmania Colony - KOHAT
35157911250980	923355556550	923059341954	03/12/2019 7:34	03/12/2019 7:34	0	INCOMING	SMS Tehsil Gate - KOHAT
35157911250980	923355556550	923355557550	03/12/2019 8:03	03/12/2019 8:04	21	OUTGOING	VOICE Garhi Muwaz Khan - KOHAT
35157911250980	923355556550	923315971691	03/12/2019 8:42	03/12/2019 8:42	25	INCOMING	VOICE Garhi Muwaz Khan - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 8:59	03/12/2019 9:01	105	OUTGOING	VOICE Garhi Muwaz Khan - KOHAT
35157911250980	923355556550	923335090605	03/12/2019 9:04	03/12/2019 9:06	128	INCOMING	VOICE Garhi Muwaz Khan - KOHAT
35157911250980	923355556550	923369651718	03/12/2019 9:20	03/12/2019 9:24	287	OUTGOING	VOICE Usmania Colony - KOHAT
35157911250980	923355556550	923335090605	03/12/2019 9:25	03/12/2019 9:25	0	INCOMING	SMS Usmania Colony - KOHAT
35157911250980	923355556550	923335090605	03/12/2019 9:32	03/12/2019 9:37	328	INCOMING	VOICE Usmania Colony - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 9:37	03/12/2019 9:38	25	OUTGOING	VOICE Usmania Colony - KOHAT
35157911250980	923355556550	923339617279	03/12/2019 9:43	03/12/2019 9:46	141	INCOMING	VOICE Usmania Colony - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 10:24	03/12/2019 10:28	214	OUTGOING	VOICE Garhi Muwaz Khan - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 10:30	03/12/2019 10:30	26	INCOMING	VOICE Check Post Hangu Road - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 10:54	03/12/2019 10:55	59	OUTGOING	VOICE Check Post Hangu Road - KOHAT
35157911250980	923355556550	923339634123	03/12/2019 11:13	03/12/2019 11:13	14	INCOMING	VOICE Check Post Hangu Road - KOHAT
35157911250980	923355556550	923339651811	03/12/2019 11:29	03/12/2019 11:30	27	OUTGOING	VOICE Check Post Hangu Road - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 11:32	03/12/2019 11:33	18	INCOMING	VOICE Check Post Hangu Road - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 11:34	03/12/2019 11:35	25	OUTGOING	VOICE Check Post Hangu Road - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 11:43	03/12/2019 11:43	9	INCOMING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 11:52	03/12/2019 11:52	20	INCOMING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 11:53	03/12/2019 11:54	21	OUTGOING	VOICE Pir Khei - KOHAT
35157911250980	923355556550	923347515598	03/12/2019 11:54	03/12/2019 11:55	53	INCOMING	VOICE Pir Khei - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 11:55	03/12/2019 11:56	31	INCOMING	VOICE Pir Khei - KOHAT
35157911250980	923355556550	923325753577	03/12/2019 12:29	03/12/2019 12:30	45	OUTGOING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923325753577	03/12/2019 12:32	03/12/2019 12:33	31	OUTGOING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923339999797	03/12/2019 12:41	03/12/2019 12:43	41	INCOMING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923355557550	03/12/2019 12:45	03/12/2019 12:45	3	INCOMING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923355557550	03/12/2019 12:46	03/12/2019 12:46	3	INCOMING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 12:50	03/12/2019 12:51	30	OUTGOING	VOICE Tehsil Gate - KOHAT
35157911250980	923355556550	923345506365	03/12/2019 12:51	03/12/2019 12:51	3	OUTGOING	VOICE Tehsil Gate - KOHAT

25

DEPARTMENTAL ENQUIRY AGAINST CONSTABLE MUHAMMAD ABID NO. 408

Respected Sir,

It is submitted that I have been appointed as enquiry officer, in departmental proceedings initiated against constable Muhammad Abid No. 408

Short facts of the case are that on 03.12.2019 at 17:00 hrs complainant Fatima Gul Bibi r/o Muhallah Mian Badshah Kohat City reported the local Police that at 16:30 hrs her house door was knocked, upon which she opened the door and found a person in Police uniform wearing mask. She informed her son named Muhammad Ali. In the meanwhile her son was taken away by persons wearing Police uniform in a vittz motorcar. In the meantime Israr Khan husband of the complainant unfolded that he has got dispute over landed property with one Farhad s/o Nasrullah r/o Ghari Dhodewal, who was not paying Rs. 95 lac as sale consideration of land and threatened for dire consequences. He suspects that his son was taken away by him in Police uniform. The report was entered in daily diary No. 36 dated 03.12.2019 and investigation u/s 156 (iii) CrPC was initiated. Later on the abductee name above appeared before the Police and stated that on the eventful day two person in Police uniform and two others in civvies have taken away in a white color motorcar and asked that SHO has called him. The victim was examined u/s 161 & 164 CrPC. The proceedings culminated into registration of FIR vide No. 1593 dated 05.12.2019 u/s 365 PPC PS City against three accused.

As reported by SP Investigation vide his office No. 4640/Reader dated 24.12.2019 that SHO Ayat Ullah and his gunners named constable Abdul Wahab and Muhammad Abid had made telephonically contact with the accused before and after the commission of offence. They were called and interrogated during the course of investigation. Their contact with accused was established through CDR.

On the above, charge sheet and statement of allegations was issued against the defaulter official on the below charges:-

- i. On 03.12.2019, complainant of case FIR No. 1593, dated 05.12.2019 u/s 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.
- ii. As contemplated from report of SP Investigation Kohat, you constable Abdul Wahab had telephonically contacted with charged accused before and after occurrence, which show professional gross misconduct on your part.
- iii. It was also reported that you have also in contact with the accused on the eventful day i.e before and after the occurrence.

The charge sheet alongwith statement of the allegations was served upon the defaulter official, to which he submitted reply and deny the charge / allegations leveled against him.

In order to scrutinize the conduct of the accused official the following officials / witnesses were examined in presence of accused official.

1. SI Anwar Shah O.I.I
2. Israr Khan (husband of complainant) s/o Nisar Khan r/o Ghari Mawaz Khan.
3. Mst: Fatima Gul complainant,
4. Muhammad Ali abductee.
5. Farhad s/o Nasrullah accused.

Besides facts of the case and investigation, the witness O.I.I stated that CDR of accused Farhad was obtained which transpired that the accused official and his driver constables named above remained in contact with accused on the eventful day. He further stated that the victim party was subjected for identification of motorcar and accused but they failed to identify the accused and a motorcar used in the commission of offence.

It is pertinent to mention that all the charge accused have succeeded to secure bail before arrest on the basis of affidavit submitted by victims before the court.

From the above and available record, I have reached to the conclusion that the complainant party has patched up the matter with the accused for the reasons best known to him and in order to save the skin of accused official and SI Ayat Ullah and other accused constable in the departmental proceedings. However, it has been established that the defaulter official, constable Abdul Wahab, co-accused and SI Ayat Ullah the then SHO are closed to the accused and involved in the commission of offence. However, irrespective of the statements of the complainant party and confirmation of bail before arrest of the accused, it has been established from CDR and investigation that the accused official and others were in contact with the accused before and after the commission of offence. The defaulter and other officials have earned a bad name to the entire department and caused damage to the image of Police. Therefore, the charges and allegations leveled against the defaulter official constable Muhammad Abid No. 408 have been established beyond any shadow. Hence, the defaulter official is recommended for a major punishment provided under Khyber Pakhtunkhwa, Police Rules 1975 (Amended 2014).

Submitted please.

W/DPO Kohat


SP Operations, Kohat
(Enquiry Officer)



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

Tel: 0922-9260116 Fax 9260125

No 191 /PA dated Kohat the 15/1 /2020

FINAL SHOW CAUSE NOTICE

1. I, **Capt. @ Mansoor Aman, District Police Officer, Kohat** as competent authority, under the Khyber Pakhtunkhwa Police Rules 1975, (amended 2014) is hereby serve you, **Driver Constable Muhammad Abid No. 408** as follow:-

- i. That consequent upon the completion of inquiry conducted against you by the inquiry officer for which you were given opportunity of hearing vide office No. 59029-30/PA dated 27.12.2019.
- ii. On going, through the finding and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the inquiry officer.

I am satisfied that you have committed the following acts/omissions, specified in section 3 of the said ordinance.

- a. ***On 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.***
- b. ***As contemplated from report of SP Investigation Kohat, that you Driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on your part.***

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you major penalty provided under the Rules ***ibid.***

3. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within 07 days of its delivery in the normal course of circumstances, it shall be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.

5. The copy of the finding of inquiry officer is enclosed.

DISTRICT POLICE OFFICER,
KOHAT

ضمانت عالی

مخبرانی ماہنامہ کوٹلی غنیمت

صفحہ 15 1/2

جو اب میں نے جاری شدت میں آگیا ہے

کھنڈر ہو گیا۔ وہی خبر آگیا ہے۔

میں کچھ بھی نہیں کر سکتا۔

مخبرانی ماہنامہ کوٹلی غنیمت

کوٹلی غنیمت 408

Abidul

ORDER.

This order will dispose of a departmental appeal, moved by Ex-Constable Muhammad Abid No. 408 of Kohat district against the punishment order, passed by DPO Kohat vide OB No. 35, dated 16.01.2020 whereby he was awarded major punishment of dismissal from service on the following allegations:-

"He while posted as DRIVER WITH SHO PS City, a case vide FIR No. 1593, dated 15.12.2019 u/s 365 PPC was registered in PS City. During course of investigation, SP Investigation vide his report No. 6440/Reader, dated 24.12.2019 intimated that the SHO and his GUNNER / DRIVER had in contact with accused and his CDR was obtained in this regard. Complainants of the said FIR, reported regarding taking of their son by a person in Police uniform. It has also been reported that he had contact with the accused on the eventful day i.e. before and after the occurrence."

He preferred an appeal to the undersigned upon which comments were obtained from DPO Kohat and his service documents were perused. He was also heard in person in Orderly Room, held on 25.06.2020. During hearing, he did not advance any plausible explanation in his defense to prove his innocence.

I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved beyond any shadow of doubt and the same has also been established by the E.O in his findings. Therefore, his appeal being devoid of merits is hereby rejected.

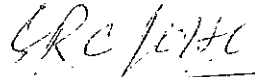

Order Announced
25.06.2020

3460
8/7/2020


(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.

No. 1898 /EC, dated Kohat the 6/7 /2020.

Copy to DPO/Kohat for information w/r to his office Letter No. 1496/LB, dated 29.01.2020. His Service Roll & Fauji Missal / Enquiry File is returned herewith.


For n. action



(TAYYAB HAFEEZ) PSP
Region Police Officer,

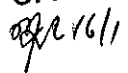
able
hwa,

e FIR
arding



driver
ct with
ssional

d driver
upon the
officer to
that the
sons best
ice official
a defaulter
e with the
omplainant
established
contact with
alter driver
l damage to
alter official
commended
Notice. Reply

inquiry officer,
bid I, Capt. @
r punishment
ind report.

OFFICER,


tion to the:-

action.

ICE OFFICER
IAT 



12

**OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT**
Tel: 0922-9260116 Fax 9260125

ORDER

This order will dispose of departmental enquiry against Driver constable Muhammad Abid No. 408 of this district Police, under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

- i. Facts arising of the case are that on 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.
- ii. As contemplated from report of SP Investigation Kohat, that driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on his part.

For the above, serious / professional misconduct of the accused driver constable. Charge sheet alongwith statement of allegations was served upon the accused driver constable. SP Operations Kohat was appointed as enquiry officer to scrutinize the conduct of the driver constable. The enquiry officer stated that the complainant party has patched up the matter with the accused for the reasons best known to him and in order to save the skin of accused official and other police official in the departmental proceedings. However, it has been established that the defaulter official and others are closed to the accused and involved / connivance with the commission of offence. However, irrespective of the statements of the complainant party and confirmation of bail before arrest of the accused, it has been established from CDR and investigation that the accused official and others were in contact with the accused before and after the commission of offence. The defaulter driver constable has earned a bad name to the entire department and caused damage to the image of Police. Therefore, the allegations leveled against the defaulter official and others have been established beyond any shadow of doubt and recommended for a major punishment. He was further served with Final Show Cause Notice. Reply was received and found unsatisfactory.

In view of the available record, I agree with the findings of enquiry officer, therefore, in exercise of powers conferred upon me under the **rules ibid** I, Capt. ® Mansoor Aman, District Police Officer, Kohat is hereby award a **major punishment of dismissal from service** with immediate effect, kit etc to be collected and report.

Announced
16.01.2020

DISTRICT POLICE OFFICER,
KOHAT

OB No. 35
Dated 16-01-2020
No 204-06 /PA dated Kohat the 16-1-2020.

- Copy of above is submitted for favour of information to the:-
1. Regional Police Officer, Kohat please.
 2. R.I/Reader/Pay officer/SRC/OHC for necessary action.

DISTRICT POLICE OFFICER,
KOHAT



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

No. SI/ 796 /21, dated Peshawar the 04/03/2021.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Muhammad Abid No. 408. The petitioner was dismissed from service by District Police Officer, Kohat vide OB No. 35, dated 16.01.2020 on the allegations that he while posted as DRIVER with SHO PS City, a case vide FIR No. 1593, dated 15.12.2019 u/s 365 PPC was registered in PS City. During course of investigation, SP Investigation, vide his report No. 6440/Reader, dated 24.12.2019 intimated that the SHO and his GUNNER/DRIVER had in contact with accused and his CDR was obtained in this regard. Complainants of the said FIR, reported regarding taking of his son by a person in Police uniform. It has also been reported that he had contact with the accused on the eventful day i.e. before and after the occurrence. His appeal was rejected by Regional Police Officer, Kohat vide order Endst: No. 6898/EC, dated 06.07.2020.

Meeting of Appellate Board was held on 14.01.2021 wherein petitioner was heard in person. Petitioner contended that accused involved in case FIR No. 1593, dated 15.12.2019 u/s 365 PPC PS City was acquitted by the court vide judgment dated 10.10.2020 on the basis of complainant's statement wherein she stated that she did not want to charge anyone for the commission of offence.

Perusal of enquiry papers reveals that the allegations against the petitioner have been proved from CDR and investigation. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

KASHIF ALAM, PSP

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

No. SI/ 797-06 /21,

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat.
2. District Police Officer, Kohat.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

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

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 3324/2020

Muhammad Abid Ex-D.Const: No. 408

..... Appellant

VERSUS

Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 TO 3

Respectively Sheweth:-

Preliminary Objections:-

- i. That the appellant has got no cause of action.
- ii. That the appellant has got no locus standi.
- iii. That the appeal is not maintainable in its present form.
- iv. That the appeal is bad in law and not maintainable as the appellant has not questioned the order of respondent No. 2 vide which the departmental appeal of the appellant was rejected.
- v. That the appellant is estopped to file the instant appeal for his own act.
- vi. That the appellant has not approached the honorable Tribunal with clean hands.
- vii. That the appeal is bad for misjoinder and non-joinder of necessary parties.
- viii. That the appeal of the appellant is badly time barred.

Facts:-

1. One Mst: Fatima Gul Bibi w/r Israr Khan r/o Mohallah Mian Badshah Kohat reported to local Police on 3rd December-2019 that one the eventful day at 16:30 hrs her house door was knocked. She opened the door and witnessed that one person wearing Police uniform and face mask, who asked about any male of her family. She informed her son named Ali Israr, who went out and the aforesaid person took away him in a motorcar in context of search of his house. She reported for search of her son, upon which an investigation u/s 156 (iii) CrPC was initiated. The investigation culminated in registration of FIR vide No. 1593 dated 05.12.2019 u/s 365 PPC PS City Kohat. Copy is *annexure A*.

During course of investigation of the case. SP investigation vide his report dated 24.12.2019 submitted that SHO Ayat Ullah (now dismissed in the said incident) and his gunners named constable Muhammad Abid (present appellant) and Abdul Wahab were constantly in contact with the accused subsequently charged in the case. In this regard SP investigation obtained CDR of the accused, which established the telephonic contact of appellant and others with accused of the aforesaid criminal case. Copy of report is **annexure B**.

On the involvement of appellant in a heinous crime and pursuant to the report of SP Investigation, Kohat, the respondent No. 3 initiated departmental proceedings against the appellant under the relevant rules. During course of inquiry proceedings, the appellant was held guilty of the charge. Therefore, on completion of all codal formalities the appellant was awarded punishment commensurate to the charges by the respondent No. 3. Copy of inquiry report is **annexure C**.

As contemplated from the report of SP investigation, Kohat the appellant was served with charge sheet with statement of allegation and a regular inquiry was initiated against the appellant. The inquiry officer filed his report and held him guilty of the charges, upon which the appellant was served with final show cause notice. Hence, a regular inquiry was conducted against the appellant and he was associated with the inquiry proceedings, hence, question of ex-parte does not arise / establish. Copy of final show cause notice with signature of receipt of appellant is **annexure D**.

Incorrect, the charges / allegations leveled against the appellant were established beyond any shadow of doubt.

Incorrect, a regular inquiry was conducted, the appellant was associated with the proceedings and afforded ample opportunity of defense, but failed to submit any plausible explanation / reply to his criminal act / misconduct.

Incorrect, the charges / allegations leveled against the appellant during the departmental inquiry were established beyond any shadow of doubt.

Irrelevant, criminal and departmental proceedings are different in nature. The conduct of the appellant was established technically and from the evidence placed on inquiry file.

The appellant has admitted his guilt in this para of the memorandum of appeal as telephonically contact with the criminals charge in the aforesaid case.

Incorrect, reward and punishment in a disciplined department runs side by side and the appellant cannot take benefit of his good entry if any. Furthermore, the appellant was proceeded with departmentally for his gross professional misconduct.

Incorrect, reply is submitted in the above paras.

The departmental appeal of the appellant was processed by respondent No. 2, accordingly, found devoid of merits and rejected vide order dated 25.06.2020 which is not questioned by the appellant. Copy is **annexure E**.

Incorrect, the appellant was proceeded with departmentally by respondent No. 3 for his own serious criminal act. Furthermore, the case law referred by the appellant is not relevant to the instant appeal.

Incorrect, all codal formalities were fulfilled by the respondent during the entire departmental proceedings.


Grounds:-


- a. Incorrect, a regular departmental inquiry was conducted against the appellant in accordance with the rules. There was sufficient documentary / technical evidence against the appellant i.e CDR and charges were established against the appellant during department probe.
- b. Incorrect, the appellant was properly served with charge sheet / statement of allegations, final show cause notice and associated with the proceedings. The material / evidence collected during the proceedings were considered, which connected the appellant with the commission of gross professional misconduct, in addition to commission of criminal act.
- c. Incorrect, the appellant was associated with the proceedings and heard in person but fail to submit any plausible explanation.
- d. Incorrect, a legal and speaking order based on the charges / allegations and evidence was passed by the respondent No. 3 being competent authority under the rules.
- e. Incorrect, the departmental proceedings were conducted against the appellant on the basis of findings report of SP investigation Kohat wherein the telephonic contact of the appellant with accused was ascertained through CDR collected in investigation of criminal case. Copy of report of I.O is **annexure F**.
- f. Incorrect, no constitutional / fundamental right of the appellant was violated as he being member of a disciplined department was proceeded with departmentally for his misconduct under the relevant rules.

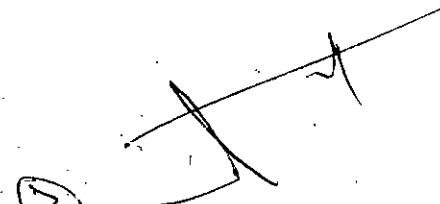
- g. Incorrect, the appellant was awarded appropriate punishment commensurate to the charges / allegations proved against him during probe.
- h. Incorrect, the appellant has indifferent service record. The act committed by the appellant damaged the image of entire disciplined Police department.
- i. Incorrect, the appellant was proceeded with departmentally under the relevant rules.
- j. Incorrect, para No. j of the memorandum of appeal is replication and reply has submitted in the above paras.
- k. Incorrect, a legal and speaking order is passed in accordance with fact and rules.
- l. Incorrect, all the codal formalities have been fulfilled according to law & rules.
- m. Incorrect, all the codal formalities have been fulfilled according to law & rules.

Prayer:-

In view of the above, it is prayed that the appeal being contrary to facts, law & rules and devoid of merits, may graciously be dismissed with costs.


Dy: Inspector General of Police
Kohat Region, Kohat
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
(Respondent No. 1)


District Police Officer,
Kohat
(Respondent No. 3)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 3324/2020
Muhammad Abid Ex-D.Const: No. 408

..... Appellant

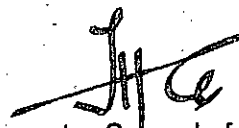
VERSUS

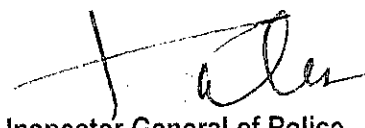
Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

COUNTER AFFIDAVIT

We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.


Dy: Inspector General of Police
Kohat Region, Kohat
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
(Respondent No. 1)


District Police Officer,
Kohat
(Respondent No. 3)

کاؤنٹر فائل

ابتدائی اطلاعی رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ ۱۵۳ مجموعہ ضابطہ فوجداری

تھانہ سٹی ضلع کوہاٹ

تاریخ وقت وقوع: 03/12/19 وقت 16:30 بجے

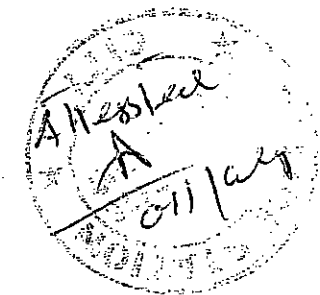
1593 7

1-	تاریخ وقت رپورٹ 03-12-19 وقت 17:00 بجے	حاکم سیرگی برجہ 05/12/19 وقت 13:25 بجے
2-	نام و سکونت اطلاع دہندہ مستغین شناختی کارڈ نمبر انوبال نمبر 14301-1574411-4 0333-9626771	ہمایہ طاہر علی بی بی زوجہ اسرار خان بیگم 36 سالہ ساکن قریب میان بادشاہی
3-	مختصر کیفیت جرم (معد دفعہ) حال اگر کچھ لیا گیا ہو۔	365 R
3-	جائے وقوعہ فاصلہ تھانہ سے اور دست	نزد خانہ مدیر واقع محلہ میان بادشاہ سٹی کوہاٹ
5-	نام و سکونت لازم شناختی کارڈ نمبر انوبال نمبر	
6-	کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو	دوران انکوائری بیان معویہ 16/12/19 پر حسب ہدایت افسران یا مال
4-	تھانہ سے روانگی کی تاریخ و وقت	سیرسبیل ڈاک (برجہ دیا جاتا ہے۔)

ابتدائی اطلاع نیچے درج کرو۔ ضابطہ ایلی استغیہ مقدمہ برجہ خانہ نمبر 2 کی رپورٹ جو ال 12/12/19 تھانہ سٹی درج روزنامہ پچ کر کے جس نے لیسر اسٹیٹ علی لہر 14 سالگی اغوا شہیگی کی رپورٹ کر کے انکوائری (11) 156 R شروع کر کے دوران انکوائری معویہ برجہ علی بازیا ب پچ کر جس کا بیان زیر دفعہ 164 R قلمبند ہو کر بیان کی روشنی میں مقدمہ برجہ یا ال درج رجسٹر کیا جا کر انکوائری کاغذات مع نقل و نقل فیصل تفتیش جو ال 164 R شناختی کارڈ نمبر 14301-1574411-4 سے برجہ گزرا ہے۔ 12/12/19 رپورٹ ہمایہ طاہر علی بی بی زوجہ اسرار خان بیگم 36 سالہ ساکن میان بادشاہ تھانہ سٹی کارڈ نمبر 14301-1574411-4 0333-9626771 نوٹس 19/12/19 بجے 17:00 بجے جاری تھانہ اگر رپورٹ کرتی ہے کہ اس روز عصر ویل میں خانہ خود میں موجود تھی۔ وقت 16:30 بجے کے دروازے پر دستک پڑی۔ میں نے دروازہ کھولا تو ایک نوجوان جس نے پولیس وردی پہنی ہوئی تھی۔ اور پچھلے پر ماسک پہنا ہوا تھا۔ اور قہقہے کہا کہ گھسے گا کوئی صدمہ ہو تو باہر بھیج دو میں نے لیسر علی اسرار بیگم 14 سالہ کو کہا کہ باہر پولیس آئی ہے جا کر دیکھیں میں گھر کے دروازے میں کھڑی تھی۔ لیسر کو مذکورہ پولیس کی وردی میں ملے ہوئے شخص نے موٹر کار (بیرڈ 11) بزرگ سفید نمبر معلوم میں اٹھا کر مجھے کہا کہ ہم اس سے کسی کے گھر کا پتہ پوچھتے ہیں۔ اور چلے گئے۔ میں اس بیابت معلوم کرنے آئی ہوں کہ میرے بیٹے کو کون پولیس والے اور کون سے پولیس سٹیشن لے گئے ہیں۔ برائے اطلاع رپورٹ آئی ہوں۔ میری رپورٹ کبھی جا کر تعلق کارروائی میں لائی جائے۔ نشان انکوائری رپورٹ کنندہ کا کاروائی لیسر یا حسب سگتہ ماٹرم رپورٹ درج یا ال ہو کر پچھلے ہٹ کر منافی سمجھائی گئی درست تسلیم کر کے زیر رپورٹ خود نشان انکوائری ثبت کیا۔ اس دوران میں اسرار و لہر نار خان خانوند اس بھی حاضر تھانہ آیا جس نے بیان کیا کہ عرصہ 8 ماہ قبل میں نے اپنی ارنی 28 مہلہ واقع ڈھیری یا تازہ مہی قبر بازار کو لہر نار کے گھر بھی ڈھول لوال پر مبلغ 95 لاکھ روپے پر فروخت کی تھی۔ جس میں سے تاحال مجھے کوئی رقم وصول نہیں ہوئی ہے اور جب بھی میں نے رقم کا مطالبہ کیا ہے تو مذکورہ نے میرے ساتھ تعلقات ختم کر دیے ہیں۔ اب مجھے تنگ ہے کہ میرے بیٹے کو تازہ معلوم پولیس وردی میں ملے ہوئے شخصان اٹھا کر لے گیا ہے۔ اور اپنے مفہوم عہد نامہ حاصل کرنا چاہتا ہے۔ سرپرست ہم اطلاع رپورٹ کرتے ہیں لہذا تفتیشی کارروائی کے حسب ضابطہ دعویہ اری کوونٹا۔ دستخط انگریزی رپورٹ کنندہ 0333-9626771 کارروائی پولیس سگتہ نشان میں اسرار خانی

تذریعہ وارٹ لیسر کنندہ لوال رقم تمام تھانہ جات، جو کہیات افسران یا ال صاحبان کو اطلاع دی۔ معاملہ میں اصلیت معلوم کرنے تک ضابطہ حسب ہدایت 1515 صاحب انکوائری (11) 156 R شروع کرنے کی خاطر نقل و نقل فیصل کارروائی غلط بیان نہیں لیں پولیس بھی آئی جاتی ہے قہقہہ باز ہزار ہوں میں 15/12/19 کو اطلاع دی گئی۔ ضابطہ ایلی استغیہ ملاحظہ ہو اصلہ سے 12/12/19

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
351579111250980	923355556550	923359044743	04/12/2019 11:43	04/12/2019 11:43	0	INCOMING	SMS	
351579111250980	923355556550	923369651718	04/12/2019 11:45	04/12/2019 11:45	0	INCOMING	SMS	
351579111250980	923355556550	923337557557	04/12/2019 11:49	04/12/2019 11:50	54	INCOMING	VOICE	Khermatu - KO-A
351579111250980	923355556550	923341904204	04/12/2019 11:52	04/12/2019 11:53	35	INCOMING	VOICE	Bora Ghari - BORA GHARI
351579111250980	923355556550	923337557557	04/12/2019 12:03	04/12/2019 12:05	101	INCOMING	VOICE	Bili Tang - BILI TANG
351579111250980	923355556550	923341904204	04/12/2019 12:08	04/12/2019 12:08	0	INCOMING	SMS	
351579111250980	923355556550	923339617279	04/12/2019 12:12	04/12/2019 12:13	54	INCOMING	VOICE	
351579111250980	923355556550	923329623477	04/12/2019 12:32	04/12/2019 12:34	123	INCOMING	VOICE	
351579111250980	923355556550	923059341954	04/12/2019 12:48	04/12/2019 12:49	56	OUTGOING	VOICE	Rustamabad - RUSTAMABAD
351579111250980	923355556550	923336573030	04/12/2019 12:50	04/12/2019 12:51	50	INCOMING	VOICE	Rustamabad - RUSTAMABAD



NO.	NOVUM	NOVUM	NOVUM	NOVUM	NOVUM	NOVUM	NOVUM	NOVUM	NOVUM	NOVUM	NOVUM
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:08:18.0	11	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:09:20.0	12	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:09:52.0	17	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:11:16.0	34	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:13:03.0	39	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:14:27.0	176	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:17:47.0	146	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:20:28.0	158	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:26:45.0	15	VOICE	INCOMING	Sangair - KOHAT	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:28:33.0	26	VOICE	OUTGOING	Sangair - KOHAT			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 15:35:35.0	62	VOICE	OUTGOING	Sangair - KOHAT			قبلا 3
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:09:42.0	162	VOICE	OUTGOING	Sangair - KOHAT			دیر - سٹو
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:14:29.0	31	VOICE	INCOMING	Sangair - KOHAT	Stho. Cantt		وقت و رقم
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:17:23.0	159	VOICE	OUTGOING	Sangair - KOHAT			مزاج
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:29:50.0	7	VOICE	INCOMING	Sangair - KOHAT	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:30:20.0	35	VOICE	OUTGOING	Sangair - KOHAT	Pazafi		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:31:59.0	47	VOICE	OUTGOING	Usmania colony - KOHAT	Shahzada		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:32:24.0	22	VOICE	INCOMING	Usmania colony - KOHAT	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:33:11.0	29	VOICE	INCOMING	Usmania Colony - KOHAT	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:34:05.0	18	VOICE	OUTGOING	Usmania colony - KOHAT	Shahzada		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:36:05.0	25	VOICE	OUTGOING	Usmania Colony - KOHAT	Shahzada		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:45:00.0	13	VOICE	INCOMING	Garhi Muwaz Khan - KOHAT	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:49:25.0	5	VOICE	INCOMING	Check Post Hangu Road - KOHAT	"		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 16:54:37.0	16	VOICE	INCOMING	Usmania colony - KOHAT	"		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 17:05:38.0	8	VOICE	INCOMING	Check Post Hangu Road - KOHAT	"		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 17:11:32.0	25	VOICE	INCOMING	Nusrat Khel - NUSRAT KHEL	"		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 17:12:12.0	19	VOICE	INCOMING	Nusrat Khel - NUSRAT KHEL	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 17:23:41.0	36	VOICE	OUTGOING	Nusrat Khel - NUSRAT KHEL	Pazafi		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 17:35:07.0	1	VOICE	INCOMING	Garhi Muwaz Khan - KOHAT	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 17:35:46.0	7	VOICE	OUTGOING	Garhi Muwaz Khan - KOHAT	Shahzada		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 18:01:13.0	10	VOICE	INCOMING	Wahab Gunner	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 18:02:57.0	39	VOICE	INCOMING	Rauf - DSB	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 18:13:42.0	35	VOICE	INCOMING	Wahab Gunner	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 18:25:30.0	12	SVs	INCOMING	Sangair - PATNAIA - KOHAT	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 18:42:18.0	17	VOICE	OUTGOING	Wahab Gunner	Stho. Cantt		
354874102008620	923339999797	923339999797	923339999797	2019-12-03 18:44:02.0	38	VOICE	OUTGOING	Minhaj - Pazafi			
354874102008620	923339999797	923339999797	923339999797	2019-12-03 19:48:05.0	1	VOICE	OUTGOING	Mishra boy Father - 15 year			

A. H. H. H. H. H.
Stho. Cantt

NUMBER	PHONE NUMBER	DATE	TIME	TYPE	STATUS	LOCATION	REMARKS
923339999797	9233366665550	2019-12-03	18:57:50.0	6	VOICE	OUTGOING	Togri Gate - KOHAT
923339999797	923348093577	2019-12-03	19:02:17.0	20	VOICE	INCOMING	Bentay Colony - KOHAT
923339999797	923339627803	2019-12-03	19:10:29.0	174	VOICE	INCOMING	Garhi Muwaz Khan - KOHAT
923339999797	923339663584	2019-12-03	19:16:13.0	59	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	923369777424	2019-12-03	19:31:50.0	21	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	923336666868	2019-12-03	19:38:16.0	35	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	9233363631313	2019-12-03	19:41:20.0	39	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	923348093577	2019-12-03	19:42:24.0	14	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	923339626771	2019-12-03	19:49:58.0	18	VOICE	INCOMING	Usmania Colony - KOHAT
923339999797	9233348287677	2019-12-03	19:54:10.0	0	SMS	INCOMING	Usmania Colony - KOHAT
923339999797	9233348287677	2019-12-03	19:54:27.0	0	SMS	OUTGOING	Usmania Colony - KOHAT
923339999797	923339655298	2019-12-03	20:16:35.0	16	VOICE	INCOMING	Tehsil Gate - KOHAT
923339999797	923339626771	2019-12-03	20:27:22.0	38	VOICE	INCOMING	Garhi Muwaz Khan - KOHAT
923339999797	923336666868	2019-12-03	20:34:05.0	10	VOICE	OUTGOING	Usmania Colony - KOHAT
923339999797	923339634123	2019-12-03	20:43:47.0	12	VOICE	OUTGOING	Garhi Muwaz Khan - KOHAT
923339999797	923337557557	2019-12-03	20:45:30.0	37	VOICE	INCOMING	Garhi Muwaz Khan - KOHAT
923339999797	923336666868	2019-12-03	20:47:10.0	30	VOICE	INCOMING	Tehsil Gate - KOHAT
923339999797	9233363631313	2019-12-03	20:58:19.0	44	VOICE	OUTGOING	Tehsil Gate - KOHAT
923339999797	923336666868	2019-12-03	20:59:26.0	30	VOICE	OUTGOING	Tehsil Gate - KOHAT
923339999797	923339662110	2019-12-03	20:59:59.0	14	VOICE	INCOMING	Tehsil Gate - KOHAT
923339999797	923348287677	2019-12-03	21:07:09.0	0	SMS	INCOMING	Tehsil Gate - KOHAT
923339999797	923348287677	2019-12-03	21:07:20.0	0	SMS	INCOMING	Tehsil Gate - KOHAT
923339999797	9233363631313	2019-12-03	21:07:56.0	40	VOICE	OUTGOING	Tehsil Gate - KOHAT
923339999797	923348287677	2019-12-03	21:08:26.0	0	SMS	INCOMING	Tehsil Gate - KOHAT

Qazafi

Rauf - DSB

Shahzada

Missing boy Father Israr

Wahab Gunner Stho Cantt

Wahab Gunner Stho Cantt

Stho Cantt

Shahzada

Stho City called him to be appeared before Stho City.

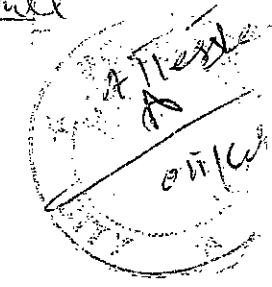
Wahab Gunner Stho Cantt

Wahab Gunner Stho Cantt

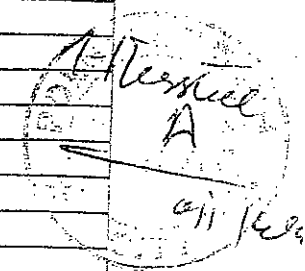
Shahzada

Wahab Gunner Stho Cantt

Handwritten notes in the bottom left corner.



CALL NUMBER	CALL NUMBER	CALL START TIME	QUANTITY	CALL TYPE	LOCATION
354874102008620	923339999797	2019-12-02 16:45:31.0	0	SMS OUTGOING	Nakband - KOHAT
354874102008620	923339999797	2019-12-02 16:49:07.0	0	SMS INCOMING	Nakband - KOHAT
354874102008620	923339999797	2019-12-02 17:15:48.0	33	VOICE INCOMING	
354874102008620	923339999797	2019-12-02 17:18:01.0	28	VOICE OUTGOING	
354874102008620	923339999797	2019-12-02 17:29:15.0	56	VOICE INCOMING	Togr Bala - KOHAT
354874102008620	923339999797	2019-12-02 17:34:32.0	63	VOICE OUTGOING	Togr Bala - KOHAT
354874102008620	923339999797	2019-12-02 17:38:51.0	84	VOICE OUTGOING	Mujeeb abad - KOHAT
354874102008620	923339999797	2019-12-02 17:40:24.0	158	VOICE OUTGOING	Behzadi Chiker kot - KOHAT
354874102008620	923339999797	2019-12-02 17:46:03.0	32	VOICE OUTGOING	Station Headquarters Kohat - KOHAT
354874102008620	923339999797	2019-12-02 17:53:16.0	11	VOICE INCOMING	Garhi Muwaz Khan - KOHAT
354874102008620	923339999797	2019-12-02 17:54:07.0	36	VOICE OUTGOING	Garhi Muwaz Khan - KOHAT
354874102008620	923339999797	2019-12-02 18:14:33.0	19	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-02 18:20:30.0	23	VOICE INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-02 18:23:05.0	23	VOICE INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-02 18:25:22.0	6	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-02 18:37:14.0	26	VOICE INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-02 18:41:29.0	89	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-02 18:43:41.0	24	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-02 19:59:22.0	23	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 12:24:51.0	0	SMS INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 12:34:50.0	29	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 12:35:45.0	47	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 12:41:57.0	73	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 12:45:03.0	0	SMS INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 12:46:27.0	0	SMS INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 12:47:26.0	0	SMS INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 13:02:04.0	115	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 13:04:00.0	14	VOICE INCOMING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 13:08:03.0	35	VOICE OUTGOING	Usmania Colony - KOHAT
354874102008620	923339999797	2019-12-03 13:16:38.0	0	SMS INCOMING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 13:22:37.0	0	SMS INCOMING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 13:31:25.0	44	VOICE OUTGOING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 13:32:28.0	34	VOICE OUTGOING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 13:40:56.0	42	VOICE OUTGOING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 14:02:40.0	31	VOICE INCOMING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 14:18:33.0	155	VOICE OUTGOING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 14:45:53.0	17	VOICE OUTGOING	Tensli Gate - KOHAT
354874102008620	923339999797	2019-12-03 18:33:34.0	24	VOICE INCOMING	Tensli Gate - KOHAT



 A-11/1/20

Sl. No.	Mobile No.	Sender No.	Receiver No.	Date	Time	Duration	Direction	Type	Location
31	92335556550	92335556550	92335556550	03/12/2019	12:56	03/12/2019 12:56	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
32	92335556550	92335556550	92335556550	03/12/2019	12:57	03/12/2019 12:57	INCOMING	VOICE	Sargha - KOHAT
33	92335556550	92335556550	92335556550	03/12/2019	13:07	03/12/2019 13:07	INCOMING	VOICE	Check Post Hangu Road - KOHAT
34	92335556550	92335556550	92335556550	03/12/2019	13:16	03/12/2019 13:16	INCOMING	VOICE	Check Post Hangu Road - KOHAT
35	92335556550	92335556550	92335556550	03/12/2019	13:24	03/12/2019 13:24	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
36	92335556550	92335556550	92335556550	03/12/2019	13:30	03/12/2019 13:30	INCOMING	VOICE	Check Post Hangu Road - KOHAT
37	92335556550	92335556550	92335556550	03/12/2019	13:32	03/12/2019 13:32	INCOMING	VOICE	Check Post Hangu Road - KOHAT
38	92335556550	92335556550	92335556550	03/12/2019	13:34	03/12/2019 13:34	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
39	92335556550	92335556550	92335556550	03/12/2019	13:53	03/12/2019 13:53	INCOMING	SMS	Garhi Muwaz Khan - KOHAT
40	92335556550	92335556550	92335556550	03/12/2019	13:53	03/12/2019 13:53	OUTGOING	VOICE	Tehsil Gate - KOHAT
41	92335556550	92335556550	92335556550	03/12/2019	13:53	03/12/2019 13:53	INCOMING	SMS	Tehsil Gate - KOHAT
42	92335556550	92335556550	92335556550	03/12/2019	14:06	03/12/2019 14:06	OUTGOING	VOICE	Tehsil Gate - KOHAT
43	92335556550	92335556550	92335556550	03/12/2019	14:07	03/12/2019 14:07	OUTGOING	VOICE	Tehsil Gate - KOHAT
44	92335556550	92335556550	92335556550	03/12/2019	14:08	03/12/2019 14:08	INCOMING	SMS	Tehsil Gate - KOHAT
45	92335556550	92335556550	92335556550	03/12/2019	14:34	03/12/2019 14:34	INCOMING	VOICE	Check Post Hangu Road - KOHAT
46	92335556550	92335556550	92335556550	03/12/2019	14:59	03/12/2019 14:59	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
47	92335556550	92335556550	92335556550	03/12/2019	15:07	03/12/2019 15:07	OUTGOING	VOICE	Oblan Camp - KOHAT
48	92335556550	92335556550	92335556550	03/12/2019	15:09	03/12/2019 15:09	INCOMING	SMS	Oblan Camp - KOHAT
49	92335556550	92335556550	92335556550	03/12/2019	15:13	03/12/2019 15:13	INCOMING	VOICE	Oblan Camp - KOHAT
50	92335556550	92335556550	92335556550	03/12/2019	15:28	03/12/2019 15:28	INCOMING	VOICE	Cantt Kohat - KOHAT
51	92335556550	92335556550	92335556550	03/12/2019	16:01	03/12/2019 16:01	INCOMING	VOICE	Dhoda Rd Kohat - KOHAT
52	92335556550	92335556550	92335556550	03/12/2019	16:09	03/12/2019 16:09	INCOMING	SMS	Bus Stand - KOHAT
53	92335556550	92335556550	92335556550	03/12/2019	16:09	03/12/2019 16:09	INCOMING	VOICE	Bus Stand - KOHAT
54	92335556550	92335556550	92335556550	03/12/2019	16:17	03/12/2019 16:17	INCOMING	VOICE	Bus Stand - KOHAT
55	92335556550	92335556550	92335556550	03/12/2019	16:21	03/12/2019 16:21	INCOMING	VOICE	Bus Stand - KOHAT
56	92335556550	92335556550	92335556550	03/12/2019	16:25	03/12/2019 16:25	OUTGOING	VOICE	Miangan Colony - KOHAT
57	92335556550	92335556550	92335556550	03/12/2019	16:30	03/12/2019 16:30	INCOMING	VOICE	Usmania Colony - KOHAT
58	92335556550	92335556550	92335556550	03/12/2019	16:32	03/12/2019 16:32	OUTGOING	VOICE	Usmania colony - KOHAT
59	92335556550	92335556550	92335556550	03/12/2019	16:56	03/12/2019 16:56	INCOMING	VOICE	Usmania colony - KOHAT
60	92335556550	92335556550	92335556550	03/12/2019	16:58	03/12/2019 16:58	INCOMING	VOICE	Usmania colony - KOHAT
61	92335556550	92335556550	92335556550	03/12/2019	17:14	03/12/2019 17:14	INCOMING	VOICE	Usmania Colony - KOHAT
62	92335556550	92335556550	92335556550	03/12/2019	17:23	03/12/2019 17:23	INCOMING	VOICE	Usmania Colony - KOHAT
63	92335556550	92335556550	92335556550	03/12/2019	17:33	03/12/2019 17:33	INCOMING	VOICE	Usmania Colony - KOHAT
64	92335556550	92335556550	92335556550	03/12/2019	17:39	03/12/2019 17:39	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
65	92335556550	92335556550	92335556550	03/12/2019	18:13	03/12/2019 18:13	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
66	92335556550	92335556550	92335556550	03/12/2019	18:17	03/12/2019 18:17	INCOMING	VOICE	Tehsil Gate - KOHAT
67	92335556550	92335556550	92335556550	03/12/2019	18:48	03/12/2019 18:48	INCOMING	VOICE	Tehsil Gate - KOHAT
68	92335556550	92335556550	92335556550	03/12/2019	18:57	03/12/2019 18:57	INCOMING	VOICE	Usmania colony - KOHAT
69	92335556550	92335556550	92335556550	03/12/2019	19:54	03/12/2019 19:54	OUTGOING	VOICE	Usmania Colony - KOHAT
70	92335556550	92335556550	92335556550	03/12/2019	20:01	03/12/2019 20:01	OUTGOING	VOICE	Usmania Colony - KOHAT

A
20/12/19

A NUMBER

B NUMBER

CALL START TIME

CALL END TIME

CALL DURATION

CALL TYPE

TYPE

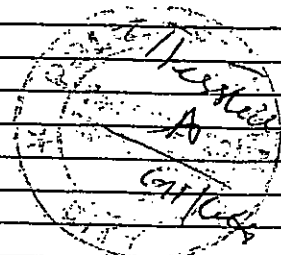
LOCATION - A

A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
51579111250980	923355556550	03/12/2019 20:29	03/12/2019 20:29	32	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
51579111250980	923355556550	03/12/2019 21:27	03/12/2019 21:27	0	INCOMING	SMS	
51579111250980	923355556550	03/12/2019 22:37	03/12/2019 22:37	9	INCOMING	VOICE	Tensi Gate - KOHAT
51579111250980	923355556550	03/12/2019 22:46	03/12/2019 22:48	112	OUTGOING	VOICE	Tensi Gate - KOHAT
51579111250980	923355556550	03/12/2019 23:53	03/12/2019 23:54	31	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
51579111250980	923355556550	04/12/2019 0:48	04/12/2019 0:49	14	OUTGOING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 6:04	04/12/2019 6:05	55	OUTGOING	VOICE	Kohat - KOHAT
51579111250980	923355556550	04/12/2019 6:51	04/12/2019 6:52	17	OUTGOING	VOICE	Bus Stand - KOHAT
51579111250980	923355556550	04/12/2019 7:05	04/12/2019 7:05	15	OUTGOING	VOICE	Bus Stand - KOHAT
51579111250980	923355556550	04/12/2019 7:07	04/12/2019 7:08	24	OUTGOING	VOICE	Bus Stand - KOHAT
51579111250980	923355556550	04/12/2019 7:12	04/12/2019 7:13	32	OUTGOING	VOICE	Bahdur Kot - KOHAT
51579111250980	923355556550	04/12/2019 7:15	04/12/2019 7:17	130	OUTGOING	VOICE	Bahdur Kot - KOHAT
51579111250980	923355556550	04/12/2019 7:22	04/12/2019 7:22	13	OUTGOING	VOICE	Behzadi Chiker kot. - KOHAT
51579111250980	923355556550	04/12/2019 7:43	04/12/2019 7:45	143	OUTGOING	VOICE	Pir Khel - KOHAT
51579111250980	923355556550	04/12/2019 7:46	04/12/2019 7:47	21	OUTGOING	VOICE	Pir Khel - KOHAT
51579111250980	923355556550	04/12/2019 8:22	04/12/2019 8:22	0	INCOMING	SMS	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 9:06	04/12/2019 9:06	31	OUTGOING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 9:46	04/12/2019 9:46	22	INCOMING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 10:03	04/12/2019 10:03	13	OUTGOING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 10:18	04/12/2019 10:20	125	OUTGOING	VOICE	Usmania colony - KOHAT
51579111250980	923355556550	04/12/2019 10:18	04/12/2019 10:18	0	INCOMING	SMS	Usmania colony - KOHAT
51579111250980	923355556550	04/12/2019 10:21	04/12/2019 10:22	112	INCOMING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 10:26	04/12/2019 10:27	25	INCOMING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 10:29	04/12/2019 10:29	7	INCOMING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 10:29	04/12/2019 10:29	0	INCOMING	SMS	Usmania colony - KOHAT
51579111250980	923355556550	04/12/2019 10:32	04/12/2019 10:33	58	OUTGOING	VOICE	Usmania colony - KOHAT
51579111250980	923355556550	04/12/2019 10:33	04/12/2019 10:33	19	INCOMING	VOICE	Usmania colony - KOHAT
51579111250980	923355556550	04/12/2019 10:37	04/12/2019 10:37	24	INCOMING	VOICE	Usmania colony - KOHAT
51579111250980	923355556550	04/12/2019 10:47	04/12/2019 10:47	22	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
51579111250980	923355556550	04/12/2019 10:52	04/12/2019 10:55	145	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
51579111250980	923355556550	04/12/2019 10:55	04/12/2019 10:55	0	INCOMING	SMS	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 10:56	04/12/2019 10:56	43	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
51579111250980	923355556550	04/12/2019 11:00	04/12/2019 11:01	96	INCOMING	VOICE	Check Post Hangu Road - KOHAT
51579111250980	923355556550	04/12/2019 11:02	04/12/2019 11:03	19	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
51579111250980	923355556550	04/12/2019 11:07	04/12/2019 11:07	41	OUTGOING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 11:11	04/12/2019 11:11	29	INCOMING	VOICE	Usmania Colony - KOHAT
51579111250980	923355556550	04/12/2019 11:30	04/12/2019 11:30	33	OUTGOING	VOICE	Bus Stand - KOHAT
51579111250980	923355556550	04/12/2019 11:36	04/12/2019 11:36	0	INCOMING	SMS	Bus Stand - KOHAT
51579111250980	923355556550	04/12/2019 11:36	04/12/2019 11:36	51	INCOMING	VOICE	Bus Stand - KOHAT

IMSI	Number	Number	Time	Time	Count	Type	Direction	Location
35157911250980	92335556550	92335556550	02/12/2019 8:00	02/12/2019 8:00	7	OUTGOING	SMS	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 8:00	02/12/2019 8:00	19	OUTGOING	VOICE	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335556550	02/12/2019 7:27	02/12/2019 7:27	12	OUTGOING	VOICE	Appara - ISLAMABAD
35157911250980	92335556550	923355999797	02/12/2019 8:04	02/12/2019 8:04	13	OUTGOING	VOICE	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	923355141917	02/12/2019 8:05	02/12/2019 10:06	26	INCOMING	VOICE	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	923328151733	02/12/2019 10:47	02/12/2019 10:48	69	INCOMING	VOICE	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	923345506365	02/12/2019 11:12	02/12/2019 11:21	494	INCOMING	VOICE	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	92335557550	02/12/2019 11:51	02/12/2019 11:51	14	OUTGOING	VOICE	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	923328151733	02/12/2019 12:15	02/12/2019 12:15	0	INCOMING	SMS	New Appara acade G - 6/1 - ISLAMABAD
35157911250980	92335556550	923335090605	02/12/2019 12:41	02/12/2019 12:42	82	INCOMING	VOICE	Sufi Rstrnt IT G-9 4 - ISLAMABAD
35157911250980	92335556550	923343583194	02/12/2019 13:00	02/12/2019 13:03	158	INCOMING	VOICE	Tarnol - TARNOL
35157911250980	92335556550	923369651718	02/12/2019 13:06	02/12/2019 13:10	260	OUTGOING	VOICE	Tarnol - TARNOL
35157911250980	92335556550	923335090605	02/12/2019 13:27	02/12/2019 13:27	0	INCOMING	SMS	
35157911250980	92335556550	923345506365	02/12/2019 13:29	02/12/2019 13:29	21	INCOMING	VOICE	Andor Kot - FATEHJANG
35157911250980	92335556550	923336573030	02/12/2019 13:46	02/12/2019 13:46	0	INCOMING	SMS	
35157911250980	92335556550	923339999797	02/12/2019 13:50	02/12/2019 13:51	27	INCOMING	VOICE	FatehJang - FATEHJANG
35157911250980	92335556550	923366661775	02/12/2019 14:29	02/12/2019 14:29	0	INCOMING	SMS	Domaille - DOMAILE
35157911250980	92335556550	923339999797	02/12/2019 14:46	02/12/2019 14:47	71	OUTGOING	VOICE	Village Rangli - VILLAGE RANGLI
35157911250980	92335556550	923345506365	02/12/2019 15:12	02/12/2019 15:12	1	INCOMING	VOICE	Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923345506365	02/12/2019 15:13	02/12/2019 15:15	122	OUTGOING	VOICE	Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923345506365	02/12/2019 15:19	02/12/2019 15:20	34	INCOMING	VOICE	Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923369667245	02/12/2019 15:20	02/12/2019 15:22	98	OUTGOING	VOICE	Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923369667245	02/12/2019 15:47	02/12/2019 15:48	42	INCOMING	VOICE	Mohalla Takia - MOHALLA TAKIA
35157911250980	92335556550	923377570809	02/12/2019 16:08	02/12/2019 16:10	158	INCOMING	VOICE	Land between Mobilink Tower and PTCL Exchange(Ihanda) - JAND
35157911250980	92335556550	923339999797	02/12/2019 16:15	02/12/2019 16:16	49	INCOMING	VOICE	Khushalgarh - KHUSHALGARH
35157911250980	92335556550	923339999797	02/12/2019 17:15	02/12/2019 17:16	32	OUTGOING	VOICE	Babri Banda - BABRI BANDA
35157911250980	92335556550	923339999797	02/12/2019 17:18	02/12/2019 17:18	28	INCOMING	VOICE	Babri Banda - BABRI BANDA
35157911250980	92335556550	923315971691	02/12/2019 17:26	02/12/2019 17:26	39	INCOMING	VOICE	Togh Bala - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:29	02/12/2019 17:30	56	OUTGOING	VOICE	Togh Bala - KOHAT
35157911250980	92335556550	923339623479	02/12/2019 17:32	02/12/2019 17:32	20	INCOMING	VOICE	Bahdur Kot - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:34	02/12/2019 17:35	63	INCOMING	VOICE	Sector 2 college town - KOHAT
35157911250980	92335556550	923369667245	02/12/2019 17:42	02/12/2019 17:43	40	INCOMING	VOICE	Station Headquarters Kohat - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:46	02/12/2019 17:46	32	INCOMING	VOICE	Tehsil Gate - KOHAT
35157911250980	92335556550	923339999797	02/12/2019 17:53	02/12/2019 17:53	11	OUTGOING	VOICE	Garni Muwaz Khan - KOHAT
35157911250980	92335556550	923368863183	02/12/2019 17:55	02/12/2019 17:55	22	OUTGOING	VOICE	Usmania Colony - KOHAT
35157911250980	92335556550	923345506365	02/12/2019 17:59	02/12/2019 17:59	23	OUTGOING	VOICE	Usmania Colony - KOHAT
35157911250980	92335556550	923345506365	02/12/2019 18:03	02/12/2019 18:04	117	OUTGOING	VOICE	Usmania Colony - KOHAT
35157911250980	92335556550	923359341157	02/12/2019 18:09	02/12/2019 18:13	283	OUTGOING	VOICE	Usmania Colony - KOHAT

3 has

92335556550



A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location
351579111250980	923355556550	02/12/2019 18:14	02/12/2019 18:14	6	INCOMING	VOICE	Usmania Colony - KOHAT
351579111250980	923355556550	02/12/2019 18:17	02/12/2019 18:21	241	OUTGOING	VOICE	Usmania Colony - KOHAT
351579111250980	923355556550	02/12/2019 18:21	02/12/2019 18:21	0	INCOMING	SMS	Usmania Colony - KOHAT
351579111250980	923355556550	02/12/2019 18:22	02/12/2019 18:29	395	INCOMING	VOICE	Usmania Colony - KOHAT
351579111250980	923355556550	02/12/2019 18:36	02/12/2019 18:43	377	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
351579111250980	923355556550	02/12/2019 18:41	02/12/2019 18:42	89	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
351579111250980	923355556550	02/12/2019 18:43	02/12/2019 19:26	2577	OUTGOING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	02/12/2019 19:20	02/12/2019 19:22	65	INCOMING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	02/12/2019 20:18	02/12/2019 20:18	0	INCOMING	SMS	Usmania Colony - KOHAT
351579111250980	923355556550	02/12/2019 20:20	02/12/2019 20:20	0	INCOMING	SMS	Usmania Colony - KOHAT
351579111250980	923355556550	03/12/2019 7:34	03/12/2019 7:34	0	INCOMING	SMS	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 8:03	03/12/2019 8:04	21	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
351579111250980	923355556550	03/12/2019 8:42	03/12/2019 8:42	25	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
351579111250980	923355556550	03/12/2019 8:59	03/12/2019 9:01	105	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
351579111250980	923355556550	03/12/2019 9:04	03/12/2019 9:06	128	INCOMING	VOICE	Garhi Muwaz Khan - KOHAT
351579111250980	923355556550	03/12/2019 9:20	03/12/2019 9:24	287	OUTGOING	VOICE	Usmania Colony - KOHAT
351579111250980	923355556550	03/12/2019 9:25	03/12/2019 9:25	0	INCOMING	SMS	Usmania Colony - KOHAT
351579111250980	923355556550	03/12/2019 9:32	03/12/2019 9:37	328	INCOMING	VOICE	Usmania Colony - KOHAT
351579111250980	923355556550	03/12/2019 9:37	03/12/2019 9:38	25	OUTGOING	VOICE	Usmania Colony - KOHAT
351579111250980	923355556550	03/12/2019 9:43	03/12/2019 9:46	141	INCOMING	VOICE	Usmania Colony - KOHAT
351579111250980	923355556550	03/12/2019 10:24	03/12/2019 10:28	214	OUTGOING	VOICE	Garhi Muwaz Khan - KOHAT
351579111250980	923355556550	03/12/2019 10:30	03/12/2019 10:30	26	INCOMING	VOICE	Check Post Hangu Road - KOHAT
351579111250980	923355556550	03/12/2019 10:54	03/12/2019 10:55	59	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
351579111250980	923355556550	03/12/2019 11:13	03/12/2019 11:13	14	INCOMING	VOICE	Check Post Hangu Road - KOHAT
351579111250980	923355556550	03/12/2019 11:29	03/12/2019 11:30	27	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
351579111250980	923355556550	03/12/2019 11:32	03/12/2019 11:33	18	INCOMING	VOICE	Check Post Hangu Road - KOHAT
351579111250980	923355556550	03/12/2019 11:34	03/12/2019 11:35	25	OUTGOING	VOICE	Check Post Hangu Road - KOHAT
351579111250980	923355556550	03/12/2019 11:43	03/12/2019 11:43	9	INCOMING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 11:52	03/12/2019 11:52	20	INCOMING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 11:53	03/12/2019 11:54	21	OUTGOING	VOICE	Pir Kheir - KOHAT
351579111250980	923355556550	03/12/2019 11:54	03/12/2019 11:55	53	INCOMING	VOICE	Pir Kheir - KOHAT
351579111250980	923355556550	03/12/2019 11:55	03/12/2019 11:56	31	INCOMING	VOICE	Pir Kheir - KOHAT
351579111250980	923355556550	03/12/2019 12:25	03/12/2019 12:30	25	OUTGOING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 12:32	03/12/2019 12:34	22	OUTGOING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 12:44	03/12/2019 12:44	0	INCOMING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 12:45	03/12/2019 12:45	0	INCOMING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 12:46	03/12/2019 12:46	0	INCOMING	VOICE	Tehsil Gate - KOHAT
351579111250980	923355556550	03/12/2019 12:50	03/12/2019 12:50	0	OUTGOING	VOICE	Tehsil Gate - KOHAT

25

DEPARTMENTAL ENQUIRY AGAINST CONSTABLE MUHAMMAD ABID NO. 408

Respected Sir,

It is submitted that I have been appointed as enquiry officer, in departmental proceedings initiated against constable Muhammad Abid No. 408

Short facts of the case are that on 03.12.2019 at 17:00 hrs complainant Fatima Gul Bibi r/o Muhallah Mian Badshah Kohat City reported the local Police that at 16:30 hrs her house door was knocked, upon which she opened the door and found a person in Police uniform wearing mask. She informed her son named Muhammad Ali. In the meanwhile her son was taken away by persons wearing Police uniform in a vitz motorcar. In the meantime Israr Khan husband of the complainant unfolded that he has got dispute over landed property with one Farhad s/o Nasrullah r/o Ghari Dhodewal, who was not paying Rs. 95 lac as sale consideration of land and threatened for dire consequences. He suspects that his son was taken away by him in Police uniform. The report was entered in daily diary No. 36 dated 03.12.2019 and investigation u/s 156 (iii) CrPC was initiated. Later on the abductee name above appeared before the Police and stated that on the eventful day two person in Police uniform and two others in civvies have taken away in a white color motorcar and asked that SHO has called him. The victim was examined u/s 161 & 164 CrPC. The proceedings culminated into registration of FIR vide No. 1593 dated 05.12.2019 u/s 365 PPC PS City against three accused.

As reported by SP Investigation vide his office No. 4640/Reader dated 24.12.2019 that SHO Ayat Ullah and his gunners named constable Abdul Wahab and Muhammad Abid had made telephonically contact with the accused before and after the commission of offence. They were called and interrogated during the course of investigation. Their contact with accused was established through CDR.

On the above, charge sheet and statement of allegations was issued against the defaulter official on the below charges:-

- i. On 03.12.2019, complainant of case FIR No. 1593, dated 05.12.2019 u/s 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.
- ii. As contemplated from report of SP Investigation Kohat, you constable Abdul Wahab had telephonically contacted with charged accused before and after occurrence, which show professional gross misconduct on your part.
- iii. It was also reported that you have also in contact with the accused on the eventful day i.e before and after the occurrence.

The charge sheet alongwith statement of the allegations was served upon the defaulter official, to which he submitted reply and deny the charge / allegations leveled against him.

In order to scrutinize the conduct of the accused official the following officials / witnesses were examined in presence of accused official.

1. SI Anwar Shah O.I.I
2. Israr Khan (husband of complainant) s/o Nisar Khan r/o Ghari Mawaz Khan.
3. Mst. Fatima Gul complainant,
4. Muhammad Ali abductee.
5. Farhad s/o Nasrullah accused.

Besides facts of the case and investigation, the witness O.I.I stated that CDR of accused Farhad was obtained which transpired that the accused official and his driver constables named above remained in contact with accused on the eventful day. He further stated that the victim party was subjected for identification of motorcar and accused but they failed to identify the accused and a motorcar used in the commission of offence.

It is pertinent to mention that all the charge accused have succeeded to secure bail before arrest on the basis of affidavit submitted by victims before the court.

From the above and available record, I have reached to the conclusion that the complainant party has patched up the matter with the accused for the reasons best known to him and in order to save the skin of accused official and SI Ayat Ullah and other accused constable in the departmental proceedings. However, it has been established that the defaulter official, constable Abdul Wahab, co-accused and SI Ayat Ullah the then SHO are closed to the accused and involved in the commission of offence. However, irrespective of the statements of the complainant party and confirmation of bail before arrest of the accused, it has been established from CDR and investigation that the accused official and others were in contact with the accused before and after the commission of offence. The defaulter and other officials have earned a bad name to the entire department and caused damage to the image of Police. Therefore, the charges and allegations leveled against the defaulter official constable Muhammad Abid No. 408 have been established beyond any shadow. Hence, the defaulter official is recommended for a major punishment provided under Khyber Pakhtunkhwa, Police Rules 1975 (Amended 2014).

Submitted please.

W/DPO Kohat


SP Operations, Kohat
(Enquiry Officer)



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

Tel: 0922-9260116 Fax 9260125

No 191 /PA dated Kohat the 15/1/2020

FINAL SHOW CAUSE NOTICE

1. I, **Capt. ® Mansoor Aman, District Police Officer, Kohat** as competent authority, under the Khyber Pakhtunkhwa Police Rules 1975, (amended 2014) is hereby serve you, **Driver Constable Muhammad Abid No. 408** as follow:-

- i. That consequent upon the completion of inquiry conducted against you by the inquiry officer for which you were given opportunity of hearing vide office No. 59029-30/PA dated 27.12.2019.
- ii. On going, through the finding and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the inquiry officer.

I am satisfied that you have committed the following acts/omissions, specified in section 3 of the said ordinance.

- a. **On 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.**
- b. **As contemplated from report of SP Investigation Kohat, that you Driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on your part.**

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you major penalty provided under the Rules **ibid**.

3. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within 07 days of its delivery in the normal course of circumstances, it shall be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.

5. The copy of the finding of inquiry officer is enclosed.

DISTRICT POLICE OFFICER,
KOHAT

ضمانت عالی

مخبرانہ مامل سٹوکار نوٹس غنیرہ

حصہ 15 1/2 صدوں میں سے

جو ان میں سے ایک شریک من انلوٹر

کھنڈر ہو گیا۔ وہی مامل سٹوکار نوٹس

میں لکھی گئی ہیں کہ ان کو لیا گیا ہے۔

مامل سٹوکار نوٹس فی سائز ہے۔

ڈیپوٹیشن سے پہلے 408 سالوں میں لکھی گئی

M Akidol

ORDER.

This order will dispose of a departmental appeal, moved by Ex-Constable Muhammad Abid No. 408 of Kohat district against the punishment order, passed by DPO Kohat vide OB No. 35, dated 16.01.2020 whereby he was awarded major punishment of dismissal from service on the following allegations:-

“He while posted as DRIVER WITH SHO PS City, a case vide FIR No. 1593, dated 15.12.2019 u/s 365 PPC was registered in PS City. During course of investigation, SP Investigation vide his report No. 6440/Reader, dated 24.12.2019 intimated that the SHO and his GUNNER / DRIVER had in contact with accused and his CDR was obtained in this regard. Complainants of the said FIR, reported regarding taking of their son by a person in Police uniform. It has also been reported that he had contact with the accused on the eventful day i.e. before and after the occurrence.”

He preferred an appeal to the undersigned upon which comments were obtained from DPO Kohat and his service documents were perused. He was also heard in person in Orderly Room, held on 25.06.2020. During hearing, he did not advance any plausible explanation in his defense to prove his innocence.

I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved beyond any shadow of doubt and the same has also been established by the E.O in his findings. Therefore, his appeal being devoid of merits is hereby rejected.

Order Announced
25.06.2020

3460
8/7/2020

JHC
(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.

No. 1898 /EC, dated Kohat the 6/7 /2020.

Copy to DPO/Kohat for information w/r to his office Letter No. 1496/LB, dated 29.01.2020. His Service Roll & Fauji Missal / Enquiry File is returned herewith.

GRC/SHC
From action
JHC

JHC
(TAYYAB HAFEEZ) PSP
Region Police Officer,

able
hwa,

e FIR
arding

driver
ct with
ssional

d driver
upon the
officer to
that the
sons best
ice official
e defaulter
e with the
omplainant
established
contact with
alter driver
l damage to
alter official
e commended
Notice. Reply

inquiry officer,
bid I, Capt. @
r punishment
nd report.

OFFICER,
8/2/16/1

tion to the:-

action.

ICE OFFICER
AT 8/2/16/1



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT
Tel: 0922-9260116 Fax 9260125

ORDER

This order will dispose of departmental enquiry against Driver constable Muhammad Abid No. 408 of this district Police, under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

- i. Facts arising of the case are that on 03.12.2019, complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.
- ii. As contemplated from report of SP Investigation Kohat, that driver constable Muhammad Abid No. 408 had telephonically contact with charged accused before and after occurrence, which shows professional gross misconduct on his part.

For the above, serious / professional misconduct of the accused driver constable. Charge sheet alongwith statement of allegations was served upon the accused driver constable. SP Operations Kohat was appointed as enquiry officer to scrutinize the conduct of the driver constable. The enquiry officer stated that the complainant party has patched up the matter with the accused for the reasons best known to him and in order to save the skin of accused official and other police official in the departmental proceedings. However, it has been established that the defaulter official and others are closed to the accused and involved / connivance with the commission of offence. However, irrespective of the statements of the complainant party and confirmation of bail before arrest of the accused, it has been established from CDR and investigation that the accused official and others were in contact with the accused before and after the commission of offence. The defaulter driver constable has earned a bad name to the entire department and caused damage to the image of Police. Therefore, the allegations leveled against the defaulter official and others have been established beyond any shadow of doubt and recommended for a major punishment. He was further served with Final Show Cause Notice. Reply was received and found unsatisfactory.

In view of the available record, I agree with the findings of enquiry officer, therefore, in exercise of powers conferred upon me under the **rules ibid** 1, Capt. ® Mansoor Aman, District Police Officer, Kohat is hereby award a **major punishment of dismissal from service** with immediate effect. kit etc be collected and report.

Announced
16.01.2020

DISTRICT POLICE OFFICER,
KOHAT

OB No. 35
Dated 16-01-2020
No. 204-06 /PA dated Kohat the 16-1-2020.

Copy of above is submitted for favour of information to the:-

1. Regional Police Officer, Kohat please.
2. R.I/Reader/Pay officer/SRC/OHC for necessary action.

DISTRICT POLICE OFFICER,
KOHAT



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

No. S/ 796 /21, dated Peshawar the 04/03/2021.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by **Ex-FC Muhammad Abid No. 408**. The petitioner was dismissed from service by District Police Officer, Kohat vide OB No. 35, dated 16.01.2020 on the allegations that he while posted as DRIVER with SHO PS City, a case vide FIR No. 1593, dated 15.12.2019 u/s 365 PPC was registered in PS City. During course of investigation, SP Investigation, vide his report No. 6440/Reader, dated 24.12.2019 intimated that the SHO and his GUNNER/DRIVER had in contact with accused and his CDR was obtained in this regard. Complainants of the said FIR, reported regarding taking of his son by a person in Police uniform. It has also been reported that he had contact with the accused on the eventful day i.e. before and after the occurrence. His appeal was rejected by Regional Police Officer, Kohat vide order Endst: No. 6898/EC, dated 06.07.2020.

Meeting of Appellate Board was held on 14.01.2021 wherein petitioner was heard in person. Petitioner contended that accused involved in case FIR No. 1593, dated 15.12.2019 u/s 365 PPC PS City was acquitted by the court vide judgment dated 10.10.2020 on the basis of complainant's statement wherein she stated that she did not want to charge anyone for the commission of offence.

Perusal of enquiry papers reveals that the allegations against the petitioner have been proved from CDR and investigation. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

KASHIF ALAM, PSP

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

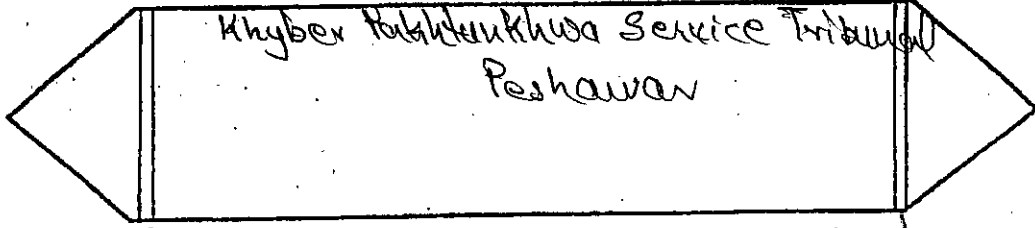
No. S/ 797-96 /21,

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat.
2. District Police Officer, Kohat.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

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

بعدالت



Appellant ² منجانب Muhammad Iqbal Appellant ^{موزعہ}
 Service Appeal # 3324/2020 ^{بنام} IGP, Peshawar Respondents ^{مقدمہ}
 and others ^{دعویٰ} ^{جرم}

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آن مقام پشاور کیلئے ایڈووکیٹ علی باب سے سعد علی

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور صولی چیک دروپیا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخ
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
 مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

الرقوم _____ 26 ماہ _____ 2021

_____ واہ العب _____

_____ Peshawar _____ بمقام

Attested & Accepted

Ali Bakht
 Advocate Peshawar

cell # 0332-9931676
 BC # 10-4605

BEFORE THE KHYBER PAKHTUNKIWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.3324/2020

Muhammad Abid No.408,
Ex-Driver Constable, District Police, Kohat.....Appellant.

Versus

The Inspector General of Police and othersRespondents.

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Rejoinder with Affidavit.			1-9
2.	Copy of Dairy No.14 dated 28-01-2020, Copy of Fard Shanakht (Identification) along with order of Judicial Magistrate dated 10-10-2020.		R/J/I	10-13
3.	Copy of Investigation Report of SP Investigation, Kohat, Statements of Inquiry witnesses along with inquiry report.		R/J/II	14-24

M. Abid

Appellant

Through

Ashraf Ali Khattak

Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

Ali Bakht

Ali Bakht
Advocate, Peshawar

&

Sadia Umar

Sadia Umar
Advocate, Peshawar

Dated: _____ / 07/ 2021

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.3324/2020

Muhammad Abid No.408,
Ex-Driver Constable, District Police, Kohat.....Appellant.

Versus

The Inspector General of Police and othersRespondents.

**REJOINDER ON BEHALF OF APPELLANT IN
RESPONSE TO REPLY FILED BY RESPONDENTS.**

Respectfully Sheweth,

Preliminary Objections:

Preliminary objections raised by answering Respondents are erroneous and frivolous as having no factual and legal backing. The respondents have failed to show/explain as to how and why the appellant has no cause of action and locus standi ? How the appellant is estopped by his own conduct and what material facts, appellant has concealed from the notice of this Honourable Court ? How the appellant is not an aggrieved person within the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 read with Rule 19 of the Khyber Pakhtunkhwa Government Servant (Efficiency and Discipline) Rules, 2011 ? The respondent have also failed to explain as to how the instant service appeal is based on misconception of law and facts or bad in law ? The respondents have failed to raise any solid objection regarding the controversial question involved in the appeal. Since the preliminary objections are not supported by cogent and legal reason therefore, proper rejoinder could not be made and submitted. All the necessary parties have been duly arrayed as parties; question of mis-joinder and non-joinder of necessary parties cannot be raised.

So far the preliminary objection No. IV is concerned. In this respect, it is humbly submitted that respondent No.2 was under legal obligation to decide the appeal of the appellant within statutory period, but he failed to Honor his competency. Section 4 of KP Service Tribunal Act, 1974 provide that a Civil Servant aggrieved of any order shall prefer an appeal before KP Service Tribunal after lapse of 90 days of departmental appeal, if the departmental appeal was not decided within 90 days. Rule 19 of the KP Government (Efficiency and Discipline) Rules, 2011 provide that the Appellate authority shall not take any further action on the departmental appeal of the appellant, if the same is not decided within statutory period. The departmental appeal of the appellant was decided by respondent No.2 on 08-07-2020 i.e after lapse of about 06 months. On this score respondent No.2 was not competent to decide the departmental appeal of the appellant as per Rule 19 of the Rules cited *ibid*.

Facts:-

1. That reply to Para No.1 of the appeal is correct to the extent of lodging FIR No.1552 dated 05-12-2019 and whereas the remaining Paras are incorrect hence denied. Appellant has neither been nominated in the FIR by the complainant nor any role whatsoever was brought by the I.O of the case, however he was later on called upon by the I.O to join investigation. Appellant joined investigation but he was exonerated by the I.O as no evidence was procured by the prosecution against the appellant which can connect him with the commission of the offence. The complainant and his son (alleged abductee) and other prosecution witness neither alleged any accusation against appellant nor any other witness has deposed any evidence against appellant. The case Diary No 14 dated 28-01-2020 and identification parade dated 17-12-2020 \rightarrow (P/10-11) wherein appellant was completely exonerated by the complainant and I.O are worth perusal. Appellant name is nowhere in column of accused. The final Challan is worth perusal. The Honorable Court completely finished the entire criminal proceedings. Competent Court

of law even declared the criminal proceedings as illegal against the so called nominated accused and all accused were discharge by the competent court as there was no evidence. Order of the Court dated 10-10-2020 is worth perusal. The relevant record is attached as **Annexure-RJ/1.**

(P/13)

It is worth mentioning that respondent No.3 without waiting for the result of the criminal proceeding dismissed the appellant from his legal service and that too without adhering to the mandatory legal procedure and also in violation of legal principles laid down by the Honorable Supreme Court of Pakistan.

So far the departmental inquiry is concerned. In this respect, it is humbly submitted that inquiry officer without looking into the statements/depositions of the prosecution witnesses including the statement of IO (OF THE CRIMINAL CASE) has prepared/recorded the findings of the inquiry report in disregard of the evidence. The evidence recorded by the Inquiry Officer clearly establishes the fact that appellant is not involved in the case in any manner what so ever. The statement of prosecution witnesses are worth perusal. More ever it is also humbly submitted that Final Show Cause was served upon the appellant on 15-01-2020 requiring him to submit reply within 07 days of the communication of the Final Show Cause. Respondent No.3 straight away on the very next day i.e on 16-01-2020 dismissed the appellant in disregard of the evidence recorded by the inquiry officer.

{impugned
order}

(Annexure-RJ/II)

So far the question of CDR is concerned, it has no evidentiary value in the eyes of law (Qanoon e Shahadat Order 1984 and Electronic Transaction Ordinance, 2002). The appellant has neither contacted the so called nominated accused Farhad etc. on the day of alleged occurrence of abduction of the son of Mst: Fatima Gul namely Muhammad Ali nor there is any record in the alleged CDR that appellant has ever contacted the alleged nominated accused after the

alleged occurrence. There is nothing in the CDR which could establish that appellant has ever contacted the nominated accused Farhad. Moreover, it has been held by the Hon'ble Supreme Court of Pakistan vide reported Judgment 2021 SCMR 522 that entry in CDR could not be relied upon unless the prosecution establishes the fact that it was really the accused who had contacted and more so it is also to be established by the prosecution that what conversation were taken place in between the two i.e. caller and receiver. In the present case neither there is any contact of the appellant with the nominated accused of the case FIR No.1593 dated 05-12-2019.

During the inquiry proceedings appellant along with others were brought before the complainant Mst: Fatima Gul Bibi and her son (alleged abductee) Muhammad Ali with open face but both categorically denied the alleged accusation that appellant was the person who was involved in the alleged abduction. The statement of Mst: Fatima Gul Bibi and her son Muhammad Ali are worth perusal:

It is also humbly submitted that the alleged Vittz Car was also brought before the complainant and her son and even they were drivined through different routes of the Kohat City but stated that it was not the Car whereby the alleged abductee was abducted. In the presence of direct evidence no presumption can be drawn. In the instant case, the I.O without any cogent and legal support and through surmise and conjecture illegally presumed that appellant is involved in the alleged abduction.

Appellant has neither been provided opportunity of personal hearing nor provided with copy of Inquiry Report thus been deprived of his fundamental guaranteed right of personal hearing and defense which is not only the violation of Rule 14 of E&D Rules, 2011 but also blatant violation of Article 10-A of the Constitution of Pakistan, 1973.

Departmental proceeding were of Judicial nature and should have been initiated in accordance with the spirit of law.... Civil Servant has a right to have fair trial, which included appointment of an impartial and independent Inquiry Officer.
[2015 PLC (CS) 8].

Grounds:

- A. The reply to grounds A of the appeal is incorrect, hence denied. The answering respondents have admitted that they have no evidence against the appellant except CDR which itself is not evidence. Under what authority of law, the CDR could be termed as evidence. CDR is only information of contacts but does not show the conversations between the contactors. What was the conversation between the two person are not known. In absence of record of conversation, how it can be presumed and said that the contact was for the purpose of commission of offence and conspiracy.

It is humbly submitted that appellant has neither contacted the alleged nominated accuse of case FIR No. 1593 dated 05-12-2019 nor there is any record in the attached CDR that the nominated has ever contacted the appellant before or after the alleged occurrence.

- B. Reply to Para No.2 of the appeal by the answering respondents is incorrect, hence denied. Final Show Cause was served upon the appellant on 15-01-2020 with the directions to submit reply within 07 days of the communication of the Final Show Cause. Appellant has neither provided copy of Inquiry Report nor opportunity of personal hearing which are the mandatory requirements of Rule 14 and 15 of the E&D Rules, 2011.

Section 16 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 provides that a civil servant is liable for prescribed disciplinary action and penalties in accordance with prescribed procedure and not otherwise.

Rule 14 of KP Government Servant (E & D) Rules, 2011 provide that on receipt of inquiry report the competent authority shall examine the report and the relevant case material and determine;

- i. whether the inquiry has been conducted in accordance with prescribed procedure/provisions of E & D Rules?
- ii. Whether charges have been proved?

In the instant case the penal authority (respondent No.3) has not scrutinize the evidence on record, wherein all witnesses has categorically denied the involvement of appellant.

Respondent No.3 has further violated the provision of rule 14 of E & D Rules and deprived the appellant from submitting proper reply to final show cause as he was not provided copy of the Inquiry Report. Appellant was thus deprived from the opportunity of confronting with those pieces of evidence which were apparently going against him/appellant. The basic theme of legislatures behind the Final Show Cause was to afford the accused civil servant an opportunity to explain any evidence that apparently goes against him and that is why it is mandatory under Rule 14(4) to provide the accused Government employee a copy of inquiry report along with Final Show Cause. This is sort of proceeding under the analogy of section 342 Cr.P.C. The Honorable Supreme Court of Pakistan has laid down a law that where an accused is not confronted with those pieces of evidence which apparently goes against him shall be excluded from consideration.

Appellant was not provided copy of inquiry report as per mandates of rules 14 (C) of the Rules abid. Inquiry Report should be supplied to accused Civil Servant. [1993 PLC(CS) 10(e)+ 1992 PLC (CS) 751, 490+ 1990 SCMR 183+ 1996 SCMR 201+ 1983 PLC (CS) 473+ 1984 PLC (CS) 304+ 1989 PLC (CS) 359+ 2003 PLC (CS) 378+ 1986 PLC (CS) 459

Appellant was also deprived from opportunity of personal hearing as per provision of Rule 14(5) and Rule 15 of the E&D Rules, 2011.

Burden of proof on the prosecution to prove the charge.

The law in the country is still unchanged and is governed by law of Qanoon-e-Shahadat in Vogue and by virtue of the same, we have to see, that it is for the prosecution to establish the guilt of the person and if it fails to do so, the result is that benefit goes to the accused of the said failure.

If the allegation against the accused civil servant/employee is of serious nature and if he denies the same, a regular inquiry cannot be dispensed with. In such a case, the initial burden on the department to prove the charge, which cannot be done without producing evidence [1983 PLC (CS) 211 + 1997 PLC (CS) 817 (S.C) + 1997 SCMR 1543].

Standard of proof.....To be akin to one required in criminal cases.

It is significant that while referring to civil servant, who is being proceeded against under the Govt: Servant (Efficiency and Discipline) Rules the word "accused" has been used which indicates that the proceedings conducted by the inquiry officer are akin to a criminal trial [1996 SCMR 127]. A person is presumed to be guilty of misconduct if evidence against him establishes his guilt. The use of the word "guilty" is indicative of the fact that the standard of proof should be akin to one required in criminal cases [PLD 1983 SC (AJ & K) 95].

Prosecution to stand on its legs to prove the allegations.

Accused is stated to be a favorite child of law and he is presumed to be innocent unless proved otherwise and the benefit of doubt always goes to the accused and not to the prosecution as it is for the prosecution to stand on its own legs by proving all allegations to the hilt against the accused. Mere conjectures and presumption, however strong, could not be made a ground for removal from service of civil servant [1999 PLC (CS) 1332 (FST)]..... Unless and until prosecution proves accused guilty beyond any shadow of doubt, he would be considered innocent [1983 PLC (CS) 152 (FST)].

Re-instated employee would be entitled to back benefits as a matter of course unless employer is able to establish by cogent evidence that concerned employee had been gainfully employed elsewhere. In this respect, initial burden would lie upon the employer and not upon the employee to prove that such employee was gainfully employed during period of termination from his service. 2010 TD (Labour) 41.

Back benefits

Civil servant who was dismissed from service through arbitrary and whimsical action of the government functionaries and re instated through judicial order of Service Tribunal would have every right to recover arrears of salaries by way of back benefits due to them during the period of their dismissal and re instatement. It would be very unjust and harsh to deprive them of back benefits for the period for which they remained out of job without any fault on their part and were not gainfully employed during that period.....Supreme Court allowing their appeal and directing payment of back benefits to the appellant. 2006 T D (SERVICE) 551 (a).

Back benefits

When facts and circumstances of the criminal case and disciplinary proceeding are the same..... Civil Servant entitle for re-instatement... (2011 TD 164). Acquittal from criminal charge. Re-instatement is a Rule under Article 4 and 25 of the Constitution, 1973. 1997 PLC (CS) 752.

Dismissal... Registration of FIR... Acquitted... Such dismissal could not be insisted to be retained in field (2009 PLC (CS) 471, 1986 PLC (CS) 130.

Civil Servant was proceeded against on the statement of compliant before Police. Complainant resiled from his statement during the course of Criminal Proceedings and Civil Servant was acquitted of the charge level against him, but in departmental proceeding he was dismissed from service on the basis of complainant statement before the police. Statement of complaint has been recorded before the police and the same could not be used in departmental proceeding and more so the same has not scrutinized through the scrutiny of cross examination, therefore has no evidently value. Civil Servant was re instated, 2003 SCMR 207+ 2013 PLC (CS) 1059+ 2013 SCMR 714.

C to M:- Reply to grounds C to M are mere repetition of facts/grounds which have already been responded. Appellant rely on grounds mentioned memo of appeal and would like to seek the permission of this Honorabe Tribunal to advance/share grounds in rebuttal.

It is, therefore, humbly prayed that the reply of answering Respondents may graciously be rejected and the appeal as

prayed for may graciously be accepted by re-instating the appellant on his original service with all back benefits.

M. Abidul

Appellant

Through

Islah

Ashraf Ali Khattak

Advocate,

Supreme Court of Pakistan

Ali &

Ali Bakht

Advocate, Peshawar

Sadia Umar

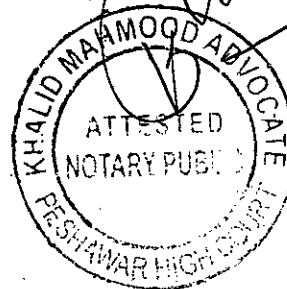
Sadia Umar

Advocate, Peshawar

Dated: _____ / 07/ 2021

Affidavit

I, Muhammad Abid No.408, Ex-Driver Constable, District Police, Kohat, do hereby affirm and declare on oath that the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



M. Abidul
Deponent

رپورٹ ضمنی

تخلیہ کر کے

25 مئی 1993

تھانہ سی

ابتدائی اطلاعی رپورٹ نمبر 1593

تاریخ و مقام وقوع 5.12.019

تھانہ میں موصول ہونے کا وقت و تاریخ

PP 365

تھانہ سے روانگی کا وقت و تاریخ

تھانہ میں پہنچنے کا وقت	رپورٹ کا نمبر	تھانہ	تھانہ
پہنچنے کا وقت	تھانہ	تھانہ	تھانہ

مذکورہ تمام حقائق کے بارے میں مزید جاننے کے لیے تھانہ میں موجود پولیس کے افسران اور دیگر اہل کاروں سے گفتگو کی گئی ہے۔

2. رپورٹ کے مطابق

3. تھانہ میں واقع

عالمی حالات کے پیش نظر تھانہ میں بھی صورتحال بدلتی رہتی ہے۔

1. تھانہ میں پولیس کے افسران اور دیگر اہل کاروں سے گفتگو کی گئی ہے۔

تھانہ میں پولیس کے افسران اور دیگر اہل کاروں سے گفتگو کی گئی ہے۔

تھانہ میں پولیس کے افسران اور دیگر اہل کاروں سے گفتگو کی گئی ہے۔

28-20

14:30

15:40

28-20

20

(11)

مدح کوٹہ

روزنامہ اور اخبارات

شمارہ 1583 مورخہ 10/10/59

365

روزنامہ اور اخبارات کے لئے مندرجہ ذیل عنوان مالا میں درج ہیں اسمیں
تذکرہ روزنامہ اور اخبارات کے لئے مندرجہ ذیل عنوان مالا میں درج ہیں اسمیں
شمارہ 1485 مورخہ 10/10/59

6 10/59 24 روزنامہ اور اخبارات کے لئے مندرجہ ذیل عنوان مالا میں درج ہیں اسمیں

روزنامہ اور اخبارات کے لئے مندرجہ ذیل عنوان مالا میں درج ہیں اسمیں
تذکرہ روزنامہ اور اخبارات کے لئے مندرجہ ذیل عنوان مالا میں درج ہیں اسمیں
شمارہ 1485 مورخہ 10/10/59

10/10/59

36

12



FORM OF ORDER SHEET

IN THE COURT OF MUHAMMAD WAQAR, JUDICIAL MAGISTRATE-II, KOHAT

Serial No. of Order of Proceedings	Date of order or Proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary
<p>ORDER-1</p> <p><i>Handwritten notes:</i> 10/10/2020 365 PP-25-12-2019 1993010 14/10/20</p>	<p>10.10.2020</p>	<p>FIR No.1593 dated 05.12.2019 u/s 365 PPC PS City State vs. Farhad etc..</p> <ol style="list-style-type: none"> 1. Complete challan alongwith an application for discharge of accused submitted by prosecution. 2. APP for state present. Accused are absent. Arguments of APP heard. Record perused. 3. Perusal of record reveals that no solid and cogent evidence against the accused, which shows that involvement of accused. 4. Prosecution has not associated any private witness to the spot. That accused have been charged by the local police and not the by the complainant. That the complainant recorded her statement under section 164 Cr.PC that she did not want to charge anyone for eh commission of offence. That identification has not been conducted in the instant case. Lastly, all accused have satisfied the complainant regarding their innocence. 5. There is no probability of conviction of accused in the instant case on the basis of available evidence. The trial of the instant case will be a futile exercise / wastage of precious time of the court. 6. Keeping in view, above discussion, accused are hereby discharged in absentia by exercising the jurisdiction U/S 63 read with section 169 Cr.P.C. 7. Case property be dealt in accordance with law. 8. Police file be returned to police. File of this court be consigned to record room after completion <p>Muhammad Waqar Judicial Magistrate II Kohat</p> <p>Muhammad Waqar Judicial Magistrate-II, Kohat</p>

13

**IN THE COURT OF TARIQ ABBAS SENIOR CIVIL JUDGE/JUDICIAL
MAGISTRATE U/S 30 Cr.PC, KOHAT**

Statement u/s 164 Cr.PC.

Statement of Muhammad Ali aged about 14/15 years s/o Israr Khan r/o Mohallah Mian Badshah Kohat City u/s 164 Cr.PC, on oath

Stated that on 03.12.2019 at 16:30 I was present at my home, someone knocked out door, my mother directed me to open the door, on which I came out from my house and saw two persons in police uniform, whereas two other persons in plain dress were sitting in a white colour vitz motorcar. The persons in police uniform told me that the SHO is waiting for me in the motorcar and calling you, on which I went near the motorcar. The persons in police uniform pushed me inside the car and boarded me in the motorcar and muffled my face, due to which I could not see anything. They used to speak in Hindko, Pashto and Urdu languages with each other. They asked me to inform my father to arrange Rs. 10000000/-. Thereafter they deboarded me from the motorcar in a village at about 10:00 PM on a deserted road side. I removed mask and on query came to know that this village is Dhoda Sharif. In the meanwhile a motorcar came there, in which two persons were sitting, I requested them to drop me in the city, and narrated them the whole story. From their mobile I contacted my father, and two persons also talked with my father on mobile. The two persons dropped me at police station city, where my father also reached, and we reported the matter to the local police. As I was forcefully abducted and wrongfully confined by those four unknown persons, therefor I charge them for the commission of said offence. I can identify them if they appear before me. I am requesting that my case be registered against the unknown four accused.

Certified u/s 364 Cr.PC

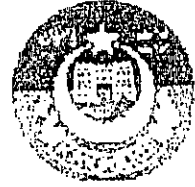
RO & AC
05.12.2019

Ali
Muhammad Ali


Tariq Abbas
Senior Civil Judge/Judicial
Magistrate u/s 30 Cr.P.C, Kohat

Senior Civil Judge
Judicial Magistrate Kohat

از دفتر سپرٹنڈنٹ آف پولیس انوسٹی گیشن ونگ کوہاٹ

FAX NO. 0022-9260275
Phone No. 0022-9260274
Email. mviab2@gmail.com

نمبر 464 - ایڈر مورخہ 2019 - 24

منجانب: سپرٹنڈنٹ آف پولیس انوسٹی گیشن ونگ کوہاٹ

بجانب: ڈسٹرکٹ پولیس آفیسر کوہاٹ

عنوان: براگرس رپورٹ مقدمہ عدالت 1593 مورخہ 2019.12.05 PPC 365 تھانہ ٹی۔

بنام: 1- فرہاد ولد نصر اللہ سکنہ محلہ سماں بادشاہ کوہاٹ۔

2- زہیر ولد ریاض سکنہ محلہ سماں بادشاہ کوہاٹ۔

3- قذافی ولد محمد شفیق سکنہ محلہ سماں بادشاہ کوہاٹ۔

Appellant name is
no where ?

محمد علی منوی

سماة فاطمہ گل

جناب عالی!

مدعیہ مقدمہ مورخہ 03.12.2019 کو بوقت 17:00 بجے بحاضری تھانہ آ کر یوں رپورٹ کی۔ کہ امر روز بصر دیکھ وہ خانہ خود میں موجود تھی۔ بوقت 16:30 بجے گھر کے دروازے پر دستک ہوئی۔ جب اس نے دروازہ کھولا تو ایک جوان جس نے پولیس وردی پہنی ہوئی تھی۔ اور چہرہ پر ماسک پہنا ہوا تھا۔ اسے کہا کہ گھر میں کوئی مرد ہو تو باہر بھیج دو جس پر اس نے سر اٹھا کر کہا کہ باہر پولیس آئی ہوئی ہے جا کر دیکھیں۔ وہ گھر کے دروازے میں کھڑی تھی۔ پیراش محمد علی مذکورہ پولیس وردی میں ملبوس شخص موٹر کار روڈ پر جا کر تھانہ پہنچا اور اسے کہا کہ ہم اس سے کسی گھر کا پتہ پوچھتے ہیں۔ اور چلے گئے اس بابت معلوم کرنے والا ہوں کہ اس کے بیٹے کو پولیس کو نئے سٹیشن لے گئے ہیں اطلاع رپورٹ کی۔

4:30 PM

دوران رپورٹ کسی اسمز از خان ولد شاد خان خاندان سماة فاطمہ گل مدعیہ حاضر تھانہ آ کر جس نے بتلایا کہ عرصہ تقریباً 8 ماہ قبل اس نے اپنی اراضی 28 مرلہ واقع ڈھیری بانڈہ فرہاد ولد نصر اللہ سکنہ محلہ سماں بادشاہ کوہاٹ میں 95 لاکھ روپے پر زمین خریدی تھی۔ جس نے تاحال رقم وصول نہیں کی ہے اور جب بھی وہ فرہاد سے رقم کا مطالبہ کرتا ہے تو ٹال مٹول اور تعلقات ختم کرنے کا کہہ دیتے ہیں اب اسے شک ہے کہ اس کے بیٹے کو بذریعہ پولیس وردی میں ملبوس کسان اٹھا کر لے گئے ہیں اور اپنی مضموم عزائم حاصل کرنا چاہتے ہے سر دست اطلاع رپورٹ کر کے جو بحوالہ مد

Husband of
complainant

36 روز نامہ 03.12.2019 درج روز نامہ ہو کر عظمت خان ASI انچارج چوکی تحصیل پوسٹ نے حسب ہدایت افسران (III) 156 ضف شروع کر کے حسب نشانہ ہی مدعیہ نقشہ موقع مرتب کی ہے۔ موقع کے نزدیک انور پبلک سکول پر نصب شدہ کیمروں میں وقوع کے مناظر موجود یا کر جو بذریعہ USB محفوظ کر کے برائے فرد قبضہ پولیس کی گئی ہے۔ اور اسی طرح منوی علی ابراہم عرف محمد علی بوقت 22:50 بجے رات تھانہ ٹی آ کر بیان کیا

10:50 PM

کہ بروز وقوعہ وہ گھر میں موجود تھا۔ والدہ کی آواز پر اس نے دروازہ کھولا تو سامنے دو کسان پولیس وردیوں میں ملبوس اور دو کسان سادہ کپڑوں میں کھڑے موٹر کار روڈ پر برنگ سفید بلا نمبر میں بیٹھا کر اس دوران ایک شخص پولیس وردی میں مجھ سے کہا کہ SHO بلا رہا ہے اور مجھے دھکا دے کر گاڑی میں بیٹھایا اور میرے چہرے پر ماسک پہنایا۔ ماسک کی وجہ سے مجھے آگے کچھ نہیں دیکھ رہا تھا اور یہ کسان اردو، پشتو اور ہندکو زبان میں باتیں کر رہے تھے اور کچھ مختلف گاڑیوں میں اتار بیٹھا ہے تھے۔ جس میں ایک شخص نے مجھ سے کہا کہ میری والدہ تخت بیمار ہے اور اپنی والدہ کو کہہ دے کہ ایک کروڑ روپے کا بندوبست کرے۔ ورنہ آئندہ ایسا نہیں چھوڑیں گے۔ کافی وقت گزرنے کے بعد آ کر ایک گاڑی میں گاڑی سے اتار کر خود چلے گئے۔ میں نے ماسک چہرے سے ہٹایا رات کا وقت تھا نزدیک موجود لوگوں سے معلوم ہوا کہ بیگاڈوں ڈھوڑہ شریف ہے۔ اس دوران ایک موٹر کار آ کر کھڑا کرنے کا اشارہ دیا جس میں دو کسان سوار تھے موٹر کار میں موجود کسان کی موبائل پر اپنے والد اسرار کے ساتھ بات کر کے نے مجھے تھانہ ٹی لے آیا۔ جس کی

رپورٹ پر مد 36 روز تاخیر 03.12.2019 درج روز نامہ کے عظمت خان ASI نے محمد علی کا بیان زیر دفعہ 161 ض ف قلمبند کر کے
 مورخہ 05.12.2019 کو عدالت میں زیر دفعہ 164 ض ف قلمبند کر کے جس پر مقدمہ علت 1593 مورخہ 05.12.2019 جرم PC
 تھانہ شی درج رجسٹر کر کے بغرض تفتیش مکمل OI/SA کو حوالہ کر کے ابتدائی رپورٹ میں مدعیہ مسماہ فاطمہ گل بی بی اور اس کے خاوند استراخان نے
 فرہاد ولد نصر اللہ سکندر گڑھی ڈھوڈیوال پر شک ظاہر کی ہے۔ کسی فرہاد کے موبائل نمبر 0333-9999797 کے CDR حاصل کر کے پڑھنا
 CDR پر کسی فرہاد بروز وقوعہ وقوعہ سے قبل اور بعد میں مسلمان زبیر ولد ریاض، قذافی ولد محمد شفیق مسلمان گڑھی ڈھوڈیوال، شہزاد ولد صالحین سکندر
 حافظ آباد، SHO آیات اللہ خان تھانہ کینٹ اور اس کے گٹر کا نیشنل عبدالوہاب، محمد عابد کے ساتھ رابطہ بار بار کی گئی ہے۔ مسلمان زبیر، قذافی جبکہ
 شہزاد، فرہاد آپس میں پراپرٹی پارٹنر ہیں اور اس طرح زبیر، قذافی، آیات اللہ خان SHO کا نیشنل عبدالوہاب، محمد عابد کے CDR بھی حاصل
 کر کے کسی فرہاد کے ساتھ بار بار رابطہ ہوئے ہیں۔

اس سلسلہ میں کا نیشنل عبدالوہاب، محمد عابد اور آیات اللہ SHO کو طلب کر کے شامل تفتیش کر کے انٹرویو کر کے پراپرٹی
 عبدالوہاب نے بتایا کہ وہ بروز وقوعہ مورخہ 03.12.2019 کو صبح سے لے کر شام تک SHO آیات اللہ خان کے ساتھ ڈیوٹی پر تھا۔

کا نیشنل محمد عابد کو انٹرویو کر کے بتایا کہ 26.11.2019 سے آیات اللہ خان SHO نے زبانی چھٹی دی تھی اور

مورخہ 03.12.2019 کو وہ گھر واقع کوہالی ڈھوک ملی تنگ سے سبزی منڈی کی ایک حمام داڑھی اور سر کے بال بنوانے اور شام کو اپنے موٹر سائیکل
 براستہ تحصیل گیت میاں خیل بازار، پرانہ صدر تھانہ روڈ کو جانا بیان کیا۔ اور اپنا موبائل تھانہ بھول جانا بیان کیا۔

اسی طرح آیات اللہ خان SHO نے بتایا کہ وہ کسی فرہاد سے کسی افسر کو کھل مانگے تھے اور کئی دفعہ اس بابت فرہاد، شہزاد کے ساتھ اپنے
 موبائل پر رابطہ کئے ہیں۔ اور مسلمان فرہاد، شہزاد نے بھی آیات اللہ خان کے ساتھ کئے ہیں۔ اور ان کے کہنے پر بھی کا نیشنل عبدالوہاب، شہزاد وغیرہ
 کے ساتھ رابطہ کئے ہیں۔ اور شہزاد سے تھانہ کینٹ کھل وغیرہ پہنچائے تھے۔

کسی فرہاد ولد نصر اللہ، زبیر ولد ریاض، قذافی ولد محمد شفیق کو مقدمہ ہذا میں چارج کر کے ملزمان ٹھہرائے گئے ہیں اور کسی فرہاد ولد نصر اللہ
 نے عدالت AS-I-IV صاحب سے قبل از گرفتاری ضمانت کروا کر جس میں 19.12.2019 مقرر تھی۔ مدعیہ مسماہ فاطمہ گل اور اس کا خاوند اسرار
 خان نے ان کے ساتھ عدالت میں پیش ہو کر بقاعدہ شامپ پیپر تحریر کر کے کہ ہم کسی پر دعویٰ جاری نہیں کرتے ہیں۔ فرہاد کا BBA کنفرم ہوا اور بقایا
 کسان زبیر اور قذافی نے بھی BBA کروا کر جس میں تاریخ کنفرمیشن 06.01.2020 مقرر ہے۔

مدعیہ اور منوی محمد علی سے سٹور کارڈ ڈیڈ بزنس سفید نمبر نام معلوم کی شناخت کر کے انہوں نے بتایا کہ وہ سٹور کارڈ ڈیڈ نہیں ہے۔

جہاں تک تفتیش پایا جاتا ہے۔ سر دست پولیس CDR کے علاوہ کوئی ثبوت نہیں مل رہا ہے اور مدعیہ مقدمہ بھی کسی پر دعویٰ جاری کرنے کو تیار

نہیں ہے۔ صرف اور صرف پولیس کے کندھوں پر بندوق چلا رہا ہے۔ پراگرس رپورٹ عرض ہے۔

سپرٹنڈنٹ آف پولیس انوشی کیشن ونگ کوہاٹ

Appellant نے contact کئے ہیں۔ کسی مقدمہ کے تحت کیس
 Prosecution - یہ ثابت نہیں ہے۔
 has to prove

CDR
 بنا کسی پولیس نمبر
 پر کوئی تانہ نہیں
 بائینہ ہی ہے کہ
 وہ کسی شہری

جولائی CDR جولائی کا
 Attach کیا۔

کو کال نہیں کر سکتے بلکہ وہ کسی کال سے کوئی کال

النم eventful day
 i.e. the day of occurrence.

2021 SEMR 322

Public d
 S.C Judgment

بیان ازان انور شاہ Oll تھانہ سٹی کوہاٹ

جناب عالی

بیان کرتا ہوں کہ مورخہ 03.12.2019 مدعیہ مسماۃ فاطمہ گل زوجہ اسرار خان سکند گڑھی ڈیوڈ وال نے اپنے پسر اش محمد علی کے لاپتہ ہونے، نامعلوم ملزمان رپورٹ کر کے رپورٹ میں انہوں نے شک ظاہر کیا تھا کہ سہمی فرہاد گل ولد نصر اللہ خان سکند گڑھی ڈیوڈ وال پر 28 مردہ اراضی واقع ڈھیری بانڈہ مبلغ 95 لاکھ روپے فروخت کیا تھا جب اسے مذکورہ فرہاد سے رقم کا مطالبہ کرتا ہے تو مذکورہ اسکے ساتھ تعلقات ختم کر دیتا ہے اور رقم دینے میں ٹال مٹول سے کام لے رہا ہے۔ اسے شک ہے کہ اسکے بیٹے محمد علی کو نامعلوم کسان پولیس وردی میں ملبوس کہیں لے گئے ہوں۔ جس کی رپورٹ بحوالہ مد 26 روز نامہ 03.12.2019 تھانہ سٹی درج روز نامہ 156 (iii) شروع کرنے عظمت خان ASI انچارج چونکی تحصیل پوسٹ نے انکواری شروع کر کے بدوران انکواری مغوی محمد علی ولد اسرار خان بازیاب ہو کر خود بخود تھانہ حاضر آکر جسکا بیان زیر دفعہ 161 ضف لیا جا کر بعد میں عدالت میں بیان زیر دفعہ 164 ضف قلمبند کر کے انہوں نے بھی نامعلوم ملزمان جس میں دو کسان پولیس وردی میں ملبوس اور چہروں پر ماسک پہنے ہوئے تھے، دعویداری کی۔ بعدہ مورخہ 05.12.2019 کو مقدمہ درج رجسٹر ہو کر بغرض تفتیش من Oll حوالہ ہو کر بدوران تفتیش مذکورہ فرہاد کا موبائل (0333-9999797) کا ڈیٹا حاصل کر کے مذکورہ نے وقوعہ سے قبل اور وقوعہ کے روز موبائل نمبر 0332-9770151، 0334-8287677، 0333-9634123، 0336-8863183، 0335-5556550، 0336-3631313 پر رابطہ ہوئے ہیں جن کے بھی CDR حاصل کر کے جبکہ موبائل نمبری 0335-5556550 تھانی ولد محمد شفیق اور موبائل نمبری 0336-8863183 زیر ولد ریاض ساکنان گڑھی ڈیوڈ وال اور موبائل نمبر 0336-3631313 ملک شہزادہ ولد صالحین سکند حافظ آباد کے نام پر ہے اور اسی طرح موبائل نمبر 0333-9634123 آیت اللہ (سابقہ SHO تھانہ کینٹ) جبکہ موبائل نمبر 0334-8287677 کا نشیمل عبدالوہاب اور موبائل نمبری 0332-9770151 کا نشیمل محمد عابد کے نام پر ہیں۔ مذکورہ آیت اللہ خان SHO اور کا نشیملان محمد عابد عبدالوہاب کو مقدمہ ہذا میں شامل تفتیش کر کے مقدمہ میں انٹارویٹ کر کے SHO آیت اللہ خان نے بتلایا کہ وہ بروز وقوعہ سے قبل اور وقوعہ کے بعد سہمی فرہاد اور ملک شہزادہ کے ساتھ ذاتی کام کے سلسلے میں بات چیت کی تھی اور اسی طرح کا نشیمل عبدالوہاب نے بھی SHO صاحب کے کہنے پر بات چیت کی ہے۔ کا نشیمل محمد عابد بروز وقوعہ صبح سے لیکر تقریباً شام تک SHO صاحب کے ساتھ موجود تھا۔ شام کے بعد اپنی موٹر سائیکل پر اسے تحصیل گیت، میاں خیل بازار اور پرانا تھانہ صدر روڈ اپنے گھر خود جانا بیان کیا۔ اسی طرح مدعی مقدمہ اور مغوی محمد علی کو بھی تھانہ طلب کر کے موٹر کار Vitz نمبر نامعلوم برنگ سفید جو تھانہ صدر کمال مقدمہ تھا۔ SHO آیت اللہ خان تھانہ کینٹ کے زیر استعمال میں تھا۔ موٹر کار کو JMT لائن میں مدعیہ مسماۃ فاطمہ گل بی بی دمغوی محمد علی کو دکھلایا۔ مغوی محمد علی نے اصرار کیا کہ انکے آنکھوں پر پٹی باندھ کر گاڑی میں بیٹھا کر اور گاڑی میں چکر دیں تاکہ میں گاڑی کی صحیح شناخت کر سکوں۔ مغوی کے کہنے پر مغوی بمعدہ مدعیہ بمعدہ ہیڈ کا نشیمل عقیل حسین و کا نشیمل مقبول حسین، من Oll نے گاڑی میں بیٹھ کر گاڑی کو MT سے نکال کر ہنگو چھانک، ہنگو چھانک سے بائی پاس روڈ پشاور، OTS روڈ پرواہیں JMT کر مغوی نے بتلایا کہ یہ گاڑی نہیں ہے جس میں مجھے انخواہ کیا تھا۔ اس گاڑی میں ڈرائیور اور فرنٹ سیٹ کے درمیان ہاتھ سپورٹر اور پیچھے سیٹ میں سفٹی بیلت نہیں تھا جبکہ اسی گاڑی میں موجود ہے۔ مذکورہ مدعیہ دمغوی سے فرد شناخت موٹر کار بھی علیحدہ مرتب کی گئی ہے۔ چونکہ سہمی فرہاد اور دیگر کسان زیر وقذانی کو مقدمہ ہذا میں اپنی طرف سے چارج کر کے پروانہ نامزدگی ملزمان بھی جاری کی گئی ہے۔ مذکورہ کسان نے عدالت ASJ-IV سے ضمانت قبل از گرفتاری کروا کر تاریخ پیشی پر مدعیہ مسماۃ فاطمہ گل بی بی دمغوی محمد علی اور مدعیہ کاخاند محمد اسرار پیش ہو کر باقاعدہ شامپ پیپر بھی تحریر کی ہے۔ مذکورہ پر کسی قسم کی دعویداری نہیں کی چونکہ مقدمہ میں مدعی پہلے سے موجود ہے۔ پولیس کسان صرف اور صرف فرہاد اور دیگر کسان کے ساتھ صرف بات چیت کی گئی ہے اور مغوی کو Vitz موٹر کار بھی دکھایا گیا ہے اور کا نشیملان کا بھی شناخت کر کے مدعیہ اور مغوی نے پولیس اہلکاران کو شناخت نہیں کیا ہے کہ یہ نہیں ہیں۔ تفتیش سے نامزد ملزمان کے علاوہ پولیس اہلکاران کے خلاف کوئی ٹھوس ثبوت دستیاب نہیں ہوا۔ یہی میرا بیان ہے جو حقیقت پر مبنی ہے۔

سندھ ہائی کورٹ
لاہور
مقدمہ نمبر
1630
4:30
PM
↓
22-50
10-50
بازیاب

FIR
16:30
4:30
PM
↓
22-50
10-50
بازیاب

Appellant

جولائی

بندوں کی
شناخت
ملاوٹی کی
شناخت
Motive

دستخط

سوال: کیا اس شروع سے آخر تک اس مقدم کی نقیہ کی ہے؟
جواب: تمام نقیہ میں خود کیا ہے

سوال: آئی نقیہ کے مطابق، کنیل عبدالوہاب، کنیل محمد عابد
اور امیت اللہ SAO مسلم رہیں یا نہیں۔

سری نقیہ کے مطابق استذکرہ بالا کسان مسلم نہیں ہیں
کیونکہ ان کو کوئی ثبوت ہے۔ اور نہ ہی سری دعویٰ پر مبنی ہے
اور ایک اللہ کی ولایت اور کارِ حسن پر مشتمل تھا۔
سری اور سری دونوں سے شناخت شرعی مگر
یہ جاری نہیں ہے۔

سوال: یگانہ ملزمان کے کیا نام ہیں۔

جواب: 1- فریاد ولد نصر اللہ، جگہ زبیر ولد ریالی
فرافی ولد محمد شعیب، کتان کھوی ڈوڈیوال
ملزمان ہیں جنکو حالان مقدم کی ہے۔

اس
14/11/2020

Abdullah

sp - ops

14/11/2020

- 1) Father of abductee.
- 2) Husband of complainant

بیان ازان اسرارخان ولد نثارخان سکنہ محلہ گڑھی موز خان کوہاٹ

شناختی کارڈ نمبر 9-14301-2061087-14301 موبائل نمبر 0333-9626771

حلفاً بیان کرتا ہوں کہ مورخہ 03.12.2019 بوقت 16:30 بجے میں اپنی دکان واقع گڑھی موز خان چوک میں موجود تھا کہ موبائل فون پر زوجام نے فون کر کے بتایا کہ کسی نے ہمارے گھر کا دروازہ کھٹکھٹایا۔ جب میں نے دروازے میں لگی دو تین سے جھانک کر دیکھا تو باہر ایک موٹر کار برنگ سفید Vetz کھڑی تھی۔ کوئی شخص موٹر کار کے نزدیک نہیں تھا جس کے پیشے کا لے رنگ کے تھے۔ میں نے دروازہ کھول کر باہر دیکھا تو باہر دروازے کے سائیڈ پر خاکی پیٹ اور کالی شرٹ میں ملبوس پولیس اہلکار کھڑا تھا۔ جو سلیج کلاشکوف تھا، نے کہا کہ گھر میں کوئی مرد موجود ہو تو باہر بھیجوا دو ان سے کچھ ضروری معلومات کرنی ہے۔ میں نے بجوا کہا کہ اس وقت میرا بیٹا گھر پر موجود ہے اس کو بھیجواتا ہوں۔ جب بیٹے کو باہر بھیجوا یا تو متعلقہ پولیس وردی میں ملبوس شخص نے میرے گھر کا مین گیٹ دروازہ باہر سے بند کر دیا۔ جملہ حالات میں گھر کے گیٹ میں لگے ہوئے دوربین سے دیکھ رہی تھی کہ میرے بیٹے کو گاڑی کی پچھلی سیٹ میں سوار کر لے گئے اور گاڑی جردنڈہ سائیڈ کی طرف لے گئے۔ میں نے زوجام کو کہا کہ تھوڑا صبر کرو شاید یہیں کہیں گیا ہو آجائیگا۔ لیکن میرے زوجہ نے اپنے بھائی کو فون کر کے کہا کہ میرا خاوند مصروف ہیں لہذا آپ جائیں تاکہ مقامی تھانہ میں رپورٹ کریں۔ مقامی پولیس نے رپورٹ پر کارروائی کرتے ہوئے اپنی تلاش شروع کی اور باقاعدہ CCTV کیمرے وغیرہ چیک کیے۔ ہم رات کو تھانہ میں موجود تھے کہ ایک نامعلوم نمبر سے کال آئی کہ آپ کہاں ہے آپ کا بیٹا ہمارے پاس ہے۔ اس کے بعد وہی موٹر کار والوں نے میرے بچے مسی محمد علی کو تھانہ لے کر آگئے۔ ملزمان میری زوجام وقوعہ کی چشم دید ہے اور سامنے آنے پر شناخت کر سکتی ہیں۔

یہی میرا بیان ہے جو حقیقت پر مبنی ہے۔

تحریر: 06.01.2020

دستخط



Mottue

بیان مسماة فاطمہ گل زوجہ اسرار خان سکنہ گڑھی عطا خان محلہ میاں خیل

شناختی کارڈ نمبر 4-1574411-14301 موبائل نمبر



حلفاً بیان کرتا ہوں کہ مورخہ 03.12.2019 بوقت 16:30 بجے کسی نے میرے گھر کا دروازہ کھٹکایا۔ جب میں نے دروازے میں لگی دوہین سے جھانک کر دیکھا تو باہر ایک موٹر کار برنگ سفید Vetz کھڑی تھی۔ کوئی شخص موٹر کار کے نزدیک نہیں تھا جس کے شیشے کا لے رنگ کے تھے۔ میں نے دروازہ کھول کر باہر دیکھا تو باہر دروازے کے سائیڈ پر خاکی پینٹ اور کالی شرٹ میں ملبوس پولیس اہلکار کھڑا تھا۔ جو مسلح کلاشنکوف تھا، نے کہا کہ گھر میں کوئی مرد موجود ہو تو باہر بھجوا دیاں سے کچھ ضروری معلومات کرنی ہے۔ میں نے بجا بایا کہا کہ اس وقت میرا بیٹا گھر پر موجود ہے اس کو بھجواتا ہوں۔ جب بیٹے کو باہر بھجوا یا تو متعلقہ پولیس وردی میں ملبوس شخص نے میرے گھر کا مین گیٹ دروازہ باہر سے بند کر دیا۔ جملہ حالات میں گھر کے گیٹ میں لگے ہوئے دوہین سے دیکھ رہی تھی کہ میرے بیٹے کو گاڑی کی پچھلی سیٹ میں سوار کر لے گئے اور گاڑی جروڈنڈہ سائیڈ کی طرف لے گئے۔ مذکورہ پولیس وردی میں ملبوس اہلکار کو میں سامنے آنے پر شناخت کر سکتی ہوں۔

یہی میرا بیان ہے جو حقیقت پر مبنی ہے۔

تحریر: 06.01.2020

دستخط

سوال کیا محمد عابد کنٹینر عبدالوہاب کنٹینر سے کوئی بھی وقت وقوع ہو کر تھا یا نہیں ایک یا دو نے یا سنوں سے آپ کے لئے کو اٹھانے کے لئے؟

جواب :- ان سنوں میں سے کوئی بھی موجود نہیں تھا ہم دونوں میاں سوکی نے ان کو ایک اس میں کوئی دیکھنا ہے

Signature
6/1/2020

Signature

Signature اسرار خان

نیاضی SHO کون ہے ؟
بہار اللہ صاحب

20

بیان ازان ملک فرہاد بنگلش ولد نصر اللہ خان سکند گڑھی ڈھوڈیوال کوہاٹ،
شناختی کارڈ نمبر 7-90211119-14301 موبائل نمبر 9999797-0333

حلفاً بیان کرتا ہوں کہ SHO آیت اللہ خان تھانہ شی میں SHO تعینات رہنے کے بعد میرا قریبی تعلق دار
بن گیا اور میں نے مختلف جرائم کی نداد میں ہر قسم کی مدد و تعاون فراہم کی ہے اور اب بھی وقتاً فوقتاً سماج دشمن عناصر کے نام دیکر جس
کو رنگے ہاتھوں گرفتار کروایا ہے۔ مورخہ 03.12.2019 کو SHO آیت اللہ اور گنر عبدالواہاب کے ساتھ کو جرائم پیشہ عناصر
کی بابت خفیہ اطلاع کے سلسلے میں کئی بار ٹیلی فونک روابط ہوئے ہیں۔ نہ میں اس مقدمہ میں ملوث ہوں۔ چونکہ میں ایک مہذب
پاکستانی شہری ہوں، بحیثیت پاکستانی شہری کوہاٹ پولیس کے ساتھ جرائم کے روک تھام میں ہر قسم کی جائز امداد کی ہے اور مزید بھی
کرتا رہوں گا۔ جبکہ موجودہ SHO تھانہ شی فیاض جو کہ میرے ساتھ ذاتی عداوت اب دینی کی بناء پر مجھے مقدمہ ہذا میں بے گناہ طور پر
ملوث کیا۔ قبل ازیں بھی مذکورہ SHO نے میرے ساتھ سال 2012/2013 کو میں ہمراہ اپنے مستورات کے بطرف جانانہ
میل جا رہے تھے، اس وقت فیاض ASI تھا، جس نے مجھے بعد فیملی گاڑی کو روکا اور مجھے گاڑی سے اتار کر میرے گھر کے مستورات
کے سامنے مجھے نہایت نازیبا الفاظ کہے اور زد کوب کیا جس پر میں نے سابقہ مینسٹر قلب حسن کو فون کیا جس نے فیاض کو فون کر کے
مجھے موقع پر چھوڑ دیا لیکن مذکورہ نے مجھے جاتے جاتے یہ دھمکی دی کہ آج تو مینسٹر نے بچایا ہے لیکن آئندہ آپ کے ساتھ دیکھو گا۔
اس کے بعد SHO فیاض نے تھانہ شی میں تعینات ہوتے ہی مجھے فون کر کے تھانہ بلایا اور کہا کہ حلیم حیدر رپورٹ کے کیس میں
میرے ساتھ تعاون کرو اور بعد میں مجھے اسی مقدمہ میں ہی چارج کیا جس کا یہ فعل بھی ذاتی عناد ہے۔ اور ابھی بھی مجھے فون کر کے
تھانہ بلایا اور مقدمہ علت 1593 میں بے گناہ طور پر ملوث کیا۔ چونکہ SHO فیاض کا مسماۃ تابندہ کے ساتھ تعلق دوستی ہے جس
کے ساتھ میری بھی دوستی ہے اور SHO مذکورہ مجھے بار بار باز آنے کا کہا اور جس دن اس نے مجھے تھانہ بلایا اسی دن میرے موبائل
لیکر کہا کہ اس میں تابندہ کی تصویریں ہیں اسکو ڈیلیٹ کرو۔ جس کے بعد SHO نے خود تصویریں ڈیلیٹ کر کے جس کی ثبوت اگواہ
میرے ساتھ موجود ہے اور پیش کر سکتا ہوں۔

یہی میرا بیان ہے جو حقیقت پر مبنی ہے۔

تحریر: 07.01.2020

دستخط

Noted
S. P. K. B

کراس سوال

سوال: آئیے کہ SHO نے کیوں فون کیا ہے؟

جواب: کچھ انفارمیشن لیا اور ڈال کا لیا گیا اس سلسلے میں
SHO اور تھر سے کچھ سرکھ و رابطہ کیا

سوال: آئیے کہ SHO صاحب سے کیا سے تعلق ہے؟

جواب: - SHO صاحب جب SHO لیا گیا اس وقت سے میرے
اور امداد کے سلسلے میں رٹنار میں رہتا ہے

سوال: ایک علاوہ آئیے کہ کن کن SHOs کے ساتھ تعلق ہے؟

جواب: - قاضی، وقار، اسلام الدین، آصف علی، محبت خان کے
ساتھ تعلق ہے

سوال
[Signature]
[Fingerprint]

Attested:
[Signature]
7/11/2020

it to Inspector
ained that the
to delay the
superdari by

بیان ازان محمد علی ولد اسرار خان بھمر 13/14 سال سکندہ محلہ گڑھی مواز خان کوہاٹ

حلقاً بیان کرتا ہوں کہ مورخہ 03.12.2019 بوقت 16:30 بجے میں اپنے گھر خود میں موجود تھا کہ والدہ ام نے کہا کہ باہر جاؤ پولیس والے آپ سے کچھ معلومات کر رہے ہیں۔ جب میں باہر آیا تو میری تلاش لینا شروع کی اور یہ کہا کہ آپ محمد علی ہو۔ SHO صاحب گاڑی میں بیٹھے ہیں اور آپ کو بلارہے ہیں۔ گاڑی میں ٹوٹل چار الٹکاران جن میں دو الٹکار پولیس کی وردی میں ملیوں تھے، مجھے ماسک پہنا کر ہاتھ بکلی کے تار سے باندھ کر اپنے ساتھ گاڑی میں بیٹھایا اور کہیں نامعلوم جگہ لے گئے۔ تقریباً 10:30 بجے مجھے ڈھوڑہ روڈ نزد گیزرٹن کیڈٹ کالج پر چھوڑ دیا۔ جس کے بعد ایک راگبیر موٹر کار میں مجھے پولیس تھانہ شی لے آئے اور اپنے والدین سے ملوایا۔ میں ملزمان میں سے ایک ملزم کو شکل سے سامنے آنے پر پہچان سکتا ہوں۔ مزید جو آیت اللہ کا شیطان محمد عابد، عبدالواہاب جس کو میرے سامنے پیش کیے لیکن ان میں سے کوئی شخص نہیں ہے۔

Appellant

یہی میرا بیان ہے جو حقیقت پر مبنی ہے۔

تحریر: 07.01.2020

Ali

دستخط

Appellant.

سوال بر جو الٹکاران اور لوٹا گیا نسلہ عبدالواہاب ولد محمد عابد جو سید کے گھر سے
میں بروز روز 07 جن میں سے کوئی الٹکارا نہیں تھا۔

جواب: ان لیسٹوں میں کوئی بھی شخص نہیں تھا اگر وہ الٹکارا میرے سامنے آجائے تو میں
بیجا نکتا ہوں۔

Attested

SP - S - let

Ali

محمد علی ولد اسرار خان

Sahib

فاطمہ بی بی زورجہ اسرار

(23)

DEPARTMENTAL ENQUIRY AGAINST SI AYAT ULLAH

Respected Sir,

It is submitted that I have been appointed as enquiry officer, in departmental proceedings initiated against SI Ayat Ullah, the then SHO PS Cantt.

Short facts of the case are that on 03.12.2019 at 17:00 hrs complainant Fatima Gul Bibi r/o Muhallah Mian Badshah Kohat City reported the local Police that at 16:30 hrs her house door was knocked upon which she opened the door and found a person in Police uniform wearing mask. She informed her son named Muhammad Ali. In the meanwhile her son was taken away by persons wearing Police uniform in a vitz motorcar. In the meantime Israr Khan husband of the complainant unfolded that he has got dispute over landed property with one Farhad s/o Nasrullah r/o Ghari Dhodewal who was not paying Rs. 95 lac as sale consideration of land and threatened for dire consequences. He suspects that his son was taken away by him in Police uniform. The report was entered in daily diary No. 36 dated 03.12.2019 and investigation u/s 156 (iii) CrPC was initiated. Later on the abductee name above appeared before the Police and stated that on the eventful day two person in Police uniform and two others in civvies have taken away in a white color motorcar and asked that SHO has called him. The victim was examined u/s 161 & 164 CrPC. The proceedings culminated into registration of FIR vide No. 1593 dated 01.12.2019 u/s 365 PPC PS City against three accused.

As reported by SP Investigation vide his office No. 4648/Reader dated 24.12.2019 that SHO Ayat Ullah and his gunners named constable Abdul Wahab and Muhammad Abid had made telephonically contact with the accused before and after the commission of offence. They were called and interrogated during the course of investigation. Their contact with accused was established through CDR.

On the above charge sheet and statement of allegations was issued against the defaulter official on the below charges:-

- i. On 03.12.2019, complainant of case FIR No. 1593, dated 05.12.2019 u/s 365 PPC PS City, reported regarding taking of her/his son by a person in Police uniform.
- ii. As contemplated from report of SP Investigation Kohat, your gunners named constable Abdul Wahab and Muhammad Abid had telephonically contacted with charged accused before and after occurrence.
- iii. It was also reported that you have also in contact with the accused on the eventful day i.e before and after the occurrence.

The charge sheet alongwith statement of the allegations was served upon the defaulter official, to which he submitted reply and deny the charge / allegations leveled against him.

In order to scrutinize the conduct of the accused official the following officials / witnesses were examined in presence of accused official.

1. SI Anwar Shah O.I.I.
2. Israr Khan (husband of complainant) s/o Nisar Khan r/o Ghari Mawaz Khan.
3. Mst. Fatima Gul complainant.
4. Muhammad Ali abductee.
5. Farhad s/o Nasrullah accused.

Besides facts of the case and investigation the witness O.I.I stated that CDR of accused Farhad was obtained which transpired that the accused official and his driver constables named above remained in contact with accused on the eventful day. He further stated that the victim party was subjected for identification of motorcar and accused but they failed to identify the accused and a motorcar used in the commission of offence.

It is pertinent to mention that all the charge accused have succeeded to secure bail before arrest on the basis of affidavit submitted by victims before the court.

From the above and available record, I have reached to the conclusion that the complainant party has patched up the matter with the accused for the reasons best known to him and in order to save the skin of accused official and his two gunners / co-accused in the departmental proceedings. However, it has been established that the defaulter official and his gunners are closed to the accused and involved / connivance with the commission of offence. However, irrespective of the statements of the complainant party and confirmation of bail before arrest of the accused, it has been established from CDR and investigation that the accused official and his gunners were in contact with the accused before and after the commission of offence. The defaulter and his gunners have earned a bad name to the entire department and caused damage to the image of Police. Therefore, the charges and allegations leveled against the defaulter official SI Ayat Ullah have been established beyond any shadow. Hence, the defaulter official is recommended for a major punishment provided under Khyber Pakhtunkhwa, Police Rules: 1975 (Amended 2014).

Submitted please.

W/DPO Kohat

[Signature]
SP Operations, Kohat
(Enquiry Officer)



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 2598 /ST

Dated: 27/12 /2021

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262


To

The District Police Officer,
Government of Khyber Pakhtunkhwa,
Kohat.

Subject: JUDGMENT IN APPEAL NO. 3324/2020, MR. MUHAMMAD ABID.

I am directed to forward herewith a certified copy of Judgement dated 02.12.2021 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

Police Officer,

Kohat

Ph. 0922-9260115 Fax # 0922-9260125

ORDER

This order is passed in pursuance of judgment dated 28.07.2021 of the Khyber Pakhtunkhwa Service Tribunal, issued in service appeal of Ex-SI Ayat Ullah (respondent called delinquent) vide No. 3325/2020 and approval of the competent authority.

2 In essence, the delinquent was dismissed from service on 16.01.2020, on the score of charges that complainant of case FIR No. 1593 dated 05.12.2019 U/S 365 PPC PS City reported regarding taking of her son by persons in Police uniform. The officers of the delinquent (while posted as SHO PS City) have telephonic contacts with the charged accused before and after the occurrence. The delinquent was also in contact with the accused on the eventful day and after that.

Feeling aggrieved from the impugned order, the delinquent approached Tribunal in above service appeal after availing the departmental appellate forum, which was finally disposed with the following directions.

"Keeping in view of the above discussion, this appeal is partially accepted and case is remitted to the department with direction to receive reply of the appellant to the final show cause notice within 07 days of the receipt of this judgment and then to pass a speaking order according to law".

4 Hence, in pursuance of above direction, process was initiated against the delinquent, who filed reply to the Final Show Cause Notice. The delinquent is also legitimated opportunity of hearing in orderly room held on 30.08.2021 wherein he explained his position.

5 Record and reply to final show cause notice gone through, which indicates that the complainant did not charge the delinquent and the charged accused in criminal case have been discharged u/s 169 CrPC by the competent court of law, which is no concern with the departmental proceedings. Record further indicates that ex-constables / his gunners had telephonic contacts with the discharged accused on the eventful day and after that for which they are held guilty / responsible for their own role in separate departmental proceedings conducted against them. Similarly the said allegation against the delinquent is also suspected, which apparently seems dubious, however, the excessive punishment imposed on the appellant was not commensurate to the charges and facts.

Therefore, in view of above and in exercise of powers conferred upon me
 Khyber Pakhtunkhwa Police Rules-1975 (Amended-2014) I, **Sohail Khalid**
PSP, District Police Officer, Kohat, by taking a lenient view re-instate in service the
 in his substantive rank of SI and impose a minor punishment of stoppage of
 payments without cumulative effect. The intervening period is treated as un-
 authorized leave without pay on the principle of "No work, no pay"
 notified
 2021


 DISTRICT POLICE OFFICER,
 KOHAT

No 4933-35 PA dated Kohat the 31-08-2021

- Copy of above is submitted for favor of information to the:-
1. Regional Police Officer Police Kohat, please
 2. Reader, Pay Officer, SRC, OHC and Lines officer for necessary action

CR No 590
Date, 30-08-2021


 DISTRICT POLICE OFFICER,
 KOHAT