

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 884/2020

Date of Institution ... 31.01.2020  
Date of Decision ... 30.07.2021

Maroof Khan S/O Khalid Khan R/O Tehsil & District Charsadda.  
... (Appellant)

**VERSUS**

Deputy Inspector General of Police Mardan Region-I, Mardan  
and three others.

... (Respondents)

Rehman Ullah  
Advocate, ... For appellant.

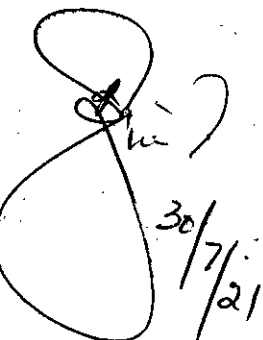
Usman Ghani,  
District Attorney ... For respondents.

AHMAD SULTAN TAREEN ... CHAIRMAN  
ROZINA REHMAN ... MEMBER (J)

**JUDGMENT**

ROZINA REHMAN MEMBER (J): Appellant has filed the instant service appeal U/S 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the order dated 09.12.2019 vide which major punishment was awarded to the appellant.

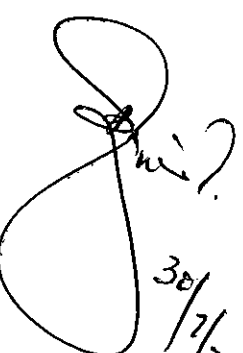
2. Briefly stating the facts necessary for the disposal of the lis in hand are that appellant while posted as S.H.O Police Station Mandani Charsadda was blamed for the allegation of having association with smugglers of N.C.P vehicles and narcotics and also involved in

  
30/7/21

corruption and passing of N.C.P vehicle. Accordingly, inquiry was conducted and vide order dated 09.12.2019, he was reverted to the rank of Sub-Inspector. Feeling aggrieved, he filed departmental appeal which was rejected, hence, the present service appeal.

3. Learned counsel for the appellant contends that both the impugned orders are illegal, unlawful as the inquiry was conducted at the back of the appellant. He submitted that the statements were recorded in the absence of appellant and he was not given an opportunity of cross-examination. He contended that the appellant was not treated in accordance with law as provided and guaranteed under the Constitution of Islamic Republic of Pakistan, 1973. Lastly, he submitted that the inquiry proceedings were conducted by way of questionnaire without examination of witnesses and that major penalty was imposed upon appellant without holding regular inquiry into the matter and without affording opportunity of defense to the appellant. Reliance was placed on 2008 SCMR 1369; 1993 SCMR, 1440; PLJ 2011 Tr.C (Services) 34 and 2007 PLC (C.S) 85.

4. Conversely, learned District Attorney submitted that respondent No.3 received information against the appellant while he was posted as S.H.O Police Station Mandani who had links with smugglers of N.C.P vehicles and narcotics and was also involved in corruption and passing of N.C.P vehicles. He contended that on the information, a proper inquiry was conducted through D.S.P Headquarters who after fulfilling all codal formalities, submitted his report, wherein, the

  
30/12/21

allegations leveled against the appellant were proved and appellant was recommended for suitable punishment.

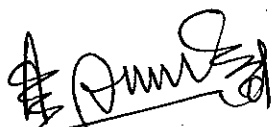
5. Record shows that appellant was proceeded against departmentally on the allegations that he while posted as S.H.O Police Station Mandani, had links with smugglers of N.C.P vehicles, narcotics dealers and also involved in corruption and transportation of N.C.P vehicles. He was issued charge sheet alongwith statement of allegations and Mr. Shaheen Shah Gohar D.S.P Headquarters Charsadda was nominated to conduct inquiry into the matter. The appellant has not only questioned the legality of the departmental proceedings on the basis of malafide on the part of respondents, but also assailed the inquiry proceedings for being in contradiction of the relevant law/rules. The inquiry report would inter-alia show non-recording of statements of witnesses in the presence of appellant, not providing him opportunity of cross-examination, not confronting the appellant with any documents/documentary evidence. It is manifest of the inquiry report that procedure for inquiry was not adopted as instead of recording statements, the Inquiry Officer conducted interview of witnesses against the appellant and the appellant was not provided with an opportunity of rebuttal and defense. To say the least, the inquiry proceedings were not conducted according to requirements of law/rules. As per Rule-5 (1) of Police Rules, 1975 when information of misconduct or any act of omission or commission on the part of a Police Officer liable for punishment is received by the authority, the authority shall examine the information and may

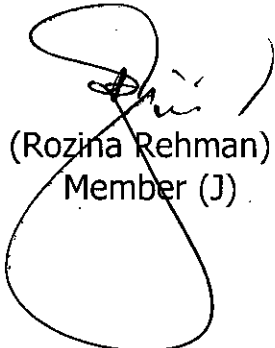
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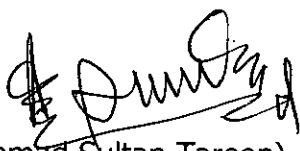
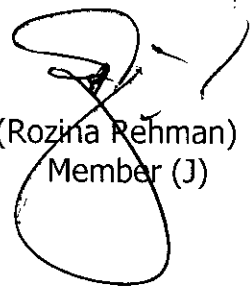
conduct or cause to be conducted quick brief inquiry. As per Rule-5 (4) of Police Rules, 1975, if the authority decides to have departmental inquiry conducted through an Inquiry Officer, he shall appoint an Inquiry Officer and the Inquiry Officer shall inquire into the charge as per Rule-6(II) of the Police Rules, 1975 and also examine such oral or documentary evidence in support of the charge or any defense of the accused. In the instant case, inquiry proceedings were conducted by way of questionnaire without examination of witnesses in support of charge or defense. Such inquiry proceedings are not consistent with the requirements of rule/law.

6. In view of the above discussion, the impugned order dated 09.12.2019 is set aside. Appeal is partially allowed with direction to respondents to examine witnesses in the presence of appellant by giving him opportunity of cross-examination and defense during inquiry proceedings to be conducted within 90 days of receipt of this judgment. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.  
30.07.2021


  
(Ahmad Sultan Tareen)  
Chairman

  
(Rozina Rehman)  
Member (J)

S.No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	30.07.2021	<p><u>Present:</u></p> <p>Rehman Ullah, Advocate ... For Appellant</p> <p>Usman Ghani, District Attorney ... For respondents</p> <p>Vide our detailed judgment of today of this Tribunal placed on file, the impugned order dated 09.12.2019 is set aside. Appeal is partially allowed with direction to respondents to examine witnesses in the presence of appellant by giving him opportunity of cross-examination and defense during inquiry proceedings to be conducted within 90 days of receipt of this judgment. Parties are left to bear their own costs. File be consigned to the record room.</p> <p><u>ANNOUNCED.</u> 30.07.2021</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">         (Ahmad Sultan Tareen)        Chairman     </div> <div style="text-align: center;">         (Rozina Rehman)        Member (J)     </div> </div>

21.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 30.07.2021 for the same as before.

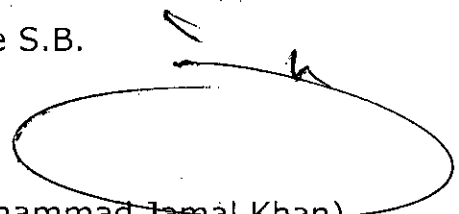


Reader

19.10.2020

Appellant is present in person. Mr. Kabirullah Khattak, Additional AG for the respondents is also present.

Written reply on behalf of respondents not submitted. Learned Additional AG request for further time to contact the respondents and furnish written reply/comments on the next date of hearing. Last chance is given. Adjourned to 19.11.2020 on which to come up for written reply/comments before S.B.

  
(Muhammad Jamal Khan)  
Member (Judicial)

19.11.2020

Appellant in person and Addl; AG alongwith Shah Jehan SI for respondents present.

Representative of respondents submitted reply/comments. The appeal is assigned to D.B for arguments on 13.01.2021. The appellant may submit rejoinder, within a fortnight, if so advised.

  
Chairman

13.01.2021

~~Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Addl. AG for respondents present.~~

Due to COVID-19, the case is adjourned for the same on 20.04.2021 before D.B.

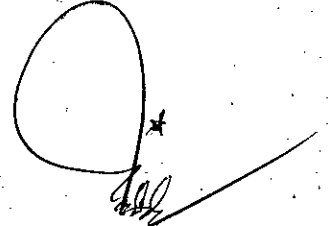
  
**READER**

15.07.2020

Counsel for the appellant present. Addl: AG for respondents present.

Learned counsel for the appellant submitted an application for extension of time to deposit security and process fee. Appellant is directed to deposit the same within one week, thereafter notice be issued to the respondent for reply.

Adjourned to 17.08.2020 before S.B.



(Mian Muhammad)  
Member(E)

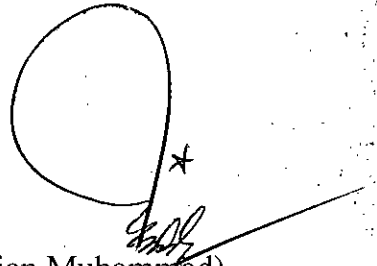
Appellant Deposited  
Security & Process Fee  
14/7/20

17.08.2020

None for the appellant present. Mr.Ziaullah, DDA for respondents present.

Written reply not submitted. Notices be issued to the respondents for submission of written reply/comments as well as to the appellant and his counsel for appearance.

Adjourned to 19.10.2020 before S.B.



(Mian Muhammad)  
Member(E)



06.03.2020

Counsel for the appellant Maroof Khan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department as Inspector. He was imposed major penalty of reversion from the rank of Inspector to the rank of Sub-Inspector vide order dated 09.12.2019 on the allegation of his involvement in NCP smuggling vehicles. The appellant filed departmental appeal on 12.12.2019 but the same was rejected vide order dated 20.01.2020 hence, the present service appeal on 31.01.2020. Learned counsel for the appellant contended that neither proper inquiry was conducted nor the appellant was associated in any inquiry proceeding nor there is any evidence regarding the involvement in smuggling vehicles, therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to limitation and all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 21.04.2020 before S.B.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

21.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 15.07.2020 for the same. To come up for the same as before S.B.

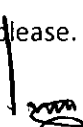

  
Reader

Form- A

FORM OF ORDER SHEET

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

Case No.- 884 /2020


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/02/2020	<p>The appeal of Mr. Marof Khan resubmitted today by Mr. Rehmanullah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. decrease</p> <p style="text-align: right;"> REGISTRAR 7/2/2020</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>06/03/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Maroof Khan son of Khaled Khan r/o Tehsil and District Charsadda received today i.e. on 31.01.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexure-G of the appeal is illegible which may be replaced by legible/better one.
- 2- Memorandum of appeal may be got signed by the appellant.

No. 286 /S.T,

Dt. 03-02 /2020.

  
or  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Rehman Ullah Adv. Pesh.

Respected Sir,

objections have been removed, raised by  
your worthy officer resubmitted on 07-02-2020.



**IN THE SERVICE TRIBUNAL, K.P.K PESHAWAR**

Service Appeal No. 884/2020

Maroofkhan S/o Khalid khan R/o Tehsil & District Charsadda

.....Appellant

**VERSUS**

Deputy Inspector General Mardan & Others

.....Respondents

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Through

  
Appellant

**RAHMAN ULLAH**  
ADVOCATE

SUPREME COURT OF PAKISTAN

&

  
**ASIM KHAN**

Advocate, High Court

Office: 619, 6<sup>th</sup> Floor

Pak Medical Centre, Peshawar

Cell# 0305-9797454

Email:asimkhanhkh@gmail.com

1

**IN THE SERVICE TRIBUNAL, K.P.K PESHAWAR**

Service Appeal No. 884/2020

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 921

Dated 31-01-2020

Maroofkhan S/o Khalid khan R/o Tehsil & District Charsadda

.....Appellant

**VERSUS**

1. Deputy Inspector General Mardan Region 1, Mardan
2. Regional Police Officer, Mardan
3. District police officer Charsadda
4. Deputy Superintendent of Police HQrs, Charsadda

.....Respondents

SERVICE APPEAL U/S 4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974  
AGAINST ORDER VIDE OB NO.1089 DATED 09-12-  
2019 OF DISTRICT POLICE OFFICER CHARSADEA  
AND ORDER VIDE NO 709/ES DATED 20-01-2020 OF  
REGIONAL POLICE OFFICER MARDAN

**Prayer in Appeal:**

**Filed to Registrar** 31/1/2020  
**Re-submitted to Registrar** 7/2/2020  
 BY ON ACCEPATNCE OF THIS APPEAL THE ORDER  
 VIDE OB NO.1089 DATED 09-12-2019 OF DISTRICT  
 POLICE OFFICER CHARSADEA AND ORDER VIDE  
 NO 709/ES DATED 20-01-2020 OF REGIONAL POLICE  
 OFFICER MARDAN MAY KINDLY BE SET ASIDE  
 AND THE APPELLANT MAY GRACIOUSLY BE  
 REINSTATED ON HIS ORIGINAL POSITION I-E  
 INSPECTOR WITH ALL BACK-BENEFIT

**Respectfully Sheweth:**

1. That the appellant was posted as SHO police station Mandani Charsadda.
2. That the appellant was performing his services with the entire satisfaction of their high-ups but on 28-10-2019 he was blamed for the allegation of association with smugglers of NCP vehicles and narcotics & involvement in corruption and passing of NCP vehicles.

2

3. That departmental inquiry was initiated against the appellant and In response he approached the office of DPO Charsadda and submitted an application on 29-10-2019 that he is going for performing UMRA on 30-10-2019 and requested for suspension of inquiry till arrival from UMRA.
4. That the appellant came back from UMRA on 20-11-2019, he served with a final show cause notice.
5. That the appellant denied all the allegations by submitting a detail reply of final show cause notice.
6. That on said baseless allegation the respondent no 2 passed an impugned Order Dated 09-12-2019 by awarding major punishment, reverting to the Rank of sub Inspector.
7. That the appellant filed departmental appeal before the respondent no 1 which was also dismissed on 20-01-2020.

That being aggrieved by the orders, the Appellant approached this Honourable Tribunal on the following Grounds.

**GROUND:**

- A. That both the impugned orders are illegal, unlawful and against natural justice.
- B. That the impugned order is totally unfair, biased and not according to circumstances of the case in hand.
- C. That inquiry was conducted at the back of the appellant.
- D. That all the statements against appellant were recorded in his absence.
- E. That during course of departmental inquiry neither any evidence was brought against the appellant nor did any person was examined to sustain the allegation.
- F. That the allegation against appellant is baseless and without any proof but awarding major punishment which is against the basic principles of service rules.
- G. That enquiry officer has not examined even a single witness against the appellant to support the baseless allegation and the alleged inquiry so far conducted against the appellant is against the norm of justice.
- H. That the appellant was not properly adopted the way of inquiry and no final show cause was issued to the appellant which is unjust and against the law.

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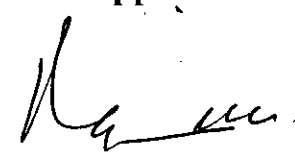
- I. That the harsh punishment awarded by respondent is not according to the Law and it is no where mentioned in either police or other service rules.
- J. That the appellant has not been treated in accordance with law as provided and guaranteed under the constitution of 1973.
- K. That any other ground may be forwarded at the time of arguments with the kind permission of this Hon, ble court.

It Is Therefore Humbly Prayed That On Acceptance Of This Appeal, The Order Vide Ob No.1089 Dated 09-12-2019 Of District Police Officer Charsadda And Order Vide No 709/Es Dated 20-01-2020 Of Regional Police Officer Mardan May Kindly Be Set Aside And The Appellant May Graciously Be Reinstated On His Original Position I-E Inspector With All Back Benefit

AND any other remedy which the court deems fit & proper may also be granted in favour of the Appellant against the respondents with cost

  
Appellant


Through



**RAHMAN ULLAH**  
**ADVOCATE**

**SUPREME COURT OF PAKISTAN**

&



**ASIM KHAN**  
**Advocate, High Court**

Office: 619, 6<sup>th</sup> Floor  
Pak Medical Centre  
Khyber Bazar Peshawar  
Cell# 0305-9797454  
Email:asimkhankhkh@gmail.com

4

BEFORE THE CHAIRMAN KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR.

Service Appeal No. \_\_\_\_\_/2020

Maroof Khan.....Appellant

Versus

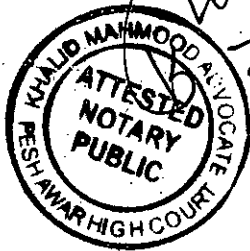
Inspector General of Police and others..... Respondents

AFFIDAVIT

I, Maroof Khan son of Khalid Khan R/o Mardan, do hereby affirm and declare on oath that the contents of the accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Deponent

CNIC: 16102-510358-3  
mob: 9345-9350105





5

**IN THE SERVICE TRIBUNAL ,K.P.K PESHAWAR**

Service Appeal No. \_\_\_\_\_/2020

Maroof khan S/o Khalid khan R/o Tehsil & District Charsadda

.....Appellant

**VERSUS**

Deputy Inspector General Mardan & Others

.....Respondents

**APPELLANT**


Maroof khan S/o Khalid khan

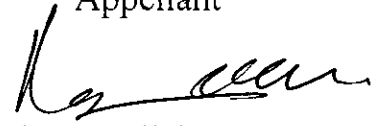
R/o Tehsil & District Charsadda

**RESPONDENTS:**

1. Deputy Inspector General Mardan Region 1, Mardan
2. Regional Police Officer, Mardan
3. District police officer Charsadda
4. Deputy Superintendent of Police HQrs, Charsadda

Through

  
Appellant

  
Rahman Ullah

Advocate Peshawar

Government of Khyber Pakhtunkhwa  
Office of the District Police Officer  
Charsadda

1897/S

A

6

DISCIPLINARY ACTION UNDER KPK POLICE RULES -1975

28-10-19

I, Irfan Ullah Khan, District Police Officer Charsadda, as competent authority am of the opinion that Inspector Maroof Khan, has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of section -02 (iii) of KPK Police Rules-1975.

STATEMENT OF ALLEGATIONS

That he Inspector Maroof Khan, while posted as SHO Police Station Mandani, It came to the notice of the undersigned through reliable sources that he had links with smugglers of NCP Vehicles and narcotics and also involved in corruption and passing of NCP Vehicles. His act is highly objectionable and earns bad name for the force.

This amounts to grave misconduct on their part, warranting Departmental action against them.

For the purpose scrutinizing the conduct of the said official Mr. Shehenshah Gohar DSP HQrs Charsadda is hereby deputed to conduct proper departmental enquiry against the aforesaid official, as contained in section -6 (I) (a) of the afore mentioned rules. The enquiry officer after completing all proceedings shall submit his verdict to this office within stipulated period of (10) days. Inspector Maroof Khan, is directed to appear before the enquiry officer on the date, time and place fixed by the later (enquiry officer) a statement of charge sheet is attached herewith.

  
District Police Officer,  
Charsadda

No. 1943-44 /HC, dated Charsadda the 28/10 /2019

• Copies for Information to the:

1. Mr. Shehenshah Gohar DSP HQrs Charsadda
2. Inspector Maroof Khan SHO PS Mandani

**ATTESTED**  
TO BE TRUE COPY

- f) That, the territory of police station mandani is admittedly famous for the civil litigations and properly disputes which is the main cause of hurt and murder cases which were reduced too much and there was no untraced matter in this respect during my tenure.

**CHARGE SHEET UNDER KPK POLICE RULES 1975**

I, **Irfan Ullah Khan**, District Police Officer Charsadda, as competent authority hereby charge you **Inspector Maroof Khan**, as follows.

That you **Inspector Maroof Khan**, while posted as SHO Police Station Mandani, It came to the notice of the undersigned through reliable sources that you have links with smugglers of NCP Vehicles and narcotics and also involved in corruption and passing of NCP Vehicles. Your act is highly objectionable and earns bad name for the force.

This amounts to grave misconduct on your part, warranting Departmental action against you as defined in section-6(I) (a) of the KPK Police Rules 1975.

1. By reason of the above, you appear to be guilty of misconduct under section 02(III) of the KPK Police Rules 1975 and has render your self liable to all or any of the penalties as specified in section 04 (I) a & b of the said rules.
2. You are therefore, directed to submit your written defense within seven days of the receipt of this Charge Sheet to the Enquiry Officer.
3. Your written defense, if any should reach to the enquiry officer within the specified period, in case of failure, it shall be presumed that you have no defense to put-in and in that case an ex-parte action shall follow against you.
4. Intimate, whether you desired to be heard in person.

District Police Officer,  
Charsadda

**ATTESTED**  
TO BE TRUE COPY

7

Worthy District Police Officer

Charsadda

Subject: **Written Reply to the Charge Sheet No: 1943-44/HC, dated 28/10/2019 for Disciplinary Action to Maroof Khan Inspector Posted at Police Station Mandani.**

Respected Sir;

It is submitted that the undersigned being appointed as SHO PS Mandani on 15/02/2019. During the said period I arrested 82 person over the charges of narcotics, and also seized 8 vehicles being non-custom paid, which is solid proof of my efficiency.

As per the alleged allegations are concern, it is humbly stated that these allegations are baseless & without any legal/solid footing.

During my tenure I performed my duty to the best of my efforts. I made the life of drug & Narcotics smugglers miserable.

Recently while arresting suspects I even cross the limits of PS Mandani and seized the vehicle in the vicinity of PS Sakhakot, this fat is also in the knowledge of your honor.

It is also pertinent to mention that during my entire period of service, no such like complaint has been made against me. I being innocent & fasly charged, as I have no links with smugglers of NCP & Narcotics.

It is therefore requested that the charge sheet issued against me may kindly be filled with at any further proceedings.

**ATTESTED**  
TO BE TRUE COPY

Maroof Khan

Inspector SHO PS Mandani

9

جی اے اے

19/9/18

29/10/19

گزارش کے سلسلے کو آجنا۔ جی اے اے سے  
 خارج شدہ جاری ہوئے۔  
 اور ان ریکارڈز کی موجودگی کی  
 درخواست و سد غائبہ سلسلے کی  
 ریکارڈز کی موجودگی کی جانے۔

الحاضری

مقررین کے ریکارڈز SHO No 3

29/10/19

ATTESTED  
TO BE TRUE COPY

R/sir,

Submitted for further orders

Please.

Received on  
 09/09/20-10-19  
 DSP/HA  
 29/10/19

DSP/HA  
 For  
 29/10/19

29/10/19

Head-clerk  
 29.10.2019

w/DPO/chs



9  
10

**FINAL SHOW CAUSE NOTICE**

Whereas, the charge of corruption/negligence was referred to enquiry officer for General Police Proceedings, contained u/s 5(3) Police Rules 1975.

AND

Whereas, the enquiry officer has submitted his findings, recommending you for Suitable penalty.

AND

Whereas, I am satisfied with the recommendation of the enquiry officer that you **Inspector Marroof Khan**, while posted as SHO Police Station Mandani, It came to the notice of the undersigned through reliable sources that you have links with smugglers of NCP Vehicles and narcotics and also involved in corruption and passing of NCP Vehicles. Your act is highly objectionable and earns bad name for the force. Thus the act amounts to gross misconduct and renders you liable for punishment, under Police Rules 1975.

Therefore, I, Irfan Ullah Khan, District Police Officer, Charsadda in exercise of the powers vested in me under rules 5(3) (a) (b) of Police Rules 1975, call upon you to explain as to why the proposed punishment may not be awarded to you.

Your reply should reach the undersigned within 07-days of receipt of this notice, failing which disciplinary action pertaining to your dismissal from service will be taken ex-parte.

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

Dated 29/11 /2019

**ATTESTED**  
TO BE TRUE COPY

*[Signature]*  
District Police Officer,  
Charsadda

*Reverted to the sample of [Signature] 9/12 29/11/19*

To,

Worthy District Police Officer,  
Charsadda

SUBJECT: WRITTEN DEFENSE/REPLY TO THE FINAL SHOW CAUSE NOTICE DATED: 29/11/2019  
IN RESPECT OF ALLEGATIONS LEVELED AGAINST INSPECTOR MAROOF KHAN POSTED  
AS STATION HOUSE OFFICER OF P.S MANDANI, VIDE CHARGE SHEET NO. 1943-44/HC,  
DATED 28/10/2019.

Respected Sir,

Succinct particular of the matter are as follows.

- a) In compliance of the above referred final show cause notice on the basis of charge sheet referred above detail reply/defense already submitted ON 29/10/2019 in response of allegations leveled therein.
- b) That, I being station house officer performed my duties as responsible police officer in accordance with law and rules, and to the best of my competency and honesty.
- c) That, during my period I, made recoveries of narcotics followed by the arrest of accused and registered cases against them, which are in pipe line for proceeding before competent courts. Dozens of narcotics fiddles were sent behind the bar.  
.....(List is attached)
- d) That, during my tenure as SHO Mandani I detained and impounded many non custom paid vehicle and arrested the smuggler and the vehicle were then parked in police line for onward proceedings, no evidence of any kind is there either written or verbal regarding the allegations of links with smuggler but being a police officer I performed my duties bonafide.  
.....(List is attached)
- e) That, during my tenure as SHO, I made hectic efforts in maintaining the law and order situation and for bringing peace and tranquility within my territorial jurisdiction which is clear from the fact that no untoward incident took place nor is there any complaint regarding any default in the performance my duties.
- f) That, the territory of police station mandani is admittedly famous for the civil litigations and properly disputes which is the main cause of hurt and murder cases which were reduced too much and there was no untraced matter in this respect during my tenure.

**ATTESTED**  
TO BE TRUE COPY

g) That, during my tenure as SHO mandani due to my hectic efforts and surveillance the drugs fiddlers surrender to me and have even submitted affidavits in the police station and have made promises in presence of elder that they would stop drug business and would live amicably by carrying out lawful business. these affidavits are part and parcel of the police station record.

h) That, during my period of responsibilities, maintained good relation ship of police with elder of the localities, to improve law and order and as team leader kept the moral of police high to overcome the crime ratio to the minimum.

**Reply to the allegation:**

1. That, so far as the allegation of connection with smugglers of NCP vehicles and resultant corruption is concerned, these are mere allegations of unfounded nature and runs parallel to my record because during my tenure I seized many NCP vehicles and arrested the smugglers and during my period, the vehicle smuggling was minimized to the best of my abilities.

2. That, the allegation of links with smugglers of non duty vehicles is false one, there are no chains and traces in this respect and these are mere an allegation.

3. That, the pilots/facilitators of non-duty paid vehicles were apprehended properly and after necessary proceedings in accordance with law and procedure they were proceeded against.

4. That, the allegation of links and corruption with narcotics dealers/drug fiddlers are false I, have no such connection/ link with these persons and had registered proper cases and compelled them to surrender and to this affect they submitted affidavits that they will never deals in such like offences.

5. That, the allegation of links with drug fiddlers is groundless and baseless as no connection with the drug fiddlers is made by me and no accused visited the police station and never contacted me personally.

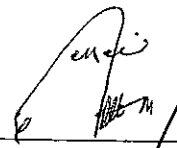
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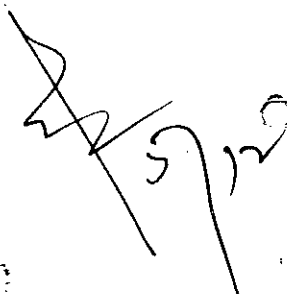


6. That, my character is spotless regarding corruption during my period of responsibilities and these are mere allegations which are false and baseless and are leveled just stigmatize my career.

*It is therefore very humbly requested that in light of facts and circumstances, progress reports in shape search seized and recoveries of narcotics and non-duty paid vehicles during the periods as station house officer, registered cases as available on record of the matter, the inquiry proceedings may kindly be set aside and I may kindly be exonerated from the charges leveled against me.*

Dated: 04/12/2019

  
INSPECTOR MAROOF KHAN  
District Police Charsadda

Call in OR  


**ATTESTED**  
• TO BE TRUE COPY

HC  


13

**ORDER**

This Order will dispose off the departmental enquiry against Inspector Maroof Khan, while posted as SHO Police Station Mandani, It came to the notice of the undersigned through reliable sources that he had links with smugglers of NCP Vehicles and narcotics and also involved in corruption and passing of NCP Vehicles. His act is highly objectionable and earns bad name for the force.

In the above allegation he was issued Charge Sheet together with statement of allegation under Sub Section 3, Section 5 of Police Rules 1975. Enquiry Officer Mr. Shehenshab Gohar DSP HQrs was nominated for conducting departmental enquiry against him and he after conducting proper departmental enquiry submitted findings.

Subsequently, Inspector Maroof Khan, was issued Final Show Cause Notice U/S 5(3) Police Rules 1975 reply to which was received but found un-satisfactory.

After perusal of the enquiry papers, recommendation of the enquiry officer, the delinquent officer was called to the office of the undersigned on 09.12.2019 and heard in person, but he could not produce any plausible reason/explanation to the allegations already proved through departmental enquiry, Therefore the Officer is hereby awarded the Major punishment and reverted to the rank of Sub-Inspector with immediate effect.

O.B No 1089

Date 9/12/2019

No. 2126-30 /HC, dated Charsadda the 09/12 /2019

Copy for information and necessary action to the:-

1. Deputy Inspector Genral of Police Mardan Region I Mardan
2. District Accounts Officer Charsadda
3. Pay Officer
4. EC/FMC

enclose = (240)

~~District Police Officer,  
Charsadda~~

**ATTESTED**  
TO BE TRUE COPY

To

Worthy Deputy Inspector General of Police  
Mardan Region- 1, Mardan.

**SUBJECT:- Appeal against the order of District Police Officer Charsadda dated 09/12/2019, vide which the Honourable DPO Charsadda awarded major penalty of reversion of service from the rank of inspector to sub inspector against inspector Maroof Khan.**

Respected Sir,

*Succinct particulars of the matter are as under.*

1. That, the appellant was posted as SHO R.S Mandani Charsadda and was performing his duties honestly and to the best of his experience and efficiency.
2. That, on 28/10/19, the appellant was served with a charged sheet having certain allegations mentioned therein. .... *(Copy of charge Sheet is annexure "A")*
3. That, on 29/10/19, the appellant approached the office of DPO and submitted an application that the appellant is proceeding to Makkah for performance of UMRA on 30/10/19 and inquiry proceedings be suspended till his arrival from UMRA. .... *(Copy of application is attached as annexure "B")*
4. That, on 20/11/19, the appellant came back from UMRA and on 29/11/19 he was served with final show cause notice. .... *(Copy of show cause notice is attached as annexure "C")*
5. That, after replying the final show cause notice, the Honourable DPO Charsadda vide impugned order dated 9/12/2019 imposed the major penalty of reversion of service from the rank of inspector to the rank of sub inspector. *(Copy of order is attached as annexure "D")*

Now the appellant impugns the order dated 9/12/19 of the DPO before your good self on the following grounds inter alia.

**ATTESTED**  
TO BE TRUE COPY

To

Worthy Deputy Inspector General of Police  
Mardan Region-1, Mardan.

Subject; **Appeal against the order of District Police Officer Charsadda dated 09.12.2019 vide which the Honourable DPO Charsadda awarded major penalty of reversion of service from the rank of inspector to sub inspector against inspector Maroof Khan.**

Respected Sir,

Succinct particular of the matter as under.

1. That the appellant was posted as SHO P.S Mandani Charsadda and was performing t his duties honestly and to the best of his experience and efficiency.
2. That, on 28.10.19 the appellant was served with a charged sheet having certain allegations mentioned therein. (Copy of charge sheet is Annexure A).
3. That on 29.10.19 the appellant approached the office of DPO and submitted an application that the appellant is proceeding to Makkah for performance of Umra on 30.10.19 and inquiry proceedings be suspended till his arrival from Umra. (Copy of application is attached as Annexure B).
4. That on 20.11.2019 the appellant came back from Umra and on 29.11.19 he was served with final show cause notice. (Copy of show cause notice is attached is annexure C).
5. That, after replying the final show cause notice, the Honourable DPO Charsada vide impugned order dated 09.12.2019 imposed the major penalty of reversion of service from the rank of inspector to the rank of sub inspector. (Copy of order is attached as Annexure D).

Now the appellant impugns the order date 09.12.19 of the DPO before your good self on the following grounds inter alia.

Grounds

16

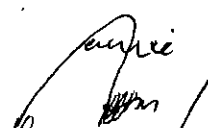
1. That, the whole proceedings of inquiry were conducted at the back of the appellant which is against the law of natural justice "that no one should be condemned unheard "
2. That, the efficiency of the appellant is crystal clear from the record of the registered cases against the drug fiddlers, narcotics dealer and the recoveries from them in this respect.
3. That, the record of performance also reveals the efficiency of appellant as good and efficient police officer as he impounded many non- duty paid vehicles during transportation in the territory of police station mandani toward Malakand agency.
4. That the enquiry, so conducted against the appellant is one sided and ex- parte action against him, and is against the norms of justice.
5. That the allegation therein against the appellant are based on malafide in absence of no written complaint audio video record and other circumstantial and corroborative evidence but the whole proceeding are conducted on hearsay allegations.
6. That despite of written request by the appellant to the enquiry officer regarding stoppage of enquiry till his arrival was not honoured and the whole proceedings took place in his absence, so the appellant is condemned unheard.
7. The statements of several persons recorded in absence of appellant, in connection of the allegations and so called enquiry are not signed and recorded as per procedure but are written in the wording of enquiry officer and no opportunity of cross examination is provided to the appellant.
8. That no proper procedure under the law and rules is adopted/ followed during the so called enquiry and false deposition of several persons is made basis for the punishment and no private complaint in this respect is available on file.
9. That during the so called enquiry proceedings the opportunity of personal hearing and addressing is not granted to the appellant and the whole proceedings is conducted ex parte.
10. That several non-duty paid vehicles are impounded by the appellant and properly proceeded with, and narcotics /drug fiddlers were arrested followed by the huge recoveries from them and some of them were compelled to submit affidavits on Oath for quitting the ugly business of narcotics. ....(Relevant documents are attached as annexure "E")

*All the allegations against the appellant are false, frivolous, fabricated and baseless without any supporting evidence in shape of written complaint by reliable persons. There is no evidence of connections/ links with non- duty paid vehicles transporters and narcotics drug fiddlers.*

*In light of the facts, circumstances and record of efficiency as dutiful devoted police officer the impugned order vide O.B No.1089, dated 09/12/2019, No. 2126- 30/ HC, dated Charsadda, 09/12/2019 may graciously be set aside and the appellant be re- instated to his position/rank of Inspector from the date of reversion.*

December, 12<sup>th</sup> of 2019.

**ATTESTED**  
TO BE TRUE COPY

  
Inspector Maroof Khan  
(now Sub Inspector)  
District Police Charsadda

**GROUND.**

1. That, the whole proceedings of inquiry were conducted at the back of the appellant which is against the law of natural justice "that no one should be condemned unheard".
2. That, the efficiency of the appellant is crystal clear from the record of the registered cases against the drug fiddlers, narcotics dealer and the recoveries from them in this respect.
3. That, the record of performance also reveals the efficiency of appellant as good and efficient police officer as he impounded many non duty paid vehicles during transportation in the territory of police station Mandani toward Malakand Agency.
4. That the enquiry so conducted against the appellant is one sided and ex parte action against him, and is against the norms of justice.
5. That the allegation therein against the appellant are based on malafide in absence of no written complaint audio video record and other circumstantial and corroborative evidence but the whole proceeding are conducted on hearsay allegations.
6. That despite of written request by the appellant to the enquiry officer regarding stoppage of enquiry til his arrival was not honoured and the whole proceedings took place in his absence, so the appellant is condemned unheard.
7. The statements of several persons recorded in absence of appellant, in connection of the allegations and so called enquiry are not signed and recorded as per procedure but are written in the wording of enquiry officer and no opportunity of cross examination is provided to the appellant.
8. That no proper procedure under the law and rules is adopted/ following during the so called enquiry and false deposition of several persons is made basis of the Punishment and no private complaint in this respect is available on file.
9. That during the so called enquiry proceedings the opportunity of personal hearing and addressing is not granted to the appellant and the whole proceedings is conducted ex parte.
10. That several non duty paid vehicles are impounded by the appellant and properly proceeded with and narcotics/ drug fiddlers were arrested followed by the huge recoveries from them and some of them were compelled to submit affidavits on oath for quitting the ugly business of narcotics..... (Relevant documents are attached as annexure E).

All the allegations against the appellant are false, frivolous, fabricated and baseless without any supporting evidence in shape of written complaint by reliable persons. There is no evidence of connections/ links with non duty paid vehicles transporters and narcotics drug fiddlers.

In light of the facts, circumstances and record of efficiency as dutiful devoted police officer the impugned order vide O.B No. 1089, dated 09.12.2019 No. 2126-30.HC, dated Charsadda, 09.12.2019 may graciously be set aside and the appellant be re instated to his position/ rank of Inspector from the date of revision.

December, 12<sup>th</sup> of 2019.

Inspector Maroof Khan  
(now sub Inspector)  
District Police Charsadda

ORDER.

This order will dispose-off the departmental appeal preferred by **Sub Inspector Marroof Khan** of Charsadda District Police against the order of District Police Officer, Charsadda, whereby he was awarded major punishment of reversion in rank i.e from the rank of Inspector to his substantive rank of Sub Inspector vide OB No. 1089 dated 09.12.2019.

The appellant was proceeded against departmentally on the allegations that he, while posted as SHO Police Station Mandani, it has been learnt through a reliable sources that he had links with smugglers of NCP Vehicles, narcotics dealers and also involved in corruption and transportation of NCP Vehicles.

Therefore, proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Mr. Shaheenshah Gohar DSP/Headquarters, Charsadda was nominated to conduct Enquiry into the matter. He submitted his findings wherein he recommended him for suitable punishment.


He was issued Final Show Cause Notice to which his reply was received and found unsatisfactory. He was also provided opportunity of self defense by summoning him in the orderly Room. But he failed to advance any cogent reasons in his defense. Hence, he was awarded major punishment of reversion i.e from the rank of Inspector to his substantive rank of Sub Inspector.

Feeling aggrieved from the order of District Police Officer, Charsadda, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 14.01.2020.

From the perusal of the enquiry file of the appellant, it has been found that allegations against the appellant have been proved beyond any shadow of doubt and the competent authority has already treated him leniently. Moreover, he could not present any cogent justification to warrant interference in the order passed by the competent authority.

Keeping in view the above, **I, Sher Akbar, PSP S.St Regional Police Officer, Mardan**, being the appellate authority, finds no substance in the appeal, therefore, the same is rejected and filed, being devoid of merit.

Order Announced.

  
Regional Police Officer,  
Mardan.

No. 709 /ES, Dated Mardan the 20-1-2020.

Copy forwarded to District Police Officer, Charsadda for information and necessary w/r to his office Memo: No. 03/EC dated 01.01.2020. His Service Record i returned herewith.

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

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قیمت 50 روپے	25012			
ایڈوکیٹ:		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل/ ایسوسی ایشن نمبر: 15-5937-BC				
رابطہ نمبر: 0305-979744				

بجالات جناب: سید عرش مسیح

دعویٰ: <u>Appeal</u>	مجانب: <u>Appellant</u>
علت نمبر:	<u>صروف</u>
مورخہ:	<u>بنام</u>
جرم:	<u>Dept etc</u>
تھانہ:	

**باعث تحریر آگہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام پشاور کیلئے رحمان اللہ خان کو وکیل 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 ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المقوم: 31-01-2020

العبد گواہ شد العبد

مقام پشاور کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

Appellant  
16102-51B1358-3  
0345-9350165



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

**Service Appeal No.884/2020**

**Maroof Khan**

**VS**

**Inspector General of Police, Khyber Pakhtunkhwa etc**

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3	Punishment order dated 09.12.2019	B	31
4	Final Show Cause	C	32
5	Rejection order dated 20.01.2020	D	33

**RESPONDENTS**

**Through**

*Shah*

**Shah Jehan, ASI Charsadda**

**BEFORE THE HONOURABLE KPK SERVICES TRIBUNAL PESHAWAR**

**Service Appeal No. 884/2020**

**Maroof Khan s/o Khalid Khan r/o Tehsil & District Charsadda**

**.....Appellant**

**V E R S U S**

**DPO etc: .....Respondents**

**REPLY/PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 1  
TO 4.**

**Respectfully Sheweth:**

**Preliminary Objections:**

1. That appellant has not approached this Hon'ble tribunal with clean hands.
2. That appellant has suppressed actual facts/factual position from this Hon'ble tribunal.
3. That the appeal of appellant is not based on facts.
4. That the appeal of appellant is bad for non-joinder of necessary parties.
5. That the appellant is estopped by his own conduct to file the present appeal.

**REPLY ON FACTS:**

1. Para pertains to the posting of appellant as SHO PS Mandani, hence needs no comments.
2. As far as first part of the para is concerned, in this regard it is stated that plea of appellant is not plausible because each and every Police officer/official is under obligation to perform his duty/services upto the entire satisfaction of his high ups. As far the 2<sup>nd</sup> part of the para is concerned, in this regard it is stated that respondent No.3 received information against the appellant that he while posted as SHO PS Mandani had links with smugglers of NCP vehicles and narcotics and was also involved in corruption and passing of NCP vehicles. On the said allegations/information a proper enquiry was conducted through DSP HQrs Charsadda who after fulfilling all codal and legal formalities, submitted his report wherein allegations leveled against the appellant were proved and enquiry officer recommended the appellant for suitable punishment. Hence, on the recommendation of enquiry officer, appellant was awarded major punishment of reduction in rank. **(Copy of**

**enquiry report is annexed as annexure-A and punishment order as annexure-B).**

3. Pertains to record.
4. Para correct to the extent that before passing order of punishment, appellant was served with Final Show Cause Notice (**Copy of Final Show Cause Notice is annexed as annexure C**).
5. Para not related.
6. Incorrect, that appellant was awarded major punishment after fulfillment of all codal and legal formalities. Proper enquiry was conducted wherein allegations leveled against the appellant were proved.
7. Correct to the extent that appellant filed departmental appeal before respondent No.1 which was dismissed vide order dated 20.01.2020 (**Copy of order is annexed as annexure D**)  
That appeal of appellant is liable to be dismissed on the following grounds amongst the others.

**GROUNDS:**

- A. Incorrect. Orders passed by the competent as well as appellate authority are in accordance with law and natural justice.
- B. Incorrect. As discussed earlier punishment order was passed after fulfillment of all codal and legal formalities.
- C. Incorrect. Appellant was properly associated with the enquiry proceedings and was also subjected to cross questions which are evident from the enquiry report.
- D. During the course of enquiry, officials whose statements were recorded were either subordinate of the appellant or junior in rank; therefore, in his presence they could never record true facts.
- E. Incorrect. Only statement of the then Moharrar is sufficient to prove the allegations against the appellant.
- F. Para already explained.
- G. Para already explained.
- H. Incorrect. It has been admitted by the appellant himself at para 4 of the appeal that he was served with final show cause notice.

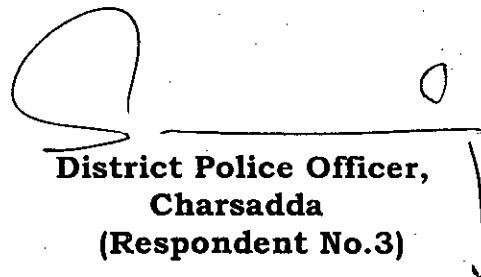
3

- I. Incorrect. Punishment awarded by the respondent department is in consonance with the misconduct of the appellant.
- J. Para already explained.
- K. That the respondent seeks permission of this Hon'ble Tribunal for further additional grounds at the time of arguments.

Keeping in view the facts above, it is therefore humbly prayed that the appeal of appellant being without merit and substance, may be dismissed with cost.



**Deputy Inspector General of Police,  
Mardan, Region-I Mardan  
(Respondent No.1&2)**



**District Police Officer,  
Charsadda  
(Respondent No.3)**



**Deputy Superintendent of Police,  
Headquarters, Charsadda  
(Respondent No.4)**

(4)

*Annexure - A*

GOVERNMENT OF KHYBER PAKHTUNKHWA

DEPUTY SUPERINTENDENT OF POLICE HQRS,

CHARSADDA.

No. 350 /S, dated Charsadda the 28/11/2019.

*Enquiry*

To: The District Police Officer,  
Charsadda

Subject: DEPARTMENTAL ENQUIRY AGAINST INSPECTOR MAROOF SHAH,  
EX-SHO POLICE STATION MANDANI.

Terms of Reference.

As per directions of the District Police Officer, a charge sheet was issued to Inspector Maroof Shah Ex-SHO Police Station Mandi vide No.1943-44/HC dated 28.10.2019, therein nominated the undersigned (Shahenshah Gohar DSP HQRS, Charsadda) as enquiry officer. In the Charge Sheet the following allegations were leveled against Inspector Maroof Shah -

That Inspector Maroof Shah while posted as SHO Police Station Mandani it came to the notice of DPO Charsadda through reliable sources that he (Inspector Maroof Shah) has links with smugglers of NCP vehicles and narcotics and also involved in corruption and passing of NCP vehicles.

Proceedings.

In response to the charge sheet issued, Inspector Maroof Shah submitted his written reply which is as under:-

It is submitted that Inspector Maroof Shah being appointed as SHO Police Station Mandani on 15-02-2019 During the said period he arrested 82 persons over the charges of narcotics and also seized 8 vehicles being Non-Custom-Paid, which is solid proof of his efficiency

As per the alleged allegations are concern, it is humbly stated that these allegations are baseless & without any legal/solid footing.

During his tenure, he performed his duty to the best of his efforts. He made the life of drugs & narcotics smugglers miserable.

Recently while arresting suspects he even cross the limits of Police Station Mandani and seized the vehicle in the vicinity of Police Station Skhakot, this fact is also in the knowledge of DPO

(5)

It is also pertinent to mention that during his entire period of service, no such like complaint has been made against him. He is being innocent & falsely charged, as he has no links with smugglers of NCP & Narcotics.

He has requested that the charge sheet issued against him may kindly be filed without any further proceedings.

Q It is relied information that you kept contacts with NCP smugglers and drugs sellers.

Ans It is not true. He impounded several NCP vehicles of different gangs and also arrested several drugs dealers.

Q On 25-10-2019, you released Jehangir Gud (pilot of NCP vehicles) alongwith other persons and their motorcar despite that they were arrested by ASI Fazal Khaliq. As per daily diary No.20 enquiry was initiated into the matter. What do you know about it?

Ans ASI Fazal Khaliq arrested Jehangir Gud alongwith the motor car and brought it into his notice. He (ASI Fazal Khaliq) was told to fulfill all the legal formalities. Check the motorcar through VVs, if it is verified then do not bother anyone unnecessarily. He also checked the motorcar No.6268 through VVS which was found correct due to which the motorcar was returned to the owner. He directed for challan of the persons.

Q Whether he brought into the notice of the high-ups regarding handing over of the vehicle?

Ans No

Q Do you know about Jehangir Gud that he is pilot of the NCP vehicles?

Ans He never saw him before; however, an informer told him that Jehangir Gud is pilot of NCP vehicles

Q You handed over the motorcar to Jehangir Gud. In the accused there was lady, what instructions you gave regarding her?

Ans He told to fulfill legal formalities regarding her?

Q On return from the patrolling, did you see the motorcar in the Police Station? Whether the accused were put in Police Lock-up? And the lady with them, what was her position?

Ans He never saw them, neither the motorcar because he didn't go towards the Police Station.

Q On the next day, what happened to the accused? (6)

Ans On his asking, he was informed that accused were challaned.

Q Being the SHO, wasn't it your responsibility to ask from the police as why they didn't forward the case from him (SHO). It was not brought into your notice wasn't it your responsibility to write report against them?

Ans It is right but Mandani is a busy Police Station. In routine practice, Moharrar staff signs the cases of 107/151, 55/109 Cr.P.C. He has allowed them to do so. He has also told the moharrar staff to bring into his notice important cases otherwise report will be written against them.

Q On the next date 26-10-2019 at about 11/12 hours, again ASI Gulzar arrested Jehangir Gud alongwith person and a motorcar. What happened to it?

Ans ASI Gulzar brought it into the notice of SHO. He was directed to fulfill all necessary legal formalities. If the vehicle and people are clear then let them free. After that he is unaware because ASI Gulzar is a responsible police officer.

Q Your gunner arrested two persons alongwith loaded pick-up of illegal spare parts/tyres. What do you say about it? What is the fat of it?

Ans He doesnot know anything about it. He was informed when DSP Tangi told him that there is complaint against his gunner Usman. He takes monthly. On the information of DSP Tangi he closed Constable Usman from duty of gunman. DSP Tangi told that his gunman was initially reluctant but later-on accepted taking the monthly and presented Rs.50,000/- which is in the safe custody of Mustafa Kamal reader DSP Tangi.

Q 3/4 days prior to the Eid ul Azha, ASI Wahid Shah arrested Jehangir Gud (pilot of NCP vehicles) alongwith a person and motorcar, who were brought to you. what happened of them?

Ans Yes ASI Wahid Shah brought a motorcar alongwith two persons. He did verification of the persons and motorcar. After clearance the motorcar was handed over to Jehangir Gud. After fulfilling all the legal formalities they were released.

Q As per source report, you took Rs.50,000/- as a bribe from Jamroz Khan s/o Dama Khan for giving him possession of a house. Is it true?

Ans The allegation is baseless. It is not true.

Q Gohar r/o Dhakki who is a fraudulent persons and uses fraudulent tactics in the business of houses, vehicles, plots etc what relations you have with him?

Ans. He has no personal relations with the person. In different complaints the person was called to Police Station. Matters of the people were resolved with the said person. (7)

Q. Is it true, that Gohar use to give you Rs.2000/-,3000/- and also gifted a uniform shirt?

Ans. No it is not true.

Q. You had kept in custody a motorcar NCP/Vitz of Police Station Mandani since long without taking legal action against it? How much truth is in it?

Q. For about two months he was having NCP/Vitz which he impounded and the driver of it made his escape. Legal process was not initiated into it, as he was waiting for its real owner to come. The motorcar was used for official duty. On his transfer the motorcar has been handed over to Moharrar Police Station Mandani vide daily diary No.5, dated 21.11.2019 so that proper legal action can be taken against the motorcar.

Q. Off the record you kept two motorcycles in the quarter. What you say about it?

Ans. Yes it is true. He was having two motorcycles in the quarter. There is business of narcotics selling in the jurisdiction of Police Station Mandani. On seeing the police party, the riders left their motorcycles and escaped. He didn't bring these motorcycles to the quarter with any bad intention. He was waiting for the real owners of it so that legal action could be initiated against them. After waiting for 4 days, he proceeded on Umrah and directed the Moharrar to fulfill the legal formalities in it.

Q. As per source report, have you kept relations with Ameer Bacha and Mukhtiar who are notorious drugs sellers? Whether you registered any case against them?

Ans. He has no relations with them. Mukhtiar is the resident of Tangi. He is having a land dispute with a person Marifat Shah and in that context, he contacted him. In his period of posting, their issue was not resolved.

Like the same way, the relatives of Ameer Bacha was having a dispute of Rs.50,00,000/- with Watan Yar. regarding reports have also been lodged in Police Station. He(SHO) also resolved the said issue in a best possible way. He has no any other relations with them. It is true that he did not register any case against him. Ameer Bacha presented him stamp paper that he is not involved in any business of narcotics selling, while Mukhtiar resides in the jurisdiction of Police Station Tangi.

Q. Jehangir Gud who is famous as pilot of NCP vehicles, thrice you released him alongwith motorcar and other persons. What is the reason of your repeated kindness with him?



Ans. Yes there was complaint against Jehangir Gud. He was spotted in this therefore, he was checked. In a routine in which vehicle he travels, their docume legal therefore, without committing any crime how action could be taken against him.

Q Is it in your knowledge that by misrepresenting facts, you can be awarded punishment through this departmental enquiry?

Ans. Yes it is in his knowledge and he owns his statement and answers of the questions he has given.

In pursuance of the directions of DPO Charsadda enquiry was initiated, the following concerned were summoned, their statements were obtained and heard in person:-

- i HC Muhammad Ibrar No.82, Moharrar Police Station Mandani.
- ii AMHC Fayaz Police Station Mandani
- iii ASI Fazal Khaliq P.S Mandani.
- iv. ASI Gulzar, Ex-Incharge P.P Shakoor.
- v SPO Ikram No 191
- vi. SPO Khumar Shah No.128
- vii Constable Habib No.336,Gunner SHO Maroof Shah.
- viii Constable Usman No.1451.
- ix Constable Iftikhar No.1442,Gunner SHO Maroof Shah
- x IHC Wahid Shah, Police Station Mandain.
- xi. Driver Bacha Gul No.846
- xii SI Mir Zaman Police Station Mandani
- xiii Driver Constable Lataf Ullah No.734, Police Station Mandani
- xiv. Constable Khurshid Gul No.210/SPO
- xv. Constable Zahoor Ahmad No.273
- xvi. Mustafa Kamal Reader DSP Tangi.
- xvii. Constable Ali Raza No.449, VVS Incharge P.S Mandani
- xviii Janroz Khan s/o Dama Khan r/o Qamar Khan Shodag, Tehsil Tangi
- xix. Bacha Adda Munshi Harichand
- xx. Gohar Zaman s/o Hazrat Muhammad r/o Yousaf Kalay, Dhaki Ameerabad.

Statement of HC Muhammad Ibrar No.82, Moharrar Police Station Mandani.

He is in his statement stated that he is posted as Moharrar P.S Mandani for the last 5/6 months. So for the involvement of Inspector Maroof in corruption, contacts with

narcotics sellers/NCP smugglers is concerned, he(moharrar) will state everything on the basis of truth

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Cross Questions:-

Q. Is this in his knowledge, that upon giving false statement, departmental action can be initiated against him(moharrar).

Ans: Yes.

Q. Is it true that SHO is found of taking bribe and receiving gifts?

Ans. He(moharrar) is unaware about it.

Q. Whether the SHO kept contacts with smugglers of NCP vehicles? or pass-on the NCP vehicles?

Ans. He(moharrar) is unaware about any such relations, neither he knows anything about the passing of NCP vehicles.

Q: Whether the SHO was having relations with the narcotics sellers.

Ans: He(moharrar) does not know about any such relations. But he has noted meetings of notorious drugs seller Mukhtair with the SHO. He has also listened rumors that one Ameer Bacha has good relations with the SHO.

Q. Few days ago, ASI Fazal Khaliq impounded a motorcar and arrested Jehangir Gud (famous as Pilot of NCP vehicles) alongwith three other persons and one lady. What happened to the issue?

Ans. On the said day, he(moharrar) was on routine leave. In his absence DSP Fazal Sher Khan came to the Police Station, who recorded in Register No.13 about his(moharrar) leave. Regarding the issue, it will be good to enquire from Additional Moharrar Fayaz Khan however, he studied the daily diary, wherein vide diary No.20 dated 25-10-2019, detail of the issue was recorded from ASI Fazal Khaliq. In the said daily diary enquiry against Jehangir Gud and three other persons is recorded, however, in daily diary No.22, of the same date. SHO has handedover the said motorcar to Jehangir Gud and further he is unaware.

Q. On 26-10-2019, ASI Gulzar also impounded a motorcar and arrested two persons. What is detail of it?

Ans. On the said date, he did not come back from his leave, neither anything is recorded about the issue in daily diary. Additional Moharrar Fayaz may be enquired about it.

Q. Few days earlier, spare parts/tyres etc of persons namely Waheed and Fazal Rabi were caught in a pick-up, where two persons were present with it. What is the detail of the issue and what legal action was taken on it?

Ans. It is true. In the private car of the SHO, gunners of SHO arrested two persons alongwith spare parts/tyres etc in a pick-up. It was the event of early in the morning. He could not remember the exact date of it. And after taking money, without any legal action, the two persons, pick-up and their illegal luggage were set free. Nothing regarding it was brought in writing. Later-on, DSP Tangi recovered money from the gunners of SHO. Further he is unaware.

Q. The gunners of SHO when go out for patrolling in private motorcar, whether they made any entry in daily diary regarding their arrival and departure? Whether they brought into your(moharrar) notice to made their departure or upon arrival, whether they made any entry of an event by themselves or through moharrar?

Ans. They did not tell anything regarding it to them (moharrar staff) neither made entry of departure by themselves.

Q. It is relied information that on 26-10-2019, SHO challaned Jehangir Gud(NCP vehicles smugglers) alongwith three other persons, without mentioned the lady in it.

Ans. As he(moharrar) has earlier stated that he was on leave. On his return he came to know that SHO gave directions to AMHC Fayaz to prepare case of Jehangir Gud alongwith three persons and give it to him, so that SHO may challan them. AMHC complied the directions of SHO, wrote it on behalf of ASI Fazal Khaliq and put the numbers of Register No.6(miscellaneous register) on it. However, no accused was present in the Police Station, therefore, no entry was made regarding departure and arrival in daily diary. It will be good to ask further from AMHC Fayaz.

Q. Being Moharrar of Police Station, you were aware of all the facts, wasn't it his(moharrar) duty to bring it into the notice of SHO or other highups?

Ans. He wanted to bring the matter into the notice of highups, but in the meanwhile enquiry into the issue against the SHO was initiated and real facts has been told to the enquiry officer.

Q. In the Police Station, how many vehicles are on the record and off the record?

Ans: On the record of the Police Station the following vehicles are present:

- 1. Motorcar No.890/ISE/NCP, impounded vide daily diary No.6.dated13-03-2019.

Motorcar Corolla No.6387/Riv, impounded vide FIR No.16, u/s 411 dated 12.01.2016

Motorcar premio No.6731/LEB, impounded vide FIR No.294, dated 05-08-2019 u/s 324/353.

Off record. Motorcar VTZ/NCP, under the use of Inspector Maroof Shah.

Off the record, two motorcycles were present in the quarter of the SHO. Before leaving for the Umrah, SHO told him to take these two motorcycles and bring it on record, which was brought accordingly into the notice of DSP Tangi who directed to initiate proceeding in it. Further, he is unaware from how much time these motorcycles were present in his(SHO)'quarters.

Q Apart from the motorcar No.VTZ/NCP, SHO kept in his custody any case property either on record or off record?

Ans Yes 4 numbers Iron guarders and T-Irons which was sufficient for a room, were present in the Police Station since long, the SHO took these items to his home

Q Whether the moharrar conceal any facts regarding the questions asked from 1-12, or the enquiry officers made any extra or less questions?

Ans. Yes what is truth, he(moharrar) revealed that in his statement. He own his signatures made on the above questions and answers.

#### Statement of AMHC Fayyaz.

He in his statement stated that so for the involvement of Inspector Maroof in corruption contacts with narcotics sellers/NCP smugglers is concerned, he(AMHC) cannot unlock his lips completely, however, whatever question the enquiry officer will ask regarding the Police Station or involvement of SHO, his reply will be based on the facts, because he knows the consequences of any of the wrong statement he will give, which can be lead to departmental enquiry

Q Whether the SHO was found of taking bribe and receiving gifts?

Ans. He(AMHC) is unaware about it.

Q Whether the SHO kept contacts with smugglers of NCP vehicles? or pass-on the NCP vehicles?

Ans He(AMHC) is unaware about it.

Q Whether the SHO was having relations with the narcotics sellers.

Ans: He(AMHC) does not know about any such relations. But he has noted meetings of notorious drugs sellers Mukhtair and Ameer Bacha with the SHO.

Q: Few days earlier, spare parts/tyres etc alongwith two persons were caught in a pick-up. What is the detail of the issue and what legal action was taken on it?

Ans: It is true. In the private car of the SHO, gunners of SHO arrested two persons alongwith spare parts/tyres etc in a pick-up. It was the event of early in the morning. He could not remember the exact date of it. Later-on, he came to know that after taking money, without any legal action, the two persons, pick-up and their illegal luggage were set free. Nothing regarding it was brought in writing. Later-on, DSP Tangi recovered money from Usman gunner of SHO. The Gunner of SHO is in best position to tell further about it.

Q: The gunners of SHO when go out for patrolling in private motorcar, whether they made any entry in daily diary regarding their arrival and departure? Whether they brought it into your(AMHC) notice to made their departure or upon arrival, whether they made any entry of an event by themselves or through moharrar staff?

Ans: They did not tell anything regarding it to them (moharrar staff) neither made entry of departure by themselves.

Q: Few days ago, ASI Fazal Khaliq impounded a motorcar and arrested Jehangir Gud (famous as Pilot of NCP vehicles) alongwith three other persons and one lady. What is the detail about it?

Ans: Yes it is true. On 25-10-2019 Moharrar Ibrar was on leave therefore he was working as Moharrar of Police Station. ASI Fazal Khalid came to Moharrar Office and verbally told the story. The matter was also recorded in daily diary No.20 dated 25-10-2019. He verbally told that the motorcar inquestion has been parked near the quarter of SHO. Jehangir Gud(famous for NCP vehicles) alongwith three persons and a lady were handedover to the SHO, who took them to his(SHO) quarter. As per directions of the SHO he recorded the daily diary No.20 dated 25-10-2019 in detail. After that he went on patrolling.

Q: Whether SHO put the Jehangir Gud, other three persons and the lady in Police Lock-up?

Ans: No. None of them were confined in any lock-up/office, neither had he received any information regarding their confinement in lock-up. However in daily diary No 22, dated 25-10-2019, SHO handedover the said motorcar No.6268 to Jehangir Gud. He complied

The orders of the SHO and wrote the daily diary No 22, dated 25-10-2019 regarding handing over of the motorcar

Q What happened to the accused? Whether they were release on bail?

Ans Regarding it, he has no bail bonds. He did not see the accused, neither had he released them. No one had given him any bail bonds. It will be good to ask from the SHO.

Q It is said that on the next date SHO challaned the accused Jehangir Gud etc. Is it true that a lady was also challaned in it?

Ans. Yes it is true. SHO came to the Moharrar Office and directed to prepare the case of Jehangir Gud etc u/s 55/109 on behalf of ASI Fazal Khaliq. He gave in his hand written a list which includes the names of Jehangir Gu, Imran, Sadaqat Hussain and lady Fazilat. But he directed not to put the name of lady Fazilat in the case. He just complied the orders of the SHO and brought it into the notice of ASI Fazal Khaliq. After that SHO directed to put the numbers of register No.6 on the case and handover the case to him(SHO). The SHO by himself will challan it. He complied the orders and handed over the case to SHO.

Q Whether he(AMHC) made entry regarding departure and arrival of challan. Furthermore, at the hands of which constable he(AMHC) sent the challan?

Ans. Regarding the departure and arrival of challan, there is no entry because he did not see any accused, so how could he made any entry regarding departure/arrival of challan or handovering it to any HC/Constable. Further information may be asked from the SHO. However, he can present the handwritten paper of SHO in which he has mentioned the names of the accused alongwith the copy of the case.

Q While writing all these things (case) when accused were not present on the spot, in the absence of ASI Fazal Khaliq putting his signature, whether it was not his(AMHC) duty to ask from the SHO?

Ans. The SHO was his senior officer, how he could ask from him. He can be annoyed on it. Furthermore all the process happened under his(SHO) presence and as per his(SHO) directions. However, he has told all this to ASI Fazal Khaliq.

Q Whether he told anything regarding it to DSP Tangi or any other higher officer?

Ans. He discussed the issue with Moharrar Ibrar Khan upon his arrival from leave and they wanted to bring all the story into the notice of DSP Tangi, in the meanwhile enquiry against the SHO was initiated and all the facts has been revealed to the enquiry officer.

Q Is it true, that ASI Gulzar impounded a vehicle alongwith two persons. What is the detail of this issue and what was its end?

Ans: Yes it is true. On 26-10-2019 Moharrar Ibrar was on leave therefore he was working as Moharrar of Police Station. He got information that ASI Gulzar presented two persons to SHO alongwith a vehicle. SHO release the said motorcar alongwith two persons from his quarter. There are different rumors regarding it, but nothing is on the record of Police Station regarding the persons and the motorcar, neither anyone directed him to made any entry in the daily diary. It will be better to enquire from ASI Gulzar, SHO and other on duty persons, as to who impounded the motorcar and arrested the persons and why no report was made in the Police Station and why was it then release from the quarter of SHO.

Q In the Police Station, how many vehicles are on the record and off the record?

Ans He doesnot know the detail. Exact knowledge of it will be to the Moharrar. However, two motorcars Vitz/NCP red color and white are with SHO. Regarding the Vitz/NCP red color, he knows that it is the case property of Police Station but there is no written record of it and the SHO claim it as his own. After passage of time, SHO told that the motorcar is a case property of Police Station Mandani(which is off the record on the record of Moharrar Police Station).

It also came to light that two motorcycles were with the SHO. Before leaving for the Unrah, SHO told moharrar Ibrar to take these two motorcycles and bring it on record, which was brought accordingly into the notice of DSP Tangi who directed to initiate legal proceeding in it. This has been told by Moharrar Ibrar Khan, further detail will be known to him

Q Apart from the vehicles, whether the SHO has any another case property either on the record or off the record?

Ans Regarding it, the Moharrar Police Station may have details.

Statement of ASI Fazal Khalig

He in his statement stated that so for the involvement of Inspector Maroof in corruption, contacts with narcotics sellers/NCP smugglers is concerned, being a responsible police officer he will state truth and conceal nothing.

Q Do you know that misrepresentation of facts can lead to departmental enquiry against you?

Ans. Yes.

Q Whether SHO Maroof Shah kept contacts with smugglers of NCP vehicles or involve in passing-on such vehicles?

Ans He(ASI Fazal Khaliq) is unaware about it.

Q Whether the SHO was found of taking bribe and he was having relations with narcotics sellers?

Ans He doesnot know anything about taking bribe of SHO. However notorious narcotics sellers Ameer Bacha and Mukhtiar, whose names are in the source report, were having pleasant relations with the SHO. Several times these persons have been noted meeting with the SHO in Police Station.

Q As per source report, you impounded a motorcar alongwith Jehangir Gud, three other persons and a lady, who were later-on released without taking any legal action against them. Is it true?

Ans Yes it is true. He impounded a motorcar No.6268/LRD wherein Jehangir Gud, three other persons and a lady were present in it. When he brought them to the main gate of Police Station, he saw SHO alongwith his gunner Iftikhar coming towards him. He presented the persons alongwith motorcar to the SHO. SHO directed him to take the car in 523/550 and arrest the persons in 55/109. He stated the entire situation to the SHO. SHO alongwith the persons went to the SHO's quarter. He recorded detail of the story vide daily diary No.20, dated 25-10-2019 and after that went for patrolling. When he came back from patrolling, he did not find the persons in Police lock-up. He then perused the daily diary, from which it was revealed that SHO has handed over the motorcar to Jehangir Gud vide daily diary No.22, dated 25-2-10-2019. Instead of putting the suspects in police lock-up, SHO released them including the lady from his quarter. Regarding the further legal action, SHO will be in good position to state it because after his(ASI) report, SHO handed over the motorcar in his own report and also released the accused from his own quarter. Further he doesnot know anything. He also stated these facts in his arrival report

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Q Do you know that Jehangir Gud work as a pilot of the NCP vehicles?

Ans Yes. Later-on he came to know about it. Prior to it, he didn't see Jehangir Gud.

Q On 26-10-2019, how Jehangir Gud and his companions were challaned. Whether they were released on bail and why the lady was not challaned?

Ans He knows to the extent, that Fayaz AMHC told him that SHO directed to prepare case from the side of ASI Fazai Khaliq and give it to him, he SHO will challan it.





Q Why didn't you bring these facts into the notice of the high-ups?

Ans He was selected for the course and use to travel for course at Mardan. After getting spare from the course, he was thinking to appear before the highups but in the mean-while enquiry was initiated into the matter, where I have revealed all the facts.

Statement of ASI Gulzar Khan, Ex-Incharge Police Post Shakoor.

He stated that he remained posted in Police Station Mandani for 9 months and where for one month he was posted as Incharge Police Post Shakoor. So for the involvement of Inspector Maroof in corruption, contacts with narcotics sellers/NCP smugglers is concerned; being a responsible police officer he will state truth and conceal nothing

Q Do you know that misrepresentation of facts can lead to departmental enquiry against you?

Ans. Yes.

Q Whether SHO Maroof Shah kept contacts with smugglers of NCP vehicles or involved in passing-on such vehicles?

Ans. He(ASI Gulzar Khan) is unaware about it.

Q Whether the SHO was having relations with narcotics sellers?

Ans He(ASI Gulzar Khan) is unaware about it.

Q As per source report, you caught a motorcar alongwith two persons in it. What action was taken about it?

Ans Yes. on 26-10-2019 about 11/12 hours he was on patrolling duty, when a white motorcar escaped from them, which was chased and overpowered. The car was driving by one Jenangir of Peshawar, who was accompanied by another person, whose name is not known to him. Motorcar alongwith the persons were brought to the Police Station. He told the situation to the SHO in his office. SHO came out from his office and instructed him to take the motorcar and the persons to his quarter. He(ASI) complied the orders. At the time Iftikhar gunner of the SHO was also present. He alongwith the suspects went to the quarter of SHO SHO then released the suspects alongwith motorcar after due satisfaction All this happened in his presence. After that he alongwith his gunman Khumar Shah went to Police Post in the said vehicle. After dropping them, the motorcar and the persons left the premises.

Q Did you record any report regarding it in the daily diary?

Ans. No because the motorcar and suspects were let free by SHO after his satisfaction. Being a senior officer, it was the responsibility of the SHO to write report regarding it.

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Q. Did the SHO verify the motorcar through VVS?

Ans. He is unaware about it. It will be good to ask from the SHO because he had not done its verification. The SHO can state about the handing over of the motorcar.

Q. Why did you chase the suspected vehicle in your private car instead of using official mobile pick-up?

Q. Because with the official mobile they could not chase and overpower the suspected vehicle.

Q. What is the name of the driver you used for chasing the suspected vehicle?

Ans. His name is Mukhtiar.

Q. Do you know that Mukhtiar, whose vehicle you used for chasing the suspected vehicle, is a notorious drug seller(as per source report)?

Ans. Till the time, he was unaware about it. Later-on, he came to know that his name was mentioned in the source report. Prior to this, he(Mukhtiar) was summoned to Police Post in a land dispute with one Marifat Shah, regarding which he recorded his report that the matter is of civil nature, therefore, the parties may contact the court.

Q. Have you taken action against the notorious narcotics sellers?

Ans. He registered several cases of 9CNSA. On the basis of source report, he presented notorious narcotics seller Misal to the SHO. SHO recorded statements of the elders who came with Misal and stated on oath(stamp paper) that the allegations are baseless. If anything illegal is proved against him(Misal) he is ready for any type of action. After that SHO let him free.

#### Statement of SPO Ikram.No.191

He in his statement stated that on 26-10-2019, under the supervision of ASI Gulzar Khan, he alongwith Khumar Shah No.128/SPO were in official mobile patrolling traveling from Kuladher Road to Shakoor Road, when they saw a motorcar coming towards them. Reaching near the police mobile, the vehicle dropped its speed and took a back turn. Khumar Shah SPO told that the vehicle is suspected, therefore, they told about it to ASI Gulzar Khan. On this, mobile pick-up took turn and went against the suspected motorcar. On the way ASI Gulzar Khan signaled a motorcar to stop, which was coming behind the mobile. He and driver Bacha Gul were told to stay in the mobile and go to the Police Post

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Shakoor. ASI Gulzar and FC Khumar Shah get into the said car and started chasing the suspected vehicle. After sufficient time, ASI Gulzar and FC Khumar Shah came to police post in the said suspected vehicle. They were dropped near the police post and after that suspected vehicle went towards Shakoor.

Q. Do you know that departmental action can be taken against you by misrepresenting the facts?

Ans. Yes he is aware of it and he owns his statement.

Q. Do you know about the private motorcar in which ASI Gulzar and FC Khumar Shah went for chasing the suspected vehicle?

Ans. He can only recognize it as he has seen it while coming to Police Post.

Statement of SPO Khumar Shah No.128

He in his statement stated that on 26-10-2019, under the supervision of ASI Gulzar Khan, he alongwith Khumar Shah No.128/SPO were in official mobile patrolling traveling from Kuladher Road to Shakoor Road, when they saw a motorcar coming towards them. Reaching near the police mobile, the vehicle dropped its speed and took a back turn. On this he told his companion that the vehicle is suspected, therefore, they told about it to ASI Gulzar Khan. On this ASI Gulzar Khan turned the mobile and put it against the suspected motorcar. On the way ASI Gulzar signaled to stop a private motorcar coming behind the police mobile, which was driven by one Mukhtiar. ASI Gulzar Khan accompanied him in the private motorcar and asked SPO Ikram and mobile driver to go to the Police Post. After traveling of 2/3 kilometers the suspected motorcar was overpowered. Two persons were sitting in the suspected car. He then alongwith ASI Gulzar sat into the suspected car and went to Police Station. Reaching to the Police Station, they went to the quarter of SHO and he(SPO) remained standing outside. After lapse of one hour, ASI Gulzar Khan alongwith the persons came out and he alongwith them sat into the suspected vehicle. They went to Police Post in the said vehicle, where they(ASI and SPO Khumar Shah) were dropped. The said vehicle then traveled towards Shakoor

Q. Do you know that departmental action can be taken against you by misrepresenting the facts?

Ans. Yes he is aware of it. If his statement has been proved wrong, he can be punished

He in his statement stated that he performed duties of gunner with SHO Maroof Shah. So for the involvement of Inspector Maroof Shah in corruption, contacts with narcotics sellers/NCP smugglers is concerned; whatever is known to him, he will state truth.

Q. Do you know that departmental action can be taken against you by misrepresenting the facts?

Ans. Yes he is aware of it.

Q. Whether SHO Maroof Shah kept contacts with smugglers of NCP vehicles or involved in passing-on such vehicles?

Ans. He (Constable Habib) is unaware about it.

Q. Whether the SHO was having relations with narcotics sellers?

Ans. He (Constable) have witnessed coming of notorious narcotics seller Mukhtiar in Police Station.

Q. Whether the SHO is found of taking bribe?

Ans. SHO never asked for such demand, however, SHO never refused anything which was given to him (SHO) by someone at his own will.

Q. Do you know Gohar Zaman r/o village Yousaf Khan, who is famous for his fraudulent tactics?

Ans. He (Constable Habib) doesn't know him.

Q. Few days earlier ASI Fazal Khaliq impounded a motorcar and arrested Jehangir Gud (pilot of NCP vehicles), three other persons and a lady. What do you know about it?

Ans. Yes he knows about the story. ASI Fazal Khaliq arrested Jehangir Gud (famous as pilot of NCP vehicles), three other persons and a lady alongwith a motorcar. He, Constable Ifikhar Gunner alongwith SHO were coming towards the building of Police Station when saw ASI Fazal Khaliq alongwith Jehagir Gud, three persons and a lady entered through main gate of Police Station in a motorcar. ASI presented all the persons, lady and a motorcar to the SHO and narrated the whole story. The motorcar was then parked near the quarter of SHO. SHO gave instructions to ASI Fazal Khaliq and allowed him to go. SHO took all the persons alongwith lady to the quarter.

Q. After that what legal action SHO took?

Ans. He does not know anything about the legal action. Later-on, he came to know that the said vehicle was handed over to Jehangir Gud by the SHO. All the persons along with the lady were released from the quarter. He does not know any detail of the legal action taken into the matter.

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Q. It is relied information that on the next date, SHO challaned all the persons. Whether the lady was included in the challan and the challan was given through him(constable)?

Ans. He does not know about all these things.

Q. On the next date ASI Gulzar Khan arrested two persons along with a motorcar? What do you know about it?

Ans. Yes it is true it was afternoon, on 26-10-2019 ASI Gulzar Khan presented two persons along with a motorcar to the SHO. At that time he was with the SHO in quarter. ASI Gulzar told the SHO that these two persons were traveling in the probox motorcar, who made their escape on seeing the police party. Police chased the car and arrested them. The motorcar was parked outside the quarter of SHO. After listening to the situation, ASI Gulzar and SHO went to a side and in the meanwhile SHO instructed him(constable Habib) to go for patrolling in the SHO private motorcar. They did so. Upon arrival they came to know that SHO had let free the two persons along with the motorcar. The said probox motorcar was not standing near the quarter of SHO.

Q. Do you know anything that a period of time earlier, pick-up loaded with spare parts/tyres in which persons of Waheed and Fazal Rabbi were traveling, was arrested?

Ans. Yes it is true. He along with Iftikhar No.1442 and Usman 1451 gunners of SHO went on patrolling in private motorcar of SHO as per his orders. Near the Jamalabad check post, on a secret path in the fields they arrested a pick-up loaded with spare parts along with two persons and brought them to Police Station. It was about morning 4:30/4:45 a.m. He handed over the pick-up and persons to gunner Usman and went inside the SHO quarter, where he brought it into the notice of SHO. SHO replied to leave the persons and vehicle. On this he conveyed the orders of SHO to gunner Usman. Further he is unaware.

Q. When you go for patrolling without SHO, then who was your Incharge?

Ans. He being elder and senior in rank is the incharge.

Q. Did you made departure in the daily diary?

Ans. No

Statement of Constable Usman No.1451.

(21)

He in his statement stated that he performed duty of gunner with Inspector Maroof Shah. On morning of one day, SHO directed him to meet with Bacha munshi of Harichand Ada Harichand, he will give him Rs.60,000/- and bring that to the SHO. He complied the orders and met with the said person. He gave him money, which he handed over to Iftikhar gunman of SHO uncounted. SHO gave him Rs.5000/- as a reward from the money. He was unaware that the Adda Munishi gave him the money for which purpose. After few days Waheed and Fazal Rabbi complained to the DSP Tangi that Constable Usman(gunman of SHO) took from them money through the Adda Munshi Bacha. DSP summoned him to his office and enquired about the matter, which he narrated to the DSP. DSP directed him to return back them the money. He replied that he doesnot have any money. He will take it from the SHO and will present it before the DSP. He came back to Police Station and brought the entire situation into the notice of SHO. He(SHO) get annoyed on it, however, he gave him Rs.45000/- and told him not to do the duties of gunner anymore with him. He handed over the money to Mustafa reader of DSP and make arrival on general duty in Police Station. In the whole matter i.e in the distribution of money, gunner Iftikhar and Habib also get their share of Rs.5000/- each.

Q From how long you are posted in the Police Station. And from how long performing duty of gunman with SHO?

Ans. About 4/5 months earlier he was transferred to the Police Station. He made arrival in Jamalabad Police Post. After that he was transferred to Police Post Shakoor. From there SHO took him as a gunner and for 15 days performed duties of gunman with SHO. In the meanwhile this incident happened. For the last 15 days he is performing duties of general duty in Police Post.

Q Whether the SHO was having relations with NCP vehicles smugglers or with narcotics sellers?

Ans. He is not having true knowledge of NCP vehicles, however, Mukhtiar and Ameer Bacha who are notorious drugs sellers, SHO use to meet with them and their relations were good

Statement of Constable Iftikhar No.1442, Gunner SHO Maroof Shah

He in his statement stated that he performed duties of gunner with SHO Maroof Shah. So for the involvement of Inspector Maroof in corruption, contacts with narcotics sellers/NCP smugglers is concerned; whatever is known to him, he will state truth

Q From how long you are posted in the Police Station.

Ans. From about 6/7 months he is posted in Police Station. He spent three months in Police Post Shakoor and for the last 3/4 months performing duties of gunman with the SHO.

Q. Do you know that by misrepresenting facts, departmental action can be taken against you and you may be awarded harsh punishment?

Ans. Yes he knows it. Whatever will be asked, his reply will be based on truth.

Q. Whether SHO Maroof Shah kept contacts with smugglers of NCP vehicles or involved in passing-on such vehicles?

Ans. He(Constable Iftikhar) is unaware about it.

Q. Whether the SHO was having relations with narcotics sellers or he used to meet with them?

Ans. He(Constable) have witnessed several times coming of notorious narcotics seller Mukhtiar to Police Station in connection with approach in cases of aerial firing and 107/151. He has also noted mobile contacts of large scale drug dealer Ameer Bacha with the SHO.

Q. Whether the SHO is found of taking bribe or receiving gifts?

Ans. He is not assured about it. SHO never asked for any such demand, however, he never refused anything/money which was given by someone at his own will.

Q. Few days earlier, spare parts/tyres etc of persons namely Waheed and Fazal Rabi were caught in a pick-up, where two persons were present with it. What is the detail of the issue and what legal action was taken on it.

Ans. Yes it is true. He alongwith Habib No.336 and Usman 1451 gunners of SHO went on patrolling in private motorcar of SHO as per his orders. Near the Jamalabad check post, on a secret path in the fields they arrested a pick-up loaded with spare parts alongwith two persons and brought them to Police Station. It was about morning 4:45 a.m. Habib handed over the persons and pick-up to gunman Usman 1451 and told that this will be brought into the notice of SHO. After that they went for rest to their room situated inside the SHO quarter. At 10:00 when they wake-up, Usman gunman pointed towards the money placed on the table and asked to give it to the SHO. He asked what is it? He(Usman) replied that which spare parts pick-up and persons Habib gunman brought into the notice of SHO and SHO told that Bacha Ada Munshi will come, take money from him and release the vehicle, this money is for that purpose. Without counting the money

he took the money and gave it to the SHO in his room inside the quarter. Further he is unaware

Q Few days earlier, ASI Fazal Khaliq impounded a motorcar and arrested Jehangir Gud (pilot of NCP vehicles), three other persons and a lady. What do you know about it?

Ans Yes he knows about the story. ASI Fazal Khaliq arrested Jehangir Gud (famous as pilot of NCP vehicles), three other persons and a lady along with a motorcar. On the said date he (constable Iftikhar) was in plain clothes. He along with SHO were coming towards the building of Police Station from the quarter, when saw ASI Fazal Khaliq along with Jehangir Gud, three persons and a lady entered through main gate of Police Station and brought a motorcar chained with the police mobile. ASI Fazal Khaliq, Jehangir Gud, three persons and lady were sitting in the motorcar. ASI presented all the persons and lady to the SHO. The motorcar was then parked near the quarter of SHO. The SHO after listening to the detail from ASI Fazal Khaliq, took them to the quarter. SHO gave instructions to ASI Fazal Khaliq and allowed him to go.

Q After that what happened. What legal action was taken?

Ans He just knows to the extent that SHO handed over the motorcar to Jehangir Gud and released all the persons including the lady on bail. Later on, he came to know that Jehangir Gud is associated as pilot with the smuggling of NCP Vehicles.

Q It is relied information that on the next date, SHO challaned all the persons. Whether the lady was included in the challan and he (Constable Iftikhar) was also included in the challan duty?

Ans He does not know about all these things.

Q Is it true that on the next date i.e 26-10-2019, ASI Gulzar Khan arrested two suspected persons along with a motorcar? What do you know about it?

Ans Yes it is true. It was afternoon; on 26-10-2019 ASI Gulzar Khan presented two persons along with a motorcar to the SHO. ASI Gulzar told the SHO that these two persons were traveling in the probox motorcar, who made their escape on seeing the police party. Police chased the car and arrested them. The motorcar was parked outside the quarter of SHO. ASI Gulzar and SHO went to a side and in the meanwhile SHO instructed them to go for patrolling in the SHO private motorcar. We gunners did so. Upon arrival they came to know that SHO had let free the two persons along with the motorcar. The said motorcar was also not found near the quarter of SHO.



He in his statement stated that so for the involvement of Inspector Maroof in corruption, contacts with narcotics sellers/NCP smugglers is concerned; he cannot narrate all the things in detail, however, three/four days prior to Eid-ul-Azha he was on mobile patrolling, when he get out of Mandani Bazar and was traveling towards Shakoor, in the meanwhile NCP vehicle made escape after seeing the police party. The vehicle was chased but another vehicle intervened between the mobile and the suspected car, who was not giving passage to the police mobile, due to which the NCP vehicle succeeded in its escape towards Malakand. The vehicle which intervened was overpowered in which a paralyze person namely Jehangir alongwith other person were sitting. The matter was brought into the notice of SHO. SHO directed to bring them alongwith the motorcar to Police Station. Reaching to the Police Station, SHO directed to take the persons and motorcar to his quarter. SHO said well-done and told now he will do further action. After that he went on patrolling. In the mobile, Constables Zahoor and Khurshid Gul were with them and Lataf Ullah was driving it. Later-on, it came to light that SHO released the said motorcar alongwith the two persons without taking legal action against them.

Statement of Driver Bacha Gul No.846

He in his statement stated that on 26-10-2019, under the supervision of ASI Gulzar Khan, he alongwith Khumar Shah No.128/SPO and Ikram No.128/SPO were in official mobile patrolling. They were on Khulader road when the constables told ASI Gulzar that they saw a motorcar coming towards them. Reaching near the police mobile, the vehicle dropped its speed and took a back turn. On this ASI Gulzar Khan turned the mobile and put it on chasing of the suspected motorcar. On the way ASI Gulzar signaled to stop a private motorcar coming behind the police mobile, which was driven by one Mukhtiar a notorious drug seller. ASI Gulzar Khan accompanied SPO Khumar Shah in the private motorcar and started chasing the suspected motorcar. He and SPO Ikram Ullah were directed to go to the Police Post Shakoor. Further he is unaware about anything.

Q Do you know that by misrepresenting facts, departmental action can be taken against you?

Ans. Yes he knows it.

Q Have you ever seen before Mukhtiar with ASI Gulzar, whose car was taken by the ASI for chasing the suspected vehicle?

Ans. Yes Several times he met with the ASI in Police Post.

Statement of SI Mir Zaman Police Station Mandani.

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He stated that he is posted in Police Post Shakoor P.S Mandani for the last three 3 months. During this period he did not see the SHO meeting with the smugglers of NCP vehicles in his office. However, there were rumors that SHO used to meet with them in his quarter and during patrolling. Mukhtiar famous drugs seller was having good relations with the SHO. Aside from this whenever illegal items were caught, Bacha Ada Munshi of Harichand then perform the role of broker, which is evident from the spare parts confiscated few days earlier. Deal for its release was made by Bacha Adda Munshi. Off the record SHO kept an impounded vehicles.

Statement of Driver Constable Lataf Ullah No.734, Police Station Mandani.

He stated in his statement that three/four days prior to Eid-ul-Azha he was on mobile patrolling with ASI Wahid Shah, when they get out of Mandani Bazar and was traveling towards Shakoor, in the meanwhile NCP vehicle made escape after seeing the police party. The vehicle was chased but another vehicle intervened between the mobile and the suspected car, who was not giving passage to the police mobile, due to which the NCP vehicle succeeded in its escape towards Malakand. The vehicle which intervened was overpowered in which a paralyze person namely Jehangir was driving and other person was sitting in the car. The matter was brought into the notice of SHO. SHO directed to bring them alongwith the motorcar to Police Station. Constable Khurshid sat into the car and departed it for the Police Station under their supervision. Reaching to the Police Station, SHO directed to take the persons and motorcar to his quarter. SHO said well-done to the whole team. After that they went on patrolling in the mobile. Later-on, it came to light that SHO released the said motorcar alongwith the two persons which include Jehangir Gud famous for pilot of NCP vehicles. It is not known to him why SHO let them free or whether any action was taken against them.

Statement of Constable Khurshid Gul No.210/SPO.

He stated in his statement that doesnot know about the involvement of SHO in business of NCP vehicles or keeping contacts with narcotics seller. It is true that three/four days prior to Eid-ul-Azha he alongwith Constable Zahoor, Driver Lataf Ullah were on mobile patrolling with ASI Wahid Shah, when they get out of Mandani Bazar and was traveling towards Shakoor, in the meanwhile NCP vehicle made escape after seeing the police party. The vehicle was chased but another vehicle intervened between the mobile and the suspected car, who was not giving passage to the police mobile, due to which the NCP vehicle succeeded in its escape towards Malakand. The vehicle which

intervened was overpowered in which a paralyze person namely Jehangir was driving and other person was sitting in the car. The matter was brought into the notice of SHO. SHO directed to bring them alongwith the motorcar to Police Station. He was directed to sit in the car and departed it for the Police Station under security of Police Mobile and supervision of ASI Wahid Shah. Reaching to the Police Station, SHO directed to take the persons and motorcar to his quarter. SHO said well-done to the whole team. After that they alongwith ASI Wahid Shah departed for patrolling in the mobile. Later-on, it came to light that SHO released the said motorcar alongwith the two persons which include Jehangir Gud famous for pilot of NCP vehicle. It is not known to him why SHO let them free or what action was taken against them.

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Statement of Constable Zahoor Ahmad No.273.

He stated in his statement that doesnot know about the involvement of SHO in business of NCP vehicles or keeping contacts with narcotics seller. It is true that three/four days prior to Eid-ul-Azha he alongwith Constable Khurshid Gul, Driver Lataf Ullah were on mobile patrolling with ASI Wahid Shah, when they get out of Mandani Bazar and was traveling towards Shakoor, in the meanwhile NCP vehicle made escape after seeing the police party. The vehicle was chased but another vehicle intervened between the mobile and the suspected car, who was not giving passage to the police mobile, due to which the NCP vehicle succeeded in its escape towards Malakand. The vehicle which intervened was overpowered in which a paralyze person namely Jehangir was driving and other person was sitting in the car. The matter was brought into the notice of SHO. SHO directed to bring them alongwith the motorcar to Police Station. Constable Khurshid Gul was directed to sit in the car and departed it for the Police Station under security of Police Mobile and supervision of ASI Wahid Shah. Reaching to the Police Station, SHO directed to take the persons and motorcar to his quarter. SHO said well-done to the whole team. After that they alongwith ASI Wahid Shah departed for patrolling in the mobile. Later-on, it came to light that SHO released the said motorcar alongwith the two persons which include Jehangir Gud famous for pilot of NCP vehicle. It is not known to him why SHO let them free or what action was taken against them.

Statement of Mustafa Kamal Reader DSP Tangi.

He stated that he is posted as reader with DSP Tangi. On 05-10-2019, spare parts/tyres were caught in a pick-up with the persons of Waheed and Fazal Rabi. Later-on, on the complaint of taking money for releasing the items, DSP Tangi summoned Constable Usman and other relevant persons to his office. Initially Constable Usman refused to tell anything but later-on stated that he got his due share of Rs.6000/- in it. He brought Rs.50,000/- and further told that Adda Musnshi Bacha has taken the remaining

(27)

Rs 10,000/- Adda Munshi Bacha was also summoned to office who stated on oath that he has not taken any type of money and all the money was given to Constable Usman. The said money is in custody till the end of the enquiry and whatever order is issued will be obeyed.

Statement of Constable Ali Raza No.449, VVS Incharge P.S Mandani.

On 25-10-2019, he was present at Police Post Jamalabad, in the meanwhile SHO Maroof Shah telephonically called to check a Motorcar No.6268/LRD. He checked the car and sent the detail to the SHO via SMS.

Q. From how much time you are working on VVS duty?

Ans. He is posted for the last four years in Police Station Mandani and working on VVS.

Q. On 26-10-2019, ASI Gulzar brought a probox car. SHO Maroof Shah, ASI Gulzar or Moharrar staff asked you to check it?

Ans. No

Q. 3/4 days prior to the Eid-ul-Azha, ASI Wahid Shah arrested Jehangir Gud alongwith a motorcar. Regarding it, SHO Maroof Shah or ASI contacted you to check the vehicle?

Ans. Regarding it no one contacted him.

Statement of Gohar Zaman s/o Hazrat Muhammad r/o Yousaf Kalay, Dhaki Ameerabad.

He stated that he is a contractor. It is famous regarding him that he is *fraudulent* person and uses fraudulent tactics in business of houses, vehicles, plots etc. Often complaints against him have been submitted in Police Station Mandani. Several times police came to his resident. He requested police not to come to his resident. He may be called to Police Station which the police graciously accepted. On summoning of Police, he appeared in Police Station. He used to give Rs.2000/-,3000/-,4000/- to the SHO. He also gifted uniform shirt to the SHO. Once or twice in a month he gave this money to the SHO.

Statement of Bacha Adda Munshi Harichand.

He stated that a period of time earlier, Constables Habib and Usman called to come to Police Station. Fazal Rabi spare parts dealer was also called to Police Station. When he came to Police Station, SHO his three gunners and Fazal Rabi were with the pick-up loaded with spare parts/tyres near the quarter of SHO. He was with police is releasing the pick-up. The items belong to Fazal Rabi and Waheed wh

Rs.10,000/- Adda Munshi Bacha was also summoned to office who stated on oath that he has not taken any type of money and all the money was given to Constable Usman. The said money is in custody till the end of the enquiry and whatever order is issued will be obeyed

27

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Q. On 26-10-2019, ASI Gulzar brought a probox car. SHO Maroof Shah, ASI Gulzar or Moharrar staff asked you to check it?

Ans. No

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Ans. Regarding it no one contacted him.

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Statement of Bacha Adda Munshi Harichand.

He stated that a period of time earlier, Constables Habib and Usman called him to come to Police Station. Fazal Rabi spare parts dealer was also called to Police Station. When he came to Police Station, SHO his three gunners and Fazal Rabi were standing with the pick-up loaded with spare parts/tyres near the quarter of SHO. He was told that police is releasing the pick-up. The items belong to Fazal Rabi and Waheed who is known

to you. They have effected a settlement on money with the said persons; therefore, Fazal Rabbi will give you the demanded money. Anyone of police will collect the said money from you. Both the police and spare parts dealer used him as a middle man. Fazal Rabbi gave him money which was collected by Usman gunner. Later-on, he was called by DSP to his office who enquired about the matter. He narrated the entire story to DSP. Further he is unaware about anything.

Q It is relied information that 3/4 days prior to the Eid ul Azha, ASI Wahid Shah impounded a motorcar, which was later-on released by SHO Maroof Shah on your personal bail?

Ans. It is true that he went to Police Station in connection with piece of work, where he saw a white color motorcar, parked near the quarter of SHO. The motorcar was not release on his personal surety neither the persons. He saw Jehangir Gud coming out from the quarter of the SHO. The persons switch-on the motorcar and departed from the premises.

Statement of Jamroz Khan s/o Dama Khan r/o Qamar Khan Shodag, Tehsil Tangi

He in his statement stated that they have a dispute over house with his cousin Saleem. SHO Maroof Shah intervened into the matter and called both the parties to Police Station. At first SHO talked legally but later-on demanded Rs.1,00,000/- for police favor into the matter and he(Jamroz) will be given possession of the house. On saying of his son, he handed over Rs.50,000/- to the SHO. But matter of regret is that the SHO despite taking bribe of Rs.50,000/-, he arranged settlement with his opponents and gave possession of house to them. He asked the SHO why he did this unlawful act but the SHO was using delaying tactics. Later-on, he came to know that the opponent party gave Rs.2,00,000/- for the said work as a bribe. Still the SHO has kept their paid Rs.50,000/-. The SHO is required to return them back the bribe taken.

The above statement has been attested by Jamal Shah s/o Arab Shahr/o Alo Kalay, U.C Mandani

Conclusion:-

So far complaint of Jamroz Khan s/o Dama Khan r/o Shudag is concerned, he stated that at the hands of his son, SHO Maroof Shah has taken money for vacating house in his favor. To verify the allegation/contents of statement Irshad s/o Jamroz Khan who is professor in Engineering University was contacted time and again to appear before the enquiry officer. He promised to join the enquiry proceedings but so far he didn't turn up. Due to this aspect, the statement of Jamroz Khan has become dubious/suspected.

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To proceed further into the enquiry, all the police personnel who are main characters of the enquiry and had given statements earlier, were summoned through Moharrar Ibrar, so that they could be cross questioned and to reach to a logical conclusion. All the summoned officers/officials appeared except Constables Habib, Usman, Iftikhar (gunners of ex-SHO Maroof Shah) were found absent. Their mobile numbers were also responding off. From this it can be assumed that their hearts are lained and concealing facts. They are definitely inclined towards corruption, therefore, Constables Habib, Usman and Iftikhar are recommended to be transferred to far flung areas. Constable Usman against whom there is complaint of illegal tyres/spare parts and DSP Tangi also recovered from him Rs.50,000/-, therefore, he is also recommended to be given separate showcase in light of statements placed on record.

#### Findings.

Keeping in view the detail personal hearings, statements & record, the following findings can be concluded with regard to the allegations leveled against Inspector Maroof Snah, Ex-SHO Police Station Mandani:-

- i On 25-10-2019, ASI Fazal Khaliq impounded a motorcar, therein arrested Jehangir Gud (pilot of NCP vehicles) alongwith three other persons and a lady, who were later-on released alongwith their motorcar by the SHO without taking any legal action against them.
- ii On the next date 26-10-2019 at about 11/12 hours, again ASI Gulzar Incharge Police Post Shakoor arrested Jehangir Gud alongwith person and a motorcar but they were also released by the SHO without taking legal action against them and also handed over them the impounded motorcar.
- iii 3/4 days prior to the Eid ul Azha, ASI Wahid Shah arrested Jehangir Gud (pilot of NCP vehicles) alongwith a person and motorcar, who were brought into the notice of SHO but again later-on they were also released by the SHO without taking legal action against them and also handed over them the impounded motorcar.
- iv SHO through his gunners arrested a pick-up loaded with illegal tyres/spare parts alongwith two persons and later-on released them without taking legal action.

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v. As per source report the SHO kept time to time contacts with Ameer Bacha and Mukhtar who are large scale narcotics sellers and had not taken any legal action them etc.

vi. The SHO didn't bring all the above events(i to v) into the notice of the high-ups.

Forgoing in view the above findings, statements, record & personal hearing, the undersigned reached to the conclusion that the hands of Inspector Maroof Shah, Ex-SHO Mandani are not clean and his repeated kindness with Jehangir Gud(pilot of NCP vehicles) established his illegal links with such outlaws.

For a police officer who is serving on a responsible post, his contacts with smugglers of NCP vehicles/criminals and giving them benefits could bring a bad name for the police department.

In light of the stated facts, Inspector Maroof Shah, Ex-SHO Police Station is recommended for suitable punishment.

Deputy Superintendent of Police  
HQrs Charsadda

H-c

Issue F.S.C.N

N D P O Charsadda  
28-11-2019



ORDER

(31)

Amendment - B

This Order will dispose off the departmental enquiry against Inspector Maroof Khan, while posted as SHO Police Station Mandani, It came to the notice of the undersigned through reliable sources that he had links with smugglers of NCP Vehicles and narcotics and also involved in corruption and passing of NCP Vehicles. His act is highly objectionable and earns bad name for the force.

In the above allegation he was issued Charge Sheet together with statement of allegation under Sub Section 3, Section 5 of Police Rules 1975. Enquiry Officer Mr. Shehenshah Gohar DSP HQrs was nominated for conducting departmental enquiry against him and he after conducting proper departmental enquiry submitted findings.

Subsequently, Inspector Maroof Khan, was issued Final Show Cause Notice U/S 5(3) Police Rules 1975 reply to which was received but found un-satisfactory.

After perusal of the enquiry papers, recommendation of the enquiry officer, the delinquent officer was called to the office of the undersigned on 09.12.2019 and heard in person, but he could not produce any plausible reason/explanation to the allegations already proved through departmental enquiry, Therefore the Officer is hereby awarded the Major punishment and reverted to the rank of Sub-Inspector with immediate effect.

O.B No 1089

Date 9/12/2019

No. 2126-30 /HC, dated Charsadda the 09/12 2019

~~Signature~~  
District Police Officer,  
Charsadda

Copy for information and necessary action to the:-

1. Deputy Inspector Genral of Police Mardan Region I Mardan
2. District Accounts Officer Charsadda
3. Pay Officer
4. EC/FMC ✓

enclose = (240)

litigations and property  
which were reduced too much and there was no  
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Amorture - C



**FINAL SHOW CAUSE NOTICE**

Whereas, the charge of corruption/negligence was referred to enquiry officer for General Police Proceedings, contained u/s 5(3) Police Rules 1975.

AND

Whereas, the enquiry officer has submitted his findings, recommending you for Suitable penalty.

AND


Whereas, I am satisfied with the recommendation of the enquiry officer that you **Inspector Maroof Khan**, while posted as SHO Police Station Mandani, It came to the notice of the undersigned through reliable sources that you have links with smugglers of NCP Vehicles and narcotics and also involved in corruption and passing of NCP Vehicles. Your act is highly objectionable and earns bad name for the force. Thus the act amounts to gross misconduct and renders you liable for punishment, under Police Rules 1975.

Therefore, I, Irfan Ullah Khan, District Police Officer, Charsadda in exercise of the powers vested in me under rules 5(3) (a) (b) of Police Rules 1975, call upon you to explain as to why the proposed punishment may not be awarded to you.

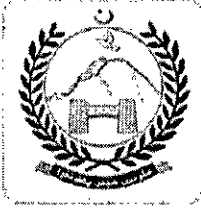
Your reply should reach the undersigned within 07-days of receipt of this notice, failing which disciplinary action pertaining to your dismissal from service will be taken ex-parte.

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

Dated 29/11 /2019

  
District Police Officer,  
Charsadda  
4/c

*Received to the rank of SI*  
*Received*  
*9/12*  
*29/11/19*



**KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

No. 1806 /ST

Dated: 09/09/2021

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  
Charsada.

Subject: JUDGMENT IN APPEAL NO. 884/2020 MR. MAROOF KHAN.

I am directed to forward herewith a certified copy of Judgement dated 30.07.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR

Before The Service Tribunal Khyber Pakhtunkhwa

Manoof

Vs

Deputy Inspector General & others.

Sub: Application for Depositing Security Fee

Respected Sirs

1. That the above titled appeal is pending before this honourable forum and fixed for today 15.07.2020.
2. That the above subject is required for serving notices to respondents.

It is, therefore, requested that the applicant may kindly be allowed to deposit the above mentioned fee.

Applicant

Through

Counsel

Dated, 15.07.2020