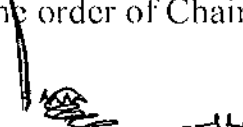


FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ **253/2023**

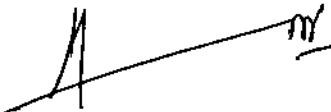
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	31/1/2023	<p>The appeal of Mr. Muhammad Usman resubmitted today by Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ .Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Muhammad Usman son of Umar Khan Constable no. 238/LH Police Station Basia Khel Bannu received today i.e. on 25.01.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Affidavit may be got attested by the Oath Commissioner.
- 4- Annexures of the appeal be attested.
- 5- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 6- Pages nos. 12 to 15, 23 & 24 of the appeal are illegible which may be replaced by legible/better one.
- 7- Wakalat nama in favour of appellant be placed on file.
- 8- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 366 /S.T.

Di. 26-01 /2023

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Saadullah Khan Marwat Adv.  
High Court at Peshawar.

Sir,

Re-submitted after removing the  
objections -



**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

S.A. No. 253 /2023

Muhammad Usman

versus

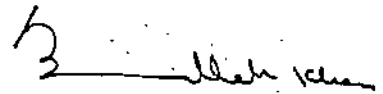
RPO & Others

**INDEX**

S. No	Documents	Annex	P. No.
1.	Memo of Appeal		1-6
2.	FIR dated 03-10-2021	"A"	7-8
3.	Charge Sheet dated 05-10-2021	"B"	9-10
4.	Reply to Charge Sheet dated 11-10-21	"C"	11
5.	Enquiry report	"D"	12-15
6.	Final Show Cause Notice, 11-11-21	"E"	16
7.	Reply to FSCN dated 13-11-2021	"F"	17
8.	Dismissal order dated 16-05-2022	"G"	18
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Appellant

Through



Saadullah Khan Marwat  
Advocate

21-A, Nasir Mansion,  
Shoba Bazaar, Peshawar  
Ph: 0311-9266609

Dated: 25-01-2023

**BEFORE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 253 /2023

Muhammad Usman S/O Umar Khan,  
R/o Sarga Khero Khel, Lakki Marwat,  
Constable No. 238 / LH,  
Police Station Basia Khel,  
Bannu .....

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 3172

Dated 25/01/2023

Appellant

**Versus**

1. Regional Police Officer,  
Bannu Region, Bannu.
2. District Police Officer,  
Lakki Marwat ..... Respondents

⊕<=>⊕<=>⊕<=>⊕<=>⊕

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974**  
**AGAINST OB NO. 384, DATED 30-12-2022 OF R.**  
**NO. 01, WHEREBY APPELLANT WAS**  
**REINSTATED INTO SERVICE WITH IMMEDIATE**  
**EFFECT AND PERIOD OF DISMISSAL / OUT OF**  
**DUTY WAS TREATED AS LEAVE WITHOUT PAY:**

FILED  
25/1/23  
Registered

⊕<=>⊕<=>⊕<=>⊕<=>⊕

**Respectfully Sheweth;**

1. That appellant was appointed as Constable in the year 2009 and served the department to the best of his ability and to the entire satisfaction of the superiors.
2. That on 03-10-2021, FIR No. 1327, Police Station Lakki Marwat u/s 302/34 PPC was registered against PASI, Naveed Nawaz for murder of Aleemn Shah. (Copy as annex "A")

3. That on 05-10-2021, appellant was served with Charge Sheet on the allegation that:-
  - i. He is facilitating PO / accused Naveed Nawaz.
  - ii. That all such speaks of gross misconduct on his part and is liable to punishment under Police Rules. (Copy as annex "B")
4. That the said Charge Sheet was replied on 11-10-2021 and appellant denied the allegations in the stated reply, stating therein that he never facilitated the said accused in the offence. (Copy as annex "C")
5. That enquiry into the matter was initiated against appellant but the same was not conducted as per the mandate of law because no statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of cross examination what to speak of self defense. No punishment for imposition upon him was suggested what to speak of major punishment of dismissal from service. (Copy as annex "D")
6. That on 11-11-2021, appellant was served with Final Show Cause Notice, without supply of enquiry proceeding to appellant which was also replied on 13-11-2021 and denied the allegation. (Copy as annex "E" & "F")
7. That on 16-05-2022, major punishment of dismissal from service was imposed upon appellant without taking into consideration the facts and circumstances of the case by R. No. 02. (Copy as annex "G")
8. That on 18-05-2022, Co-Employee, Fahim Ullah having same role and conduct in the matter was exonerated from the charges, despite the fact that he was equally held responsible in the matter was given minor punishment of stoppage of increment. (Copy as annex "H")
9. That on 23-05-2022, appellant submitted representation before R. No. 01 for reinstatement in service with all back benefits which met dead response till date. (Copy as annex "I")

10. That on the departmental appeal, R. No. 01 passed order for re-enquiry in the criminal case with remarks:-

"Please re-enquire into it and find the actual role of the officers in incident vide letter dated 20-06-2022". (Copy as annex "J")

11. That on 29-07-2022, Additional Superintendent of Police Bannu held re-enquiry into the matter whereby in the recommendations it was held in categorical manner that all the 06 police officials are recommended for exoneration from the charges leveled against them. (Copy as annex "K")

12. That on maturity of the case, appellant filed S. A. No. 1428 / 22 before the hon'ble Tribunal which was admitted to regular hearing and notice of the same was issued to respondents for reply. (Copy as annex "L")

13. That in the meanwhile, re-enquiry was conducted into the matter and the appeals already submitted before the authority was accepted and they were reinstated into service with immediate effect and period of dismissal / out of duty was treated as leave without pay vide order dated 30-12-2022. (Copy as annex "M")

14. That in the meanwhile, the aforesaid appeal before the hon'ble Tribunal came up for hearing on 12-01-2023 and then in the light of the fresh recommendation dated 30-12-2022 was withdrawn with permission to file a fresh one. (Copy as annex "N")

Hence this appeal, Inter Alia, on the following grounds;

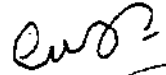
### **G R O U N D S**

- a. That from the FIR dated 03-10-2022, it is very much clear that Naveed Nawaz apprehended one Almeen Shah with pistol and arrested him at the spot. One Johar Muhammad son of Dilawar Shah posing himself to be the leader of PTI of the locality, made hot words with the said PASI for arresting the said culprits.
- b. That the said deceased whirled message on Face book ID against the said PASI that he is harassing handsome people. The said PASI went to village Dalo Khel and killed the said Almeen Shah at the same time, appellant was at police post, Lakki Marwat.

- c. That appellant never facilitated the said PASI in the commission of offence and it was his own act, if any.
- d. That charges leveled against appellant has no nexus with the same as he never facilitated the said matter.
- e. That the matter was not dealt with as per the mandate of law because neither any statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of cross-examination.
- f. That appellant was unaware as to whether the said PASI is going for checking to Hospital or for going to other purpose.
- g. That enquiry conducted in the matter but no punishment was ever suggested by the Inquiry Officer to impose the same upon appellant, what to speak of major punishment of dismissal from service.
- h. That the authorities never dealt with the matter as per the record and circumstances and for no obvious reason, appellant was implicated in the same.
- i. That in similar circumstances, constable Fahim Ullah was exonerated from the charges by R. No 02 at the recommendation of Political vendetta and appellant was awarded with major punishment of dismissal from service.
- j. That on representation of appellant fresh enquiry was conducted and in the recommendation the enquiry officer held in the enquiry report and recommended for exoneration from the charges leveled against them. In the circumstances, no punishment was required under the law.
- k. That though R. No. 01 issued the impugned order whereby the appeals of the officials were accepted, they were reinstated into their services with immediate effect and period of dismissal / out of duty was treated as leave without pay.

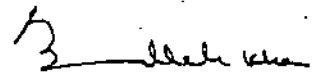
- l. That when appellant was reinstated into service in pursuance of re-enquiry report dated 29-07-2022 then no legal justification ever exists to be not reinstated appellant into service with all back benefits even double punishments were imposed, i.e. reinstated into service with immediate effect instead of from the date of dismissal from service and period of dismissal / out of duty was treated as leave without pay.
- m. That appellant never absented from duty but it was the illegal order of respondents where he was kept away from duty.
- n. That after exoneration from the so called criminal charges, no stigma ever exists and the impugned order is not only illegal but is based on malafide and discrimination as one Faheem Ullah Constable was not treated at par with appellant.

It is, therefore, most humbly prayed that on acceptance of the appeal, order dated 30-12-2022 of the R. No. 01 be set aside to the extent of double punishments i.e. reinstatement in service with immediate effect and period of dismissal / out of duty was treated as leave without pay.



Appellant

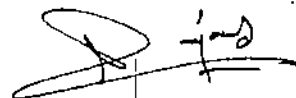
Through



Saadullah Khan Marwat.



Arbab Saiful Kamal



Amjad Nawaz

Advocates

Dated: 25-01-2023



**AFFIDAVIT**

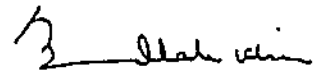
I, Muhammad Usman S/O Umar Khan, R/o Sarga. Khero Khel, Lakki Marwat, (Appellant), do hereby solemnly affirm and declare that contents of **Service Appeal** are true and correct to the best of my knowledge and belief.



DEPONENT

**CERTIFICATE:**

As per instructions of my client, Service Appeal No. 1428/22 has earlier been filed by the appellant before this Hon'ble Tribunal which was later on withdrawn to file a fresh one.



ADVOCATE

ابتدائی اطلاعی رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 153 مجموعہ ضابطہ فوجداری

ضلع لکھنوت

تھانہ کلی

تاریخ وقوع 03.10.21 وقت 12.20 بجے

نمبر 1329

۱۔	تاریخ و وقت رپورٹ	03.10.21 وقت 12.50 بجے چاکیڈگی
		03.10.21 وقت 13.50 بجے
۲۔	نام سکونت اطلاع دہندہ مستفیث	حنیف شاہ ولد عالمین شاہ سکندہ ابا خیل عمر 31/32 سال
۳۔	مختصر کیفیت جرم (معدومہ) حال اگر کچھ لیا گیا ہو۔	PPC 302/34
۴۔	جائے وقوعہ فاصلہ تھانہ سے اور سمت	بیٹھک اذان محمد نور محمد خان واقعہ داخل جانب غرب جنوب B/9 کلونی از تھانہ
۵۔	نام سکونت ملزم	انویڈ نواز ۲۳ عمر گل عرف مرگ پسران گل نواز سکندہ ولد خیل
۶۔	کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع کرنے میں توقف ہو تو وجہ بیان کرہ	برسیدگی مراسلہ پر چرگزارش رپورٹ چاک کیا گیا
۷۔	تھانہ سے روانگی کی تاریخ و وقت	بمزل اسپیشل نیچر

ابتدائی اطلاع نیچے درج کرو۔ ایک تحریری مراسلہ رپورٹ منجانب نور اسلم خان ASHO بغرض قاتنی مقدمہ بدست کنسٹیبل عالمگیر 603 موصول ہو کر ذیل ہے۔ رپورٹ حنیف شاہ ولد عالمین شاہ سکندہ ابا خیل عمر 31/32 سال CNIC نمبر 5-1311371533711201 رابطہ نمبر 3008306607 آج مورخہ 03.10.21 وقت 12.50 بجے بمقام سٹی ہسپتال کلی مروت بموجودگی نعش والد اش عالمین شاہ عمر 51/52 سال یوں رپورٹ کرتا ہے کہ امروز میں والد ام ہارون ارشد ولد گل بادشاہ سکندہ ابا خیل جو ہر محمد کے بیٹھ گئے جو ہر محمد خان کا انتظار کر رہے ہے والد ام عالمین شاہ علیحدہ چار پائی پر بیٹھک کے برآمدے میں بیٹھا تھا جبکہ سائیڈ پر دوسری چار پائی پر میں اور ہارون الرشید بیٹھے تھے۔ بوقت قریب 12.20 بیٹھک کے چھوٹے دروازہ سے نوید نواز جو کہ پولیس کی وردی میں ملبوس تھا جبکہ اس کا بھائی عمر گل عرف مرگ پسران گل نواز ساکنان دلو خیل اندر بیٹھک آئے دونوں کے پاس کلاشکوف ہائے تھے نوید نواز نے فوراً اپنے کلاشکوف سے والد ام پر فائرنگ شروع کی جس سے وہ لگ کر چار پائی پر گر پڑا جبکہ عمر گل نے نوید نواز کے فائرنگ کے دوران ہم پر اپنی کلاشکوف ایم کے رکھا بعد وقوعہ ملزمان بیٹھک سے نکل گئے اور ہم بوجہ خالی ہاتھ کچھ نہ کر سکے۔ اسکے فوراً بعد جو ہر محمد خان ولد دلاور خان سکندہ دلو خیل اپنے گھر سے بیٹھک کی طرف نکل آیا اور ہم نے والد ام کو سنبھال کر جو ہر محمد خان کے گاڑی میں ڈال کر سیدھا سٹی ہسپتال کلی لے آئے۔ مگر والد ام زخموں کی تاب نہ لا کر راستہ میں جان بحق ہوا تھا۔ وجہ عداوت یہ ہے کہ والد ام نے اپنے فیڈیک پر امرواز وود سے کچھ دیر قبل ملزم نوید نواز کے خلاف خوب لڑکوں کو تنگ کرنے اور بلیک میل کرنے کا پوسٹ چلاتا تھا۔ جس پر وقوعہ ہزار و نما ہوا ہے۔ وقوعہ ہذا میرے علاوہ رشتہ دار ام ہارون الرشید ولد گل بادشاہ سکندہ دیہہ آم کے پچھتم خود دیکھا۔ میں والد ام کے قتل کرنے کا برخلاف نوید نواز اسلحہ ایم کرنے، غرض مشترکہ ارادہ قتل کرنے کا برخلاف ملزم عمر گل عرف میر کی کی دعویٰ ہوں۔ العید دستخط انگریزی مدعی کارروائی پولیس حسب آمدہ اطلاع سٹی ہسپتال مردان آکر مدعی بالا کی رپورٹ ضبط تحریر میں لا کر پڑھ کر سنایا سمجھایا گیا۔ درست

تسلیم کرنے کے زیر رپورٹ اپنا دستخط ثبت کیا۔ جس کی میں تصدیق کرتا ہوں۔ مشنول کا نقشہ ضرور فر د صورت حال مرتب کر کے بغرض  
 پوسٹ مارٹم زیر حفاظت کنسٹیبل نجیب امیر 160 حوالہ ڈاکٹر صاحب کیا جاتا ہے۔ مضمون رپورٹ سے صورت جرم PPC  
 302/34 کی پائی جاتی ہے۔ واضح رہے کہ نوید نواز PASI انچارج چوکی سٹی تعینات ہے۔ مراسلہ بغرض تاگی مقدمہ بدست  
 کنسٹیبل عالمگیر 603 ارسال تھا ہے۔ KBI سٹاف سے تفتیش کیجاوے۔ دستخط انگریزی نور اسلم خان ASHO تھا ہے  
 مورخہ 03.10.2021 کا ردوائی تھا ہے۔ آمدہ مراسلہ حرف بحرف درج بالا ہو کر پڑچہ مجرم بالا بمنزلہ اسٹیبل رپورٹ چاک ہو  
 کر فتول FIR برآمد تفتیش حوالہ انچارج KBI سٹاف کی کئے جاتا ہیں۔ پڑچہ بمنزلہ اسٹیبل رپورٹ گزارش ہے۔

ASI PS LM 03.10.021

تاریخچه

در سال ۱۳۱۰ قمری (۱۹۳۱ میلادی) در اصفهان  
 گروهی از دانشمندان و نویسندگان برای  
 تشکیل یک انجمن علمی گردیدند که به  
 منظور ارتقاء سطح علمی و فرهنگی  
 کشور تأسیس گردید. این انجمن  
 در ابتدا با عنوان «انجمن علمی  
 ایران» شناخته می‌شد و سپس  
 در سال ۱۳۱۲ قمری (۱۹۳۳ میلادی)  
 به «انجمن علمی و فرهنگی ایران»  
 تغییر نام داد. هدف اصلی  
 این انجمن، ترویج علم و فرهنگ  
 و همکاری با نهادهای علمی  
 و فرهنگی است. در طول  
 تاریخ، این انجمن در زمینه  
 برگزاری سمینارها، کنگره‌ها  
 و نشر مجله‌های علمی و  
 فرهنگی فعالیت داشته است.  
 در سال ۱۳۱۵ قمری (۱۹۳۶ میلادی)  
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 ایران» تغییر نام داد.

تاریخچه انجمن علمی و فرهنگی ایران  
 در سال ۱۳۱۰ قمری (۱۹۳۱ میلادی) در اصفهان  
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 ایران» تغییر نام داد.



B 9

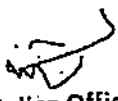
5-10-21


CHARGE SHEET UNDER NWFP POLICE RULES 1975.

I, Imran Khan PSP, District Police Officer, Lakki Marwat as competent authority hereby charge you LHC Muhammad Usman No.238 while posted as MHC.PP City Lakki as follow:-

1. That you are facilitating PO/accused Naveed Nawaz.
2. That all speaks of gross misconduct on your part and liable to be punished under Police Rule-1975.
3. By reason of the above, you appear to be guilty or misconduct under section - 02 (iii) of the KPK Police Rules 1975 and has rendered yourself liable to all or any of the penalties as specified in section - 04 (i) and & b of the said rules.
4. You are therefore directed to submit your written defense within seven days (7) of the receipt of this Charge Sheet to the Enquiry Officer.
5. Your written defense if any, should reach to the enquiry officer within the specified period, failing which, it shall be presumed that you have no defense to put-in and in that case, an ex-parte action shall follow against you.
6. Intimate whether you desired to be heard in persons.

No. 4368 / Dated Lakki Marwat the 05/10/2021.

  
District Police Officer  
Lakki Marwat

Received  
  
06/10/21

OFFICE OF THE DISTRICT POLICE OFFICER, LAKKI MARWAT.

No. 6368 / 1

Dated: 05/10/2021.

DISCIPLINARY ACTION UNDER KPK POLICE RULES - 1975.

I, Imran Khan PSP, District Police Officer, Lakki Marwat as competent authority am of the opinion that LHC Muhammad Usman No.238 while posted as MHC PP City Lakki has rendered himself liable to be proceeded against as he committed the following acts/commission which fall within the meaning of Section-02 (iii) of KPK Police Rules 1975.

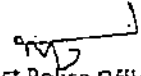
STATEMENT OF ALLEGATIONS.

1. That he is facilitating PO/accused Naveed Nawaz.
2. That all speaks of gross misconduct on his part and liable to be punished under Police Rule-1975.

For the purpose of securitizing the conduct of the said official with reference to the above allegations DSR HP is appointed as Enquiry Officer for further thorough probe into the matter.

The Enquiry Officer shall conduct proceedings in accordance with provision of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused official, record its finding and make within twenty five (25) days of the receipt of this order recommendation as to punishment or other appropriate action against the accused officer.

The accused officer shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

  
District Police Officer  
Lakki Marwat

OFFICE OF THE DISTRICT POLICE OFFICER, LAKKI MARWAT.

No. 6368-70 /SRC, dated Lakki Marwat the 05/10/2021.

Copy of above is submitted to the:-

1. \_\_\_\_\_ for initiating proceedings against the accused officer under Police Rules 1975.
2. LHC Muhammad Usman No.238 with the directions to appear before the Enquiry Officer on the date time and place fixed by the enquiry officer for the purpose of enquiry proceedings.

عالمی ادارہ  
عالمی ادارہ صحت کی طرف سے 70-6359 کا مورخہ 10/25 کو ارسال کیا گیا

کہ افسران ماہرین LHC کی طرف سے بھیجی گئی ہیں ان کے ذریعے  
ڈاکٹر رفیق خان Pasi کی موجودگی کا پتہ لگایا گیا ہے

عزائم کو عرض ہوئے ہیں کہ مریض کو چارہ 1 سال سے بھیج دیا اور دوران  
درمیان میں ان کے ساتھ ساتھ اور افسران ماہرین سے مشاورت حکم

پر عمل کیا جائے گا۔ مریض کو بھیج دیا جائے اور اس کے ساتھ ساتھ

دیگر ڈاکٹروں سے بھی مشورہ کیا جائے گا۔ مریض کو بھیج دیا جائے اور اس کے ساتھ ساتھ

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جناب عالی!

آٹھواں سری ہذا کے حالات تفصیل کیوں ہے نہ قریبی مفصل

خبر شاہ ولد عالمین شاہ قادیان میں تقرر ہوا۔ ہذا برخلاف  
 لفڈرگوار پاس ایچارج چوٹی کی صورت، سیرادشاہی عمرنگلی آٹھواں  
 دکوخیل دس جھڑھو سرحد سے حالات مختصر کیوں ہیں کہ قریبی مفصل  
 بمقام سٹی ہسپتال کی صورت واکدشاہ عالمین شاہ کے قتل کے  
 رپورٹ بریٹانیا فلنرمان بالاکر کے نہ اسروزہ، واکدشاہ، ہارون الرشید  
 جوہر محمد کے جھڑھو میں جو پیر محمد کا انتظار کر رہے تھے۔ واکدشاہ  
 برآمد سے میں چارپائی پر بیٹھا تھا۔ جبکہ سائڈ پر دوسری چارپائی پر  
 وہ (مدعی) اور ہارون الرشید بیٹھے تھے۔ بوقت تقریباً ۱۰:۵۰ بجے جھڑھو سے  
 چھوٹے دروازے سے لفڈرگوار جوہر لیڈی وردی میں ملیوں تھا جس کا  
 چائی عمرنگلی آٹھواں دکوخیل اندر سے نکلتے آئے۔ دکوخیل سے پاس کلاشلوف  
 ہائے تھے۔ لفڈرگوار نے فوراً اپنے کلاشلوف سے واکدشاہ عالمین شاہ  
 پر فائرنگ شروع کی جس سے وہ ننگ سر چارپائی پر پڑ پڑا۔ جبکہ  
 عمرنگلی نے لفڈرگوار سے فائرنگ کے دوران ان پر کلاشلوف اچھٹے  
 رکھا۔ بعد از وقوعہ فلنرمان جھڑھو سے پھلے آئے اور بوجہ خانی یا قہ سے  
 وہ (مدعی) پھرنہ سرکا۔ اس سے بعد جو پیر محمد وکدلا اور خان اپنے گھر  
 سے جھڑھو کی طرف پھلے آیا۔ اور واکدشاہ کے جوہر محمد کی گاڑی میں  
 ڈاک سرخا ہسپتال ہی آئے۔ جبکہ واکدشاہی زخموں کی تاب نہ لا کر  
 راستہ میں جا بختی ہوا۔ وجہ علوت یہ ہے کہ مقتول نے فیس آئی ڈی  
 پر وقوعہ سے پندرہ قبل فلنرمان لفڈرگوار سے خلاف جوہر محمد کی موٹوں  
 کرنے اور بلیک میل کرنے کا ایوٹس چلا پانچا جس پر وقوعہ ہوا رہا ہوا۔  
 وقوعہ حجازی رشتہ دار شاہی ہارون الرشید کا چشم دہر بتلایا۔ ۲۵

ڈورنگی ای اس ریفورٹ پر مقدمہ عدالت 1329 فورم 21 3 جس کا نمبر 302/34 PPC

تھانہ کی درج چتر ہو کر تفتیش شروع ہوئی مقدمہ ہذا میں درج ذیل وجہ

ضرر چوٹی کی مجموعی اٹھ 258/111C آئی جی وائلہ چارج شیٹ نمبر 70-6369

فورم 05/10/21، ٹھیسٹ انٹرنیشنل 245/4 آئی جی وائلہ چارج شیٹ نمبر 74-6373

فورم 05/10/21، ریفری B/HC چارج ہو کر ڈیڑھ گھنٹہ PASS جوئے مقدمہ

میں ٹکنر سے کوئی رقم کی سولٹ بیانی ہے۔ انکو انٹرنیٹ پر دستخطی کو

مارک ہو کر تفتیش و تصدیق کی خاطر میر پیلو ویز راولپہ پرا انڈیا پری کو

جاری رکھے ہوئے روزنامہ چوٹی سچا ہو گیا کر کے احوالہ 7 روزنامہ

03/10/21 ڈیڑھ گھنٹہ PASS کی گنت سے واپسی تشریح ہوئی ہے جبکہ بجوا کہ

فدیسچ روزنامہ 03/10/21 بوقت 12:10 بجے بوجہ خرابی صحت ہسپتال بنی

سٹی روگنی تشریح شدہ بیانی گئی جبکہ بجوا کہ 10 روزنامہ 31/0

بوقت 14:50 بجے SHO جاوید خانا تھانہ بنی کی جانب سے غیر حاضر

ریورٹ تشریح ہوئی ہے۔ جی میں SHO کی طرف سے تشریح ہوئی ہے کہ

کہ مقدمہ قتل متعلقہ میں جو کی خاطر آیا تاکہ ڈیڑھ گھنٹہ PASS کی

گترناری عمل میں لائی جائے۔ تاہم مذکورہ ٹکنر ڈیڑھ گھنٹہ غیر حاضر

سردیا گیا ہے ای فندہ جاکے بارے ضرر چوٹی کی مجموعی اٹھ 238/111C

کا بیان تشریح کیا گیا کہ سوالات کے لئے۔ کہ روزنامہ میں ٹکنر کوئی

گواہ کی واپسی آرٹیکل اور ہسپتال روگنی کے اندراج میں اس کے بقلم

خود لکھے ہیں؟ جی میں نے کہا کہ ڈیڑھ گھنٹہ سے اس کو (تشریح)

Dictation دی ہے اور روزنامہ میں اندراج تشریح (مذکورہ) نے ہے

ہیں۔ مذکورہ تشریح سوالات/جوابات تشریح یا طور پر لکھا گیا ہے۔

یہ بات چونکہ بڑی خاطر ہے کہ ڈیڑھ گھنٹہ PASS پر انٹرویو کار

میں آگیا گیا ہے۔ اور وقوعہ سرزد کیا ہے جبکہ اس کے پیچھے وہاں

سرکاری میں لکھی گئی ہے۔ چونکہ کھد میں واپسی آئی ہے جس میں

ڈیڑھ گھنٹہ PASS ملنے کے میں میں فیس 187/3، فہرہ انٹرنیشنل 4C اور ریفری B/HC

کے لئے چارے ہیں۔ اور اس تفتیش و تصدیق کی خاطر تمام ڈیڑھ گھنٹہ

جس کا نام کہ بندہ کے بیان میں تشریح ہے۔

دکو خیل چھان بینا نہ بندہ ہی سے ایچارج محمد اسرار علی / HHC 241/ کا بیان کیا گیا  
جس سے ایسے بیان کیا گیا کہ وہ صرف قدرت اللہ، جیل خانہ 6663/FRP،  
عارف خانہ 7619/FRP، طاہر خانہ 7519/FRP بیروز و قونہ مورخہ 21/10/03 کو

دکو خیل چھان بینا نہ بندہ ہی سے ایچارج محمد اسرار علی / HHC 241/ کا بیان کیا گیا  
جس سے ایسے بیان کیا گیا کہ وہ صرف قدرت اللہ، جیل خانہ 6663/FRP،  
عارف خانہ 7619/FRP، طاہر خانہ 7519/FRP بیروز و قونہ مورخہ 21/10/03 کو  
دکو خیل چھان بینا نہ بندہ ہی سے ایچارج محمد اسرار علی / HHC 241/ کا بیان کیا گیا  
جس سے ایسے بیان کیا گیا کہ وہ صرف قدرت اللہ، جیل خانہ 6663/FRP،  
عارف خانہ 7619/FRP، طاہر خانہ 7519/FRP بیروز و قونہ مورخہ 21/10/03 کو

محمد اسرار علی نے دیا ہے۔ روزنامہ چوکی سٹا کی سرپرستری میں مورخہ مذکورہ

فروری 2003ء کے حوالہ نمبر 9 روزنامہ 20-1-05 کو وقت 6:05 بجے چونکہ

تفصیل تھا پولیس لائن کی صورت روگنی کی ہے۔ جس کی حاضر کی پولیس

لائن کی میں مطلوب تھی، مگر پولیس لائن میں اپنی حاضر کی پولیس کی ہے۔

اور مورخہ 21/10/06 کو وقت 07:15 بجے لائن تاخیر کی ریکورڈ پر غیر حاضر

سر دیا گیا ہے، جو یہ حال غیر حاضر ہے جس سے مورخہ 21/10/05 کو لکھا گیا

ایڈیشنل ایسٹن جج نمبر 4 کی صورت مقومہ ہذا میں BBA کر ڈیا ہے جس

میں تاریخ مورخہ 21/10/03 قمریہ

میاں تک فری HHC کا تعلق ہے چارج شیٹ کے جواب میں اپنا روایتی

بیان تحریری طور پر پیش کیا ہے، جو کہ زبردستی سے ریڈر کے حوالہ

کیا ہوا ہے۔ تاہم سرپرستری / جوابا 2 کی خاطر باوجود طلبی کے حاضر

نہ آیا۔ تحریری جواب لف آنکوائری ہذا ہے

اسی طرح سیم ایئر 187 سے بھی چندہ سوالات کے لئے جو کہ کلنگ

فروری 2003ء کے عقبہ بذریعہ سرکاری موبائل جانے کی سرپرستری سے

کہ وہ فروری 2003ء کے عقبہ سرکاری موبائل میں نہیں دیا ہے۔ بیروز و قونہ

موبائل سرکاری سرپرستری ایئر 68 کی ڈیوٹی تھی جس کا بیان دیا گیا۔

جوہ ہیا فی ہے نہ بروز وقوع فوراً 3/10/21 کو اس کی موبائل پر ڈیوٹی تھی  
 مگر فوڈ لائسنس پیسے نیسی گیا ہے جبکہ وقوع سے روز میں پیش چوٹی سٹی  
 پرنسپل عبد الباری 245/۴۲ کی 10 سے کپلر 1400 بجے تک ڈیوٹی تھی جس  
 کا بھی تصدیق بیان کیا جا کر ہیا فی ہے نہ فوڈ لائسنس پیسے سرکاری موبائل  
 میں لکھی ہوئی ہے۔ برو کے بیان کے الفاظ انٹرویو میں لکھے ہیں۔  
 تمام ایسے بیان کی روشنی میں حالات کو دیکھا جائے کہ اصل میں فوڈ لائسنس پاس  
 نے بمطابق روزنامہ خرابی میں یہ بیان کی سٹی روایتی ہے مگر تفتیشی افسر کی  
 تفتیشی اور تحقیق سے مطابق مذکورہ بیان میں انٹرویو میں ہے اور یہ بیان  
 سے علاج کا ریکارڈ ساف آ رہا ہے۔ مزید یہ نہ بروز وقوع چوٹی میں یہ بیان  
 بزبان خرابی و عام تھی کہ مذکورہ پاس مندرجہ وقتوں کا نہیں تھا بلکہ  
 پوسٹا پڑھنے سے بعد بذریعہ برائیسوٹ موٹر کار فوق کی جانب روانہ ہوا ہے  
 جس کو چوٹی میں موجود لکھی نے گرنے کی از حد خوشی تھی کی ہے اور دلکھیل  
 پھا آٹھ پر تا نہ بندی لکھی سے مطابق فوڈ لائسنس پاس بذریعہ برائیسوٹ  
 موٹر کار دلکھیل کی طرف گیا ہے جبکہ اس سے پیسے موبائل سرکاری میں  
 لکھی بھی تھی سے زبردستی اس نتیجہ پر پہنچا ہے کہ فیٹیو H۲۰۰ فیمین خان  
 187/۴۲، طیارہ الہی 832/۴۲ بذریعہ موبائل سرکاری فوڈ لائسنس پاس سے پیسے  
 جا چکے ہیں۔ جبکہ ڈر کی وجہ سے پاسی دیگر معلومات سے تعلق یا مگر ماں  
 کو فائدہ پہنچانے کی خاطر حالات و واقعات کو چھپانے کی کوشش  
 کر رہے ہیں۔ جبکہ ان سے سبھی حقیقتاً کو چھپانے میں نڈ عثمانی 239/۲۸۴  
 سرچوٹی، ولی اللہ 568/5۸۲ اور عبد الباری 245/۴۲ بھی شامل تصور کیے جاتے  
 ہیں۔ ڈرائیور ولی اللہ 568 کے بیان سے مطابق نہ بروز وقوع اس کی  
 موبائل سرکاری پر ڈیوٹی تھی۔ تاہم یہ بھی حقیقتاً ہے کہ وقوع میں  
 ان پولیس ملازمان سے براہ راست صحافی طور پر حصہ نہیں لیا ہے۔  
 جبکہ سر کے مطابق فوڈ لائسنس پاس نے لکھم خود ہسپتال روایتی نیسی کی ہے  
 جو نہ سوالیہ نشان ہے، لہذا حقیقتاً کو چھپانے کی یادداشتوں میں تصور  
 پانچے جا کر ان سے خلاف ریلو لکھمانہ کارروائی کی سفارش کی جاتی ہے۔







The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the information gathered is both reliable and comprehensive.

The third part of the report focuses on the results of the analysis. It shows a clear upward trend in the data over the period studied. This suggests that the implemented strategies are effective and that the overall performance is improving.

Finally, the document concludes with a series of recommendations for future actions. These are based on the findings of the analysis and aim to further optimize the processes and achieve even better results.





E 16

OFFICE OF THE  
DISTRICT POLICE OFFICER  
LAKKI MARWAT

No. 7497 /SRC

Dated 11/11 /2021

FINAL SHOW CAUSE NOTICE


You LHC Muhammad Usman No.238 while posted at PP City Lakki are guilty of acts of omission and commission as detailed below:-

"You are facilitating PO/accused Naveed Nawaz. Thus this speaks deviant and gross misconduct on your part.

2. In this regard, charge sheet based upon summary of allegations was issued and DSP/Hqr. Lakki Marwat was appointed as Inquiry Officer. The Inquiry Officer after conducting proper departmental enquiry submitted his finding report and you were found guilty of the misconduct.

3. NOW THEREFORE, I, Shahzada Umar Abbas Babar PSP, District Police Officer Lakki Marwat call upon you through this Final Show Cause Notice within three (03) days of the receipt of this Final Show Notice that as to why you should not be awarded a major punishment including dismissal from Service as provided under KPK Police Rules, 1975. Also state whether you want to be heard in person.

4. In case your reply is not received within stipulated period without sufficient reasons, it shall be presumed that you have no defense to offer and the undersigned would be at liberty to pass on ex-parte action against you.

  
(Shahzada Umar Abbas Babar) PSP  
District Police Officer  
Lakki Marwat

11-11-2021 7497/SFC  
11-11-2021 7497/SFC  
11-11-2021 7497/SFC

18-07-2009  
2014  
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13-11-2021

238/LHC



G 18

Bettercopy 1

OFFICE OF THE  
DISTRICT POLICE OFFICER  
LAKKI MARWAT

Ph# 0969-538240, Fax# 0969-538244

**ORDER:**

My this order will dispose off the departmental enquiry proceedings against LHC Muhammad Usman No. 238 while posted at PP City Lakki Marwat was found to indulge in the following omission/commission as detail below:-

1. "That he is facilitating PO/accused Naveed Nawaz. Thus this speaks deviant and gross misconduct on his part.
2. In this regard, he was charged sheeted and enquiry was marked to DSP/Hqrs: Lakki Marwat for through probe into the allegations. The enquiry officer after conducting proper departmental enquiry submitted finding report stated therein that he official concerned physically not took part in the incident, however on the event of full day he went behind the accused PASI Naveed Nawaz that he is going to Hospital for checkup of kidney. He is also hiding the facts from the Enquiry Officer, hence found guilty of the misconduct. He was served with Final Show Cause Notice to this effect. His reply to the Final Show Cause Notice was perused which was also found un-satisfactory.
3. Therefore, I Shehzada Umar Abbas Babar PSP, District Police Officer Lakki Marwat exercise of the power vested in me under KPK Police Rules-1975 hereby impose upon him major punishment of "Dismissal from Service" with Immediate effect. He is directed to deposit all the Govt. articles allotted to him to the concerned branches.

O.B No. 208.

Dated: 18-05-2022.

Sd/-

(SHEHZADA UMAR ABBAS BABAR) PSP  
District Police Officer  
Lakki Marwat.

No. 7440-43/dated lakki Marwat.

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

1. The Regional Police Officer, Bannu region, Bannu.
2. EC, PO, OHC & Lines Officer for necessary action.

G 18



OFFICE OF THE  
DISTRICT POLICE OFFICER  
LARKANA

ORDER

1. My this order will dispose of the Departmental Enquiry proceedings against GHC Muhammad Usman No 239 while posted at MFC, Larkana. It is found to indulge in the following omission/commission as details below:

1. That he is incriminating PO/Asst Naheed Naveed. Thus this speaks against and is a miscarriage of justice.

2. In this regard the Asst Charge sheeted and enquiry was marked to DSP/Asst Larkana Murwat for thorough probe into the allegations. The enquiry officer after conducting proper departmental enquiry submitted a finding report stating therein that the official concerned physically not took part in the incident however on the event he did not make an entry in daily diary of P.A. Naheed Naveed that he is going to Hospital for check up of kidney. He is also hiding the facts from the enquiry officer hence found guilty of the misconduct. He was served with Final Show Cause Notice on this effect. His reply to the Final Show Cause Notice was perished which was also found in his file.

3. Therefore it is recommended that Mr. Usman No. 239, District Police Officer, Larkana should be removed from service and his services terminated. He should be directed to deposit all the Govt. articles allotted to him to the concerned branches.

O/S No. 208

Dated: 16/05/2022

(Signature)  
District Police Officer  
Larkana

No. 74/0-43 Dated Larkana the 15/05/2022

- Copy of above is submitted for your information to
- 1. The Regional Police Officer, Dinnu Region, Dinnu
- 2. EC, PO, OHC & Lines Officer for necessary action.

H 19

Better copy

1

OFFICE OF THE  
DISTRICT POLICE OFFICER  
LAKKI MARWAT

Ph# 0969-538240, Fax# 0969-538244

**ORDER:**

My this order will dispose off the departmental enquiry proceedings against Constable Faheem Ullah No. 215 while posted at PP City Lakki Marwat was found to indulge in the following omission/commission as detail below:-

1. "That he is facilitating PO/accused Naveed Nawaz. Thus this speaks deviant and gross misconduct on his part.
2. In this regard, he was charged sheeted and enquiry was marked to DSP/Hqrs: Lakki Marwat for through probe into the allegations. The enquiry officer after conducting proper departmental enquiry submitted finding report stated therein that he official concerned physically not took part in the incident, however on the event of full day he went behind the accused PASI Naveed Nawaz in Govt. vehicle which speaks their secret intentions towards the incident and also hide the facts from the Enquiry Officer, hence found guilty of the misconduct. He was served with Final Show Cause Notice to this effect. His reply to the Final Show Cause Notice was perused which was also found un-satisfactory.
3. Therefore, I Shehzada Umar Abbas Babar PSP, District Police Officer Lakki Marwat exercise of the power vested in me under KPK Police Rules-1975 hereby impose upon him minor punishment of "Stoppage of increment for two (2) years" with immediate effect.

O.B No. 209.

Dated: 18-05-2022.

Sd/-

(SHEHZADA UMAR ABBAS BABAR) PSP  
District Police Officer  
Lakki Marwat.

No: 7460-63/dated lakki Marwat.

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

1. The Regional Police Officer, Bannu region, Bannu.
2. EC, PO, OHC & Lines Officer for necessary action.



OFFICE OF THE  
DISTRICT POLICE OFFICER  
LAKKI MARWAL

Handwritten notes in Urdu: "مذکورہ واقعہ کے متعلق ایک رپورٹ لاکھی ماروال پولیس اسٹیشن پر جمع ہوئی ہے۔ اس رپورٹ میں مذکورہ پولیس آفیسر کے خلاف ایک شکایت درج ہے۔ اس کے علاوہ ایک اور رپورٹ بھی جمع ہوئی ہے۔ اس کے نتیجے میں ایک ایف ڈی آر جاری کیا گیا ہے۔"

ORDER

By this order will dispose off the departmental enquiry proceedings against Constable Faheem Ullah No. 205 while posted at PP City Lakki was found to indulge in the following omission/commission as detail below:-

1. Constable Faheem Ullah is facilitating PO/accused Naveed Nawaz. Thus this speaks deviant and gross misconduct on his part.
2. In this regard he was charge sheeted and enquiry was started in DSP/Hqs Lakki Marwal for thorough probe into the allegations. The enquiry officer after conducting proper departmental enquiry submitted finding report stated therein that the officer concerned physically not took part in the incident, however on the event of full day he went behind the accused PAST Naveed Nawaz in Civil vehicle which speaks their secret intentions towards the incidents and also hide the facts from the Enquiry Officer, hence found guilty of the misconduct. He was served with Final Show Cause Notice in this effect. His reply to the Final Show Cause notice was perused which was also found unsatisfactory.

Therefore, the District Police Officer, Lakki Marwal hereby exercise of the power vested in me under KPK Police Rules-1975, hereby impose upon him a minor punishment of "stopping of increment for two (2) years" with immediate effect.

DOB No. 209

Dated: 18 /05/2021.

(Signature)  
Shahzad-Ullah (Assistant District Police Officer) DSP  
District Police Officer  
Lakki Marwal

No 7 120-63 Dated Lakki Marwal the 18 /05/2021.

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

1. The Regional Police Officer, Bannu Region, Bannu.
2. EC, PP, Office, Lakki Marwal for necessary action.

بخدمت جناب ریجنل پولیس آفیسر صاحب بنوں ریجن بنوں

عنوان: درخواست، اپیل بابت بحالی ملازمت اور منسوخی آرڈر 43-7440 / 18-05-2022 محاسبہ جناب

ڈسٹرکٹ پولیس آفیسر صاحب لکیمروت۔

جناب عالی!

اندز میں سلسلہ مسائل ذیل گزارشات عرض کرنا چاہتا ہوں۔

- 1- مسائل بدوران وقوعہ محرز چونکہ سٹی کی تعینات تھا۔ اور روز وقوعہ اپنی ڈیوٹی پر چونکہ ہذا میں موجود تھا۔
  - 2- نوید نواز PASI وقوعہ ہذا سے قبل انچارج چونکہ ہذا تعینات تھا۔
  - 3- نوید نواز خان PASI نے لکی شہر سے دور 4/5 کلومیٹر کے فاصلہ پر دیہہ خود دلوخیل میں وقوعہ ہذا سرزد کیا ہے۔ من مسائل کے خلاف نوید نواز PASI (ملازم) کو وقوعہ میں Facilitate کرنے کا الزام لگایا جا کر چارج شیٹ کیا گیا۔ اور انکو آئی آر آفیسر DSP/HQ لکیمروت مقرر کیا گیا۔
  - 4- من مسائل نے مفصل جواب آفسران بالا کو چارج شیٹ کے جواب میں دیا ہے۔
  - 5- جناب DSP/HQ لکیمروت نے انکو آئی آر کی۔ کرائس بیانات قلمبند کئے اور انکو آئی آر رپورٹ 242/20-10-21 بخدمت جناب DPO صاحب لکیمروت بھجوا یا۔ اور من مسائل کے خلاف لگائے گئے الزامات سے من مسائل کو بری قرار دیا۔
  - 6- من مسائل کو فائنل شو کا نوٹس جاری کیا۔ جسکے جواب میں من مسائل مفصل گزارشات عرض کر چکا ہوں۔
  - 7- من مسائل کو انکو آئی آر آفیسر صاحب نے الزامات سے بری ہونے کا (جس کا جناب DPO صاحب لکی مروت نے اپنے آرڈر نمبر میں ذکر کیا ہے) تحریر فرمایا ہے۔ کے باوجود جناب DPO صاحب لکیمروت نے Dismissal from service آرڈر جاری فرمایا ہے۔
- من مسائل الزامات سے بے گناہ ہے۔ اور نوید نواز PASI انچارج چونکہ سٹی کی وقوعہ ہذا کے بارے میں قسم Facilitate نہیں کیا ہے۔ انکو آئی آر آفیسر صاحب DSP/HQ صاحب لکیمروت اور جناب DPO صاحب لکی مروت کے آرڈر سے صاف واضح اور دروز روشن کے طرح عیاں ہیں۔

لہذا موڈبانہ گزارش ہے کہ سائل شفقانہ کریمانہ نظر فرما کر سائل سروس پر بحالی اور جناب DPO صاحب  
لیکھروت کے آرڈر Dismissal from service کے منسوخی کے احکامات صادر فرمادیں۔

علین نوازش ہوگی

مورخہ: 23/05/2022

العارض



سابق محرم محمد عثمان 238/LHC جو کی سٹی کی ضلع کی مروث



J 22

From: The Regional Police Officer  
Bannu Region, Bannu

To: The Addl. SP Bannu

No: 618/PA dated Bannu dtc 26/06/2022

Subject: ORDER ROOM - REINQUIRY IN CASE DIR NO 1329/2021 DATED 03.11.2021 U/S 302/311 PC/P.S. LAHORE

Memo:

On 16 June 2022 during Orderly Room the police officials who have been awarded/punished by DPO-Lahore appeared before the Regional Police Officer, Bannu. Their appeals and findings of enquiry conducted by DSP/HQ-Lahore were perused and recorded the following remarks:

Add: SP/Bannu

"Please enquire into them and find the actual role of these officers in incident."

- i. Muhammad Usman, EC No 238
- ii. Rafeeq, Head, EC No 704
- iii. Eakheem Ullah, EC No 215
- iv. Wali Ullah, EC No 568
- v. Abdul Bari, EC No 245
- vi. Zia Ullah, EC No 832

I am further directed to enclose here with a copy of findings of enquiry previously conducted by DSP/HQ-Lahore and a complaint moved by Syed Ibrahim Hussain Shah on the subject for perusal, please.

Encl: As above: (15 sheets)

  
Regional Police Officer  
Bannu Region  
Bannu

K 23

BETTER COPY

Phone No: 0928-9270027

Fax No: 0928-9270045

OFFICE OF THE  
ADDITIONAL SUPERINTENDENT OF POLICE,  
BANNU

No.213/ASP

Dated 29/07/2022

To: The Regional Police Officer,  
Bannu Region, Bannu.

Subject: ORDERLY ROOM-REINQUIRY IN CASE FIR NO.139/2021 DATED  
03.10.2021 U/S 302/34 PPC PS LAKKI.

Memo:

Kindly refer to RPO Bannu letter No. 618/PA, dated 20.06.2022, on the subject noted above.

Respected Sir,

As per your kind order, the undersigned re-enquired in case FIR No 1329/2021, dated 03.10.2021, registered u/s 302/34 PPC in PS Lakki. The detail of enquiry is furnished as under: -

PROCEEDINGS:

The undersigned thoroughly studied all the documents pertaining to the subject case including the case file FIR No. 1329/2021 of PS Lakki, all the papers of previous enquiries charge-sheets, orders of departmental punishments etc. The PS Lakki and PP city (PS Lakki) record was also perused. All the six accused officials were summoned, heard in person and their statements were got recorded after putting some questions on them. Similarly, I.O of the case SI Munawar Khan was also summoned along with case file. He was also heard in detail and his statement was also obtained. I also went through the contents of complaint moved by one Syed Ibrar Hussain Shah to Worthy RPO, Bannu. Copies of all the relevant documents have been placed on the enquiry file in hand.

CONCLUSION:

During the course of re-enquiry, all the six accused police officials have not been found guilty of the charges levelled against them. Neither any one of the accused was present on the spot/place of occurrence nor facilitated P.O/accused Naveed Nawaz. Likewise, neither any one of the accused has been charged for the offence by the complainant of FIR nor concealed the facts from enquiry officers. The movement of police mobile from PP City, soon after the departure of accused Naveed Nawaz from the PP, cannot incriminate the under re-enquiry accused police officials with the incident of case FIR No. 1329/2021, PS Lakki. Because the movement of police mobile was for routine patrol and not towards the place of occurrence. As per statement of the I.O no involvement of the under re-enquiry police

officials has been found in case FIR No.1329 or in the murder of deceased Aalameen Shah. Complete Challan has already been submitted in the case against two accused only (1) PASI Naveed Nawaz and (2) his brother Umer Gul. Had any one of the under re-inquiry accused police officials been involved in the case he would have been charged/implicated in the instant case.

Hence, it is concluded that murder of Aalameen Shah is the personal issue of PASI Naveed Nawaz and his brother Umer Gul and not the issue of under re-enquiry police officials as none of them had any enmity or personal grudges with deceased party.

**RECOMMENDATIONS:**

Keeping the above facts and figures in view, all the under re-enquiry 06 police officials are recommended to be exonerated from the charges leveled against them.

Submitted please.

Sd/-  
Additional Superintendent of Police,  
Bannu

K 23

Phone No: 0928-9270027  
Fax No: 0928-9270045

OFFICE OF THE  
ADDITIONAL SUPERINTENDENT OF POLICE,  
HANOI

No. 113 / 2021 / PPS  
Dated: 29 / 07 / 2021

To: Police Station Officer,  
Baniya, Baniya, Baniya.

Subject: ORDER FROM REINQUIRY IN CASE FIR NO. 10201/DAED  
13.10.2021 (US 0021) PPS/PS LAKKI

Memorandum: Kindly refer to the Baniya, Baniya, Baniya, dated 20/06/2021 on the  
subject noted above.

Respected Sir,  
As per your kind orders, the undersigned has enquired in case A.P.R. No. 10201/DAED dated 03.10.2021 registered at 10201/DAED of the PPS Lakki. The detail of enquiry is furnished as under:

PROCEEDINGS:

The undersigned thoroughly studied all the documents pertaining to the subject case including the case file (P.S. No. 10201/DAED) of PPS Lakki. All the papers of previous enquiries, charge sheets, orders of departmental punishments etc. of PPS Lakki and PPS (PS Lakki) record was also perused. All the six accused officials were summoned heard in person and their statements were also recorded after putting the same question on them. Similarly, IO of the case SI Munawar Khan was also summoned along with case file. He was also heard in detail and his statement was also obtained. It also went through the contents of complaint moved by one Syed Iqbal Hussain Shahid Wazir, PPS Baniya. Copies of all the relevant documents have been placed on the enquiry file as under.

CONCLUSION:

During the course of re-enquiry, all the six accused police officials have not been found guilty of the charges levelled against them. Neither any of the accused was present on the spot/place of occurrence nor all the six accused were arrested. It is noted that neither any one of the accused has been charged for the offence of the complaint or nor concealed the facts from enquiry officers. The movement of police mobile from PPS Lakki soon after the departure of accused Naved Nawaz from the PPS Lakki. It is noted that the re-enquiry accused police officials will be incident of case P.S. No. 10201/DAED. Because the movement of police mobile was a bona fide part of the duty towards the place of occurrence. As per statement of the IO and involvement of the accused re-enquiry police

has been found in case file No. of the murder of Anam Shah. Complete Challan has already been submitted in case against Naveed Nawaz and his brother Umer Gul and no other police officials been involved in the case, he would have been charged/implicated in the instant case.

Hence, it is concluded that murder of Anam Shah is the personal issue of PASI Naveed Nawaz and his brother Umer Gul and not the issue of under-re-enquiry police officials as none of them had any enmity or personal grudges with deceased party.

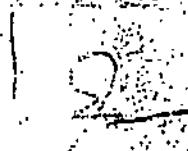
RECOMMENDATIONS:

Keeping the above facts and figures in view, all the under-re-enquiry police officials are recommended to be exonerated from the charges leveled against them.

Submitted please.

  
Additional Superintendent of Police  
Bannu

OR



L 25

**BEFORE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 1428/2022

Muhammad Usman S/O Umar Khan,  
R/o Sarga Khero Khel, Lakki Marwat,  
EX-Constable No. 238 / LH,  
Police Post City, Police Station City,  
Lakki Marwat . . . . . Appellant

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1336

Dated 19-9-2022

**Versus**

1. District Police Officer,  
Lakki Marwat.
2. Regional Police Officer,  
Bannu Region, Bannu. . . . . Respondents

⊕<=>⊕<=>⊕<=>⊕<=>⊕

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974  
AGAINST OB NO. 208, DATED 16-05-2022 OF R.  
NO. 01, WHEREBY APPELLANT WAS DISMISSED  
FROM SERVICE AND REPRESENTATION OF  
APPELLANT WAS NOT HONORED TILL DATE:**

⊕<=>⊕<=>⊕<=>⊕<=>⊕

Filed to-day

Registrar

19/9/22 **Respectfully Sheweth:**

1. That appellant was appointed as Constable In the year 2009 and served the department to the best of his ability and to the entire satisfaction of the superiors.
2. That on 03-10-2021, FIR No. 1327, Police Station Lakki Marwat u/s 302/34 PPC was registered against PASI, Naveed Nawaz for murder of Aleemn Shah. (Copy as annex "A")
3. That on 05-10-2021, appellant was served with Charge Sheet on the allegation that:-

- i. He is facilitating PO / accused Naveed Nawaz.
  - ii. That all such speaks of gross misconduct on his part and is liable to punishment under Police Rules. (Copy as annex "B")
4. That the said Charge Sheet was replied on 11-10-2021 and appellant denied the allegations in the stated reply, stating therein that he never facilitated the said accused in the offence. (Copy as annex "C")
  5. That enquiry into the matter was initiated against appellant but the same was not conducted as per the mandate of law because no statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of cross examination what to speak of self defense. No punishment for imposition upon him was suggested what to speak of major punishment of dismissal from service. (Copy as annex "D")
  6. That the authority was not satisfied with the aforesaid enquiry, so on 18-10-2021, subsequent enquiry was initiated not per the mandate of law and in this enquiry too, no punishment was ever suggested for imposition of appellant. (Copy as annex "E")
  7. That on 11-11-2021, appellant was served with Final Show Cause Notice, without supply of enquiry proceeding to appellant which was also replied on 13-11-2021 and denied the allegation. (Copy as annex "F" & "G")
  8. That on 13-05-2022, major punishment of dismissal from service was imposed upon appellant without taking into consideration the facts and circumstances of the case by R. No. 01. (Copy as annex "H")
  9. That on 18-05-2022, Co-Employee, Fahim Ullah having same role and conduct in the matter was exonerated from the charges, despite the fact that he was equally held responsible in the matter was given minor punishment of stoppage of increment. (Copy as annex "I")

10. That on 23-05-2022, appellant submitted representation before R. No. 02 for reinstatement in service with all back benefits which met dead response till date. (Copy as annex "J")
11. That on the departmental appeal, R. No. 02 passed order for re-enquiry in the criminal case with remarks:-

"Please re-enquire into it and find the actual role of the officers in incident vide letter dated 20-06-2022". (Copy as annex "K")

Hence this appeal, Inter Alia, on the following grounds;

### GROUND S

- a. That from the FIR dated 03-10-2022, it is very much clear that Naveed Nawaz apprehended one Almeen Shah with pistol and arrested him at the spot. One Johar Muhammad son of Dillawar Shah posing himself to be the leader of PTI of the locality, made hot words with the said PASI for arresting the said culprits.
- b. That the said deceased whirled message on Face book ID against the said PASI that he is harassing handsome people. The said PASI went to village Dalo Khel and killed the said Almeen Shah at the same time, appellant was at police post, Lakki Marwat.
- c. That appellant never facilitated the said PASI in the commission of offence and it was his own act, if any.
- d. That charges leveled against appellant has no nexus with the same as he never facilitated the said matter.
- e. That the matter was not dealt with as per the mandate of law because neither any statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of cross-examination.
- f. That appellant was unaware as to whether the said PASI is going for checking to Hospital or for going to other purpose.



- g. That double enquiries were conducted in the matter but no punishment was ever suggested by the Inquiry Officer to impose the same upon appellant, what to speak of major punishment of dismissal from service.
- h. That the authorities never dealt with the matter as per the record and circumstances and for no obvious reason, appellant was implicated in the same.
- i. That in similar circumstances, constable Fahim Ullah was exonerated from the charges by R. No 01 at the recommendation of Political vendetta and appellant was awarded with major punishment of dismissal from service.
- j. That neither original nor appellate order was per the mandate of law, so are liable to set aside. The same are based on malafide and discrimination.

-It is, therefore, most humbly prayed that on acceptance of the appeal; order dated 16-05-2022 of the R. No. 01 be set aside and appellant be reinstated in service with all consequential benefits.



Appellant

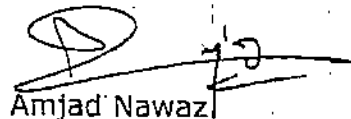
Through



Saadullah Khan Marwat



Arbab Saiful Kamal



Amjad Nawazi

Advocates

Dated: 19-09-2022

M 29

**ORDER**

... will be disposed of by the ...  
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for which was perused. On 16.06.2022 the appellants were heard in orderly room and the papers were marked to Addl. SP Bannu vide this office Memo. No.618/PA dated 20/06/2022 with the direction "plz re-enquire into it and find the actual role of these officers in incident". The Enquiry Officer (E.O) conducted proper departmental enquiry and came to the concluded that all the six accused police officials have not been found guilty of the charges leveled against them. He submitted his findings vide Memo. No.213/ASP dated 29/07/2022 quoted therein that neither any one of the accuseds was present on the spot/place of occurrence nor facilitated P.O/accused Naveed Nawaz. Likewise, neither any of the accuseds has been charged for the offence by the complainant of FIR nor concealed the facts from enquiry officers. The movement of police mobile from PR City Lakki, soon after the departure of accused Naveed Nawaz from the PP, cannot incriminate the under re-enquiry accused police officials with the incident of case FIR No.1329/2021, PS Lakki. Because the movement of police mobile was for routine petrol and not towards the place of occurrence. As per statement of the I.O no involvement of the under re-enquiry police officials has been found in case FIR No.1329 or in the murder of deceased Aalmeen Shah. Complete Challan has already been submitted in the case against two accused viz (1) PASI Naveed Nawaz and (2) his brother Umer Gul. Had any one of the under re-enquiry accused police officials been involved in the case he would have been charged/implicated in the instant case.

Therefore, I, Syed Ashfaq Anwar, Regional Police Officer, Bannu Region/Bannu in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (amended in 2014) hereby set aside the orders of DPO Lakki Marwat quoted above. The appeals of mentioned officials in the cited joint enquiry are hereby accepted and they are reinstated into service with immediate effect. Moreover, their periods of dismissal / out of duty, in the instant case are treated as leave without pay.

ORDER ANNOUNCED

OB No. 384  
Dated: 30/12/2022

No. 5032/EC, dated Bannu the 30/12/2022

Cc:

DPO Lakki Marwat for information and necessary action w/r to his office letters No. quoted above along with complete enquiry files and Service Rolls of above named officials for record in your office which may be acknowledged, please.

Regional Police Officer  
Bannu Region  
Bannu

Regional Police Officer  
Bannu Region  
Bannu

N

A. No. 1428/2022 31  
M. Usman vs Govt



12.01.2023

Mr. Arbab Saiful Kamal, Advocate for the appellant present.

Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

02. Learned counsel for the appellant submitted office order OB No. 384 dated 30.12.2022 whereby the appellant has been reinstated into service with immediate effect and the period of dismissal from service treated as leave without pay. In this respect he also submitted an application for withdrawal of the instant service appeal with the permission to file a fresh. Application is allowed subject to all just and legal objections. Consign.

03. Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 12<sup>th</sup> January, 2023.

(Mian Muhammad)  
Member (E)

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 20-01-23  
Number of Page 14  
Copying Fee 5/-  
Deposit 5/-  
Total 10/-  
Date of Copy 20-01-23  
Date of Delivery of Copy 20-01-23

بعدالت جناب سروریں ٹریبیونل صوبہ سندھ پشاور

منجانب ایم اے ایف

مخبر عثمانی نام محمد جویسی

دعوی اپیل

باعضرت سر میر ایٹک

مقررہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ آل مقام پشاور کیسٹ ایسٹ اٹکس خان سرور سے ایڈووکیٹ ہائی کورٹ کو وکیل مقرر کر کے ایڈووکیٹ جاتے ہیں کہ صاحب موصوف کو مقررہ کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب کو کرنے یا نہیں نامہ و آقر ثانیہ و تیسرا برصاف دینے جواب دہی اور ایصال دعویٰ اور لہجہ و ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور مرضی دعویٰ اور درخواست ہر قسم کی تعلیق اور ان پر پابندی نہ کرنے کا اختیار ہوگا نیز لہجہ و عدم پیروی یا ڈگری یکطرفہ یا اپیل کی جاکرگی اور موصوف کو مقررہ کل کاروائی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور لہجہ و درخواست ہر قسم کی تعلیق کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مقرر قانونی کو اپنے ہمراہ یا اپنی بجائے مقررہ اختیار ہوگا اور اس پر مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا سامنے پروا نہ منگوانا قبول ہوگا اور دوران بقدرت میں جو خرچہ و تر جائز التوا مستندہ کے ساتھ ہوگا اس کے مستحق وکیل صاحب موصوف ہوں گے نیز بقایا و فریبہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام روہہ پر ہو یا عدت سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔

لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

الرقوم 23-1-25

العبد

العبد

العبد

ارباب نیگ انکمال  
ایڈووکیٹ

سید اللہ محمد خان  
ایڈووکیٹ

محمد عثمانی

محمد نواز  
ایڈووکیٹ