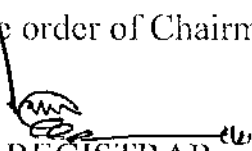


FORM OF ORDER SHEET

Court of _____

Case No.- 269/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/2/2023	<p>The appeal of Mr. Nasir Iqbal presented today by Mr. Ashraf Ali Khattak 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>

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

Service Appeal No. 267/2023

Nasir Iqbal,
Ex-Constable No.117,
Police Force, Karak.....Appellant.


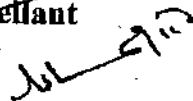

Versus

The Provincial Police Officer, & others.....Respondents.

INDEX

S.No.	Description of Documents	Annexure	Pages
1.	Appeal, Certificate with Affidavit		1-9
2.	Memo of Addresses of Parties		10
3.	Copy of charge sheet and statement of allegation dated 10-10-2022	A	11-12
4.	Copy of reply to the charge sheet dated 14-10-2022	B	13-14
5.	Copy of the inquiry report dated 01-11-2022 conducted through SDPO, B.D.Shah.	C	15-16
6.	Copy of the Final Show Cause Notice dated 02-11-2022 and reply to the show cause dated 06-11-2022	D	17-19
7.	Copy of impugned order of respondent No.3 dated 08-11-2022	E	20-
8.	Copy of departmental Appeal 30-11-2022.	F	21-22
9.	Copy of final impugned order dated 06-01-2023	G	23
10.	Copy of FIR No.338 dated 06-10-2022 and other related documents	H	24-33
11.	Wakalat Nama.		34

Through


Appellant

Ashraf Ali Khattak,
Advocate,
Supreme Court of Pakistan
& 
Rahid Ullah
Advocate, Peshawar

Dated ___/___/2023

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

Service Appeal No. 269/2023

Nasir Iqbal,
Ex-Constable No.117,
Police Force, Karak.....Appellant.

Versus

1. The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer,
Kohat Region,
Kohat.
3. The District Police Officer,
Karak.....Respondents.

Service Appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1074 against the impugned final order dated 06-01-2023 passed by respondent No.2 on the departmental appeal of the appellant; preferred against the impugned original order OB No.584 dated 08-11-2022 passed by respondent No.3.

Prayer:-

On acceptance of the instant appeal; this Hon'ble Tribunal may graciously be pleased to:-

1. Declare both the impugned orders of respondent No.2 dated 06-01-2023 and order dated 08-11-2022 of the respondent No.3 as illegal, unlawful and without lawful authority and set aside the same.

2. Direct the respondents to re-instate the appellant with all back benefits.
3. ANY other remedy deemed appropriate in the circumstance of the case and not specifically asked for may also be graciously granted.

Respectfully Sheweth,

The concise facts giving rise to the present service appeal are as under

1. That appellant was appointed as Foot Constable on 05-08-2009. He has more than 13 years service at his credit.
2. That appellant was charge sheeted vide charge sheet & statement of allegation dated 10-10-2022 with the following words:-
"It has been notice with grave concern that you constable Nasir Iqbal No.117 are involved in illegal and Extra-departmental activities and develop links with criminals and narcotics sellers and leaked secret information regarding raids etc to them due to which you constable Nasir Iqbal No.117 have directly been charged in case FIR No.338 dated 06-10-2022 u/s 118 KP Police Act, 2017 PS Sabirabad. This is quite adverse on your part and shows your malafide intention, willful breach, and non-professionalism in the discharge of your official obligations. This act on your part is against service discipline and amounts to gross misconduct"
Copy of charge sheet and statement of allegation dated 01-11-2021 are attached as **Annexure-A**.
3. That appellant replied and denied the allegation.
Copy of reply to the charge sheet is attached as **Annexure-B**.
4. That inquiry was conducted through SDPO B.D.Shah, who in the absence and at the back of appellant conducted a slip shod inquiry. Appellant was not associated with inquiry proceedings, but even than the inquiry officer failed to collect an iota of incriminating evidence against the appellant. The astonishing fact is that as per contents of impugned order dated 08-11-2022 that appellant has not provided any

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kind of evidence of his innocence. It is the prosecution to prove allegation against the delinquent employee.

Copy of inquiry report dated 01-02-2022 is attached as Annexure-C.

- 5. That it is very astonishing fact that the inquiry officer without reference to any evidence, cogent and legal ground held the appellant as guilty and recommend him for award of suitable punishment.
- 6. That appellant was served with "Final Show Cause" without attaching inquiry report. Thus appellant was deprived to defend himself from any incriminating evidence, which may have been collected by the inquiry officer. Appellant submitted reply to the show cause (without being provided with inquiry report) and appellant again denied the allegations. Appellant has not been provided opportunity of personal hearing.

Copy of the Final Show Cause Notice dated 02-11-2022 and reply to the show cause are attached as Annexure-E.

- 7. That Respondent No.3 vide order dated 08-11-2022 imposed upon the appellant major penalty of dismissal from service under Police Rules, 1975 (amended in 2014) without giving any legal and cogent reasons.

Copy of impugned order of respondent No.3 dated 08-11-2022 is attached as Annexure-F.

- 8. That appellant being aggrieved from the impugned order dated 08-11-2022 of the respondent No.3; preferred departmental appeal before the respondent No.2, who vide impugned final order dated 06-01-2023 rejected the same without any legal and cogent reasons.

Hence appellant being aggrieved and finding no adequate and efficacious remedy is constrained to file this service appeal on the following amongst other grounds:

- A. That the respondents has not treated the appellant in accordance with law, rules and policy on the subject and acted in violation of Article 4 of the Constitution of Pakistan, 1973. The basic charge of illegal and extra-

departmental activities and developing links with criminals and narcotics sellers and also sharing and leaking secret information has not been scrutinized through legal evidence. There was/is nothing on record which can connect the appellant with alleged allegations. Neither the person to whom appellant has shared/leaked the alleged secret information nor the day, time, place has been mentioned in the charge sheet and statement of allegation. The Charge Sheet and Statement of allegation also does not provide as to what was/were secret information leaked out or shared by the appellant. What were the kinds of illegal and extra-departmental activities? Who were narcotics sellers, with whom appellant had links and shared information? What kind of information appellant had shared? In what manner appellant had shared secret information/raids. In this view of the matter the charge sheet and statement of allegation being not specific therefore, defective and flimsy in nature. The basic concept of charge sheet and statement of allegation is to give the accused civil servant an opportunity to defend himself so that injustice could not be occasioned. In view of defective charge sheet and statement of allegation, the penal order cannot be clothed with validity and therefore liable to be set aside.

- B.** That appellant was illegally got involved in case FIR No.338 dated 06-10-2022, charge under section 118 of the Khyber Pakhtunkhwa Police Act, 2017. The authorities were under legal obligation to wait for the outcome of criminal trial, but the penal authority without waiting for the outcome of the criminal case, initiated inquiry against him and dismissed him from service, which is nullity in the eyes of law and therefore, this Hon'ble Tribunal has got the jurisdiction to interfere with and set aside the impugned orders.

Copy of FIR No.338 dated 06-10-2022 and other related documents are attached as Annexure-I

- C.** That slips shod inquiry has been conducted in the absence and at the back of the appellant. Appellant was not associated with inquiry proceedings, but even then, the enquiry officer failed to procure an iota of evidence against the appellant. The conduct of the inquiry officer was against the spirits of prescribed procedure provided in the statute and statutory rules

therefore, the inquiry proceedings and its findings are nullity in the eyes of law and justice and liable to be reversed and set aside.

- D. That no worth credit evidence has been collected by the inquiry officers in support of alleged accusations. The impugned orders are based on conjunctures and surmises. Appellant has never been confronted with such type of evidence therefore, cannot be held to be legal evidence and conviction cannot be based upon such type of evidence in the light of law laid down by the Hon'ble Supreme Court of Pakistan.
- E. That appellant is entitled to be treated in accordance with law and also entitled to be treated fairly, justly and be provided with opportunity of hearing under the provision and spirit of Article 10A of the Constitution of Islamic Republic of Pakistan, 1973.
- F. That section 16 of the Civil Servant Act, 1973 provide that a civil servant is liable for prescribed disciplinary actions and penalties only through prescribed procedure. In instant case prescribed procedure has not been followed.
- G. That so called slipshod inquiry has been conducted in the absence and at the back of the appellant. Appellant active participation during inquiry proceeding has been willfully and deliberately ignored. Inquiry proceedings are of judicial in nature in which participation of accused civil servant as per law condition sine qua non. On this ground the impugned orders are coarm non judice and liable to be set back.
- H. That the well-known principle of law " Audi altram Partem" has been violated. This principle of law was always deemed to have embedded in every statute even though there was no express specific or express provision in this regard.

....An adverse order passed against a person without affording him an opportunity of personal hearing was to be treated as void order.

Reliance is placed on 2006 PLC(CS) 1140. As no proper personal hearing has been afforded to the appellant before the issuing of the impugned order, therefore, on this ground as well the impugned order is liable to be set aside.

- I. That the non provision of the inquiry report amounts to deprive a civil servant from confronting and defending himself from the evidence that may go against him; which is against the provision of Article 10A of the Constitution of Pakistan, 1973. In the instant case copy inquiry report has been denied to the appellant.
- J. That under the provision of Rule 14 of E & D Rule, 2011, the competent authority was under legal obligations to peruse the inquiry report and determine as to whether the inquiry has been conducted in accordance with prescribed procedure and whether the charge are proved or otherwise. The competent authority has made no such efforts and dismissed the appellant with a single stroke of pen, which is nullity in the eyes of law and liable to be interfered with by this Honorable Tribunal.
- K. Accused is stated to be a favorite child of law and he is presumed to be innocent unless proved otherwise and the benefit of doubt always goes to the accused and not to the prosecution as it is for the prosecution to stand on its own legs by proving all allegations to the hilt against the accused. Mere conjectures and presumption, however strong, could not be made a ground for penalizing a civil servant [1999 PLC (CS) 1332 (FST)].... Unless and until prosecution proves accused guilty beyond any shadow of doubt, he would be considered innocent [1983 PLC (CS) 152 (FST)].
- L. That Re-instated employee would be entitled to back benefits as a matter of course unless employer is able to establish by cogent evidence that concerned employee had been gainfully employed elsewhere. In this respect, initial burden would lie upon the

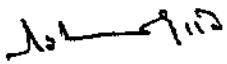

employer and not upon the employee to prove that such employee was gainfully employed during period of termination from his service. 2010 TD (Labour) 41.

- M. That Civil servant who was dismissed from service through arbitrary and whimsical action of the government functionaries and re instated through judicial order of Service Tribunal would have every right to recover arrears of salaries by way of back benefits due to them during the period of their dismissal and re instatement. It would be very unjust and harsh to deprive them of back benefits for the period for which they remained out of job without any fault on their part and were not gainfully employed during that period..... Supreme Court allowing their appeal and directing payment of back benefits to the appellants. 2006 T D (SERVICE) 551 (a).
- N. That the penal orders are not speaking orders for the reason that no solid and legal grounds have been given by the authorities in support of their order. On this score the impugned orders are liable to be set aside.
- O. That appellants would like to seek the permission of this Hon'ble Tribunal to advance more grounds at the hearing.

It is therefore, humbly prayed that the instant service appeal may kindly be allowed as prayed for above.


Appellant

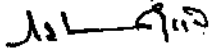
Through


Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

Rahad Ullah
Advocate, Peshawar

Dated: ___/01/2023

CERTIFICATE

Certified on instruction that appellant has not previously moved this Hon'ble Tribunal under section 4 of the Service Tribunal Act, 1074 regarding present matter.



Ashraf Ali Khattak
Advocate, Peshawar.

List of Books

1. The Constitution of the Islamic Republic of Pakistan, 1973.
2. Services Law.

NOTE

1. Six spare copies of the Service Appeal are enclosed in a separate file cover.
2. Memo of addresses is also attached.


Ashraf Ali Khattak
Advocate, Peshawar

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

9

Service Appeal No. _____/2023


Nasir Iqbal,
Ex-Constable No.117,
Police Force, Karak.....Appellant.

Versus

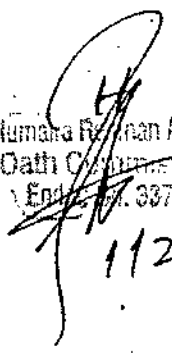
The Provincial Police Officer, & others.....Respondents.

AFFIDAVIT

I, Nasir Iqbal, Ex-Constable No.117, Police Force, Karak do hereby solemnly affirm and declare on oath that the contents of this Service Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.


Deponent

CNIC: 14202-5471015-9
Cell: 03469267032


Humara Rizwan Advocate
Oath Commission
Eng. No. 3370-75
11/2/2023

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

10
✓

Service Appeal No. _____/2023

Nasir Iqbal,
Ex-Constable No.117,
Police Force, Karak.....Appellant.

Versus

The Provincial Police Officer, & others.....Respondents.

ADDRESSES OF PARTIES

Nasir Iqbal,
Ex-Constable No.117,
Police Force, Karak.....Appellant.

Versus

- 4. The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.
- 5. The Regional Police Officer,
Kohat Region,
Kohat.
- 6. The District Police Officer,
Karak.....Respondents.

Through



Petitioner
Ashraf Ali Khattak
Advocate,
-Supreme Court of Pakistan



Rahid Ullah
Advocate, Peshawar

Dated:

HAX: A

No. 158 /Enq

Dated 10/10/2022

CHARGE SHEET

I, KHAN ZEB, District Police Officer, Karak, as a competent authority, hereby charge you FC Nasir Iqbal No: 117 (suspended) Police Lines Karak as follows:-

"It has been noticed with grave concern that you Constable Nasir Iqbal No. 117 are involved in illegal and extra-departmental activities and develop links with criminals and narcotics sellers and leaked secret information regarding raids etc to them due to which you Constable Nasir Iqbal No. 117 have directly been charged in case-FIR No. 338 dated 06.10.2022 u/s 118-KP Police Act-2017 PS Sabirabad. This is quite adverse on your part and shows your malafide intention, willful breach, and non-professionalism in the discharge of your official obligations. This act on your part is against service discipline and amounts to gross misconduct."


1. By the reason of your commission/omission, constitute miss-conduct under Police disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department, you have rendered your-self liable to all or any of the penalties specified in Police Rule-1975 ibid.

2. You are, therefore, required to submit your written defense within 07-days of the receipt of this charge sheet to the enquiry Officer DSP Banda is hereby appointed for the purpose of conducting enquiry.

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

3. Intimate whether you desire to be heard in person.

4. A statement of allegation is enclosed.


District Police Officer, Karak

DISCIPLINARY ACTION


I, KHAN ZEB, District Police Officer, Karak, as a competent authority, is of the opinion FC Nasir Iqbal No. 117 (suspended) Police Lines Karak has rendered himself liable to be proceeded against on committing the following act/commission within the meaning of Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department.

STATEMENT OF ALLEGATIONS

"It has been noticed with grave concern that Constable Nasir Iqbal No. 117 are involved in illegal and extra-departmental activities and develop links with criminals and narcotics sellers and leaked secret information regarding raids etc to them due to which Constable Nasir Iqbal No. 117 has directly been charged in case FIR No. 338 dated 06.10.2022 u/s 118-KP Police Act-2017 PS Sabirabad. This is quite adverse on his part and shows his malafide intention, willful breach, and non-professionalism in the discharge of his official obligations. This act on his part is against service discipline and amounts to gross misconduct."

1. The enquiry Officers DSP Banda in accordance with provision of the Police Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department may provide reasonable opportunity of hearing to the accused official, record his finding and make within 10-days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

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


District Police Officer, Karak

No. 159 /Enq, dated 10/10 /2022.

Copy to:-

1. The enquiry Officers for initiating proceeding against the accused under the Provision of the Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department.
2. FC Nasir Iqbal No. 117 (suspended) Police Lines Karak.

ضابطہ عالیہ

حوالہ بشمولہ چارٹڈ نمبر EN 9 / 158 عرض 2022ء 10.2022
 جاریہ ضابطہ 5P0 ضابطہ مندرجہ ذیل کے مطالعہ من کانسٹیبل
 ناصر اقبال نمبر 117 پر جرائم پیشہ افراد کے ساتھ روابط رکھنے
 حکمانہ راز افشاء کرنے منشیات فروشوں کو منشیات سپلائی کرنے غیر قانونی
 سرگرمیوں سے ملوث ہونے سے الزامات عائد کئے گئے ہیں کے متعلق
 معروف ہوئے۔ کہ کئے کانسٹیبل ناصر اقبال پر جھوٹے پولیس ملزم متذکرہ بالا
 جتنے ہیں الزامات عائد کئے گئے جو نہ صرف غلط بلکہ بے بنیاد بھی ہیں۔
 جملہ عائد کردہ الزامات ضابطہ 5H0 ضابطہ تقانہ ضابطہ آباد کے عائد
 کردہ ہو جنور کے ناراضگی کے باعث بن چکے ہیں جس کے بنیاد پر
 جنور کے حکم سے 5H0 ضابطہ تقانہ ضابطہ آباد نے من کانسٹیبل کے دفتر
 مقدمہ عدالت نمبر 338 عرض 2022ء 10.22 6.10.22 118 پولیس ایلیٹ 2016 تقانہ
 ضابطہ آباد نے غیر قانونی مقدمہ دائر کر رکھا ہے۔ آپ بارثیوٹی جی ضابطہ 5H0
 کے ذمہ ہیں۔

میں تک پہنچائے FIR بطور ثبوت دئے ہوئے مقدمات عدالت نمبر 337 عرض
 2022 4.10.22 مرقم 9cNASA تقانہ ضابطہ آباد اور مقدمہ عدالت نمبر 353 عرض 2017 6.2017
 مرقم 365B تقانہ عدالت لفرق کے حوالہ جات دئے گئے ہیں جو ذیل وجوہات کے
 بے بنیاد اور غلط ہیں۔

حوالہ مقدمہ عدالت نمبر 337 عرض 2022 4.10.22 مرقم 9cNASA تقانہ ضابطہ آباد گرفتار
 ملزم کے بیانے زید دفعہ ابا ان فن کا حوالہ دیا گیا ہے جس کا بیان زید دفعہ 164/364
 طبعی ہے۔ جبکہ ملزم بھی من کانسٹیبل کے گاؤں کار کھٹی ہے جس نے
 کسی متوقع رعایت حاصل کرنے کی امید پر میرا نام لیا ہے۔ چونکہ ملزم کے بیان
 زید دفعہ ابا ان فن پر اس کا دھوکا ہو رہا ہے جس سے بددینی کے بنیاد
 پر ملزم کے بیان زید دفعہ ابا ان فن من کانسٹیبل کا نام بطور سہولت کار وغیرہ

حالتہ تک سائل کا تعلق ناہر اقبال جو نزد کاران جو کما کی گئی ہے نہ صرف
 مقدمہ میں گرتا رہتا بلکہ دیگر کسانوں میں سے جرائم پیشہ کسان بھی
 شامل ہونگے ہے قائد القذافی کے مابین غم فوشی میں ایک دوسرے کے ساتھ
 شریک ہونے کی وجہ سے جان پہچان اور تعلق داروں سے جو سائل کے خلاف
 بطور سازش اشمال کرنا غلط ہے۔ جبکہ جمیت سرکاری فراغ منہی من
 کانسٹیبل نے سرکاری راز ان جرائم پیشہ کسان کے مفاد کی خاطر
 اشمال نہ کیے ہیں۔ اور نہ ہی سوچ سکتا ہوں۔

جیسے تک بجائے FIR مقدمہ علت بر 302 درجہ 21.6.17 م 365 B
 تمام وقت لغوی کا تعلق ہے۔ اسی مقدمہ میں من کانسٹیبل کے خلاف تعلق
 بجائے FIR دعوی مقدمہ نے کوئی دعوی جاری کیا تھا۔ اور نہ ہی لغوی نے
 سے خلاف کوئی بیان دیا تھا۔ البتہ بجائے FIR تا نزد ملزمان من
 کانسٹیبل کے دستہ درانے تھے۔ جنکو غلط دعوی جاری کی بنیاد پر بطور ملزمان
 تا نزد کیے گئے تھے۔ جب لغوی کا بیان تلبس کیا گیا، تو FIR میں تا نزد ملزمان
 نے گناہ جبکہ لغوی کا ایک اور شخص کے ساتھ مجبوشی فوش جانا بتلایا،
 جسکی بنیاد پر بعد عدالت سے مقدمہ خارج ہو چکی ہے۔ بطور ثبوت تعلق FIR
 لغوی بنیاد پر 364/افرف اور فیصلہ عدالت بطور لف بیان میں

جناح عالی۔ سائل نا کردہ گناہ ہے۔ برہنہ کی بنیاد پر من کانسٹیبل کے خلاف غلط
 الذمات قائم کیے گئے ہیں۔ جو ر فو دالتا کولتوال کو ذمائی کے مترادف
 ہیں۔ النبی الذمات کی بنیاد پر بجائے حکم لغوی من کانسٹیبل ناہر اقبال
 جو الہ فرخا روزنامہ 7.10.22 پولیس لندن کے بندہ کو ایئر کارڈ سے
 جبکہ کانسٹیبل ناہر اقبال کو صوم 5.10.22 تا 7.10.22 تک بندہ جو الہ ذمائی
 صاحب آباد بند رکھا گیا ہے۔ بدیں ہم چارٹیڈ دفنل دفتر کرتے کی استدعا ہے

تقدیر صوم 14.10.22

الغاضب
 کانسٹیبل ناہر اقبال بندہ 11 صوم پولیس لندن کرتے

15

FINDINGS

Kindly this is in response to your good Office Charge Sheet No. 158/Enq dated 10.10.2022, issued to FC Nasir Iqbal No. 117 (suspended) Police Lines Karak with the following allegations.

STATEMENT OF ALLEGATIONS

It has been noticed with grave concern that Constable Nasir Iqbal No. 117 is involved in illegal and extra-departmental activities and develop links with criminals and narcotics sellers and leaked secret information regarding raids etc to them due to which Constable Nasir Iqbal No. 117 has directly been charged in case FIR No. 338 dated 06.10.2022 u/s 118-KP Police Act-2017 PS Sabir Abad. This is quite adverse on his part and shows his malafide intention, willful breach, and non-professionalism in the discharge of his official obligations. This act on his part is against service discipline and amounts to gross misconduct.

Thus the undersigned was appointed as an enquiry Officer to dig out the real facts.

ENQUIRY PROCEEDING.

During the course of an enquiry, the accused FC Nasir Iqbal No. 117 (suspended) was summoned. He attended this office and heard in person and crossly examined by the undersigned. However, he recorded his statement in response to the charge sheet in which he divulges that he has no relation with drugs sellers and the allegations leveled by the SHO Sabir Abad are baseless and his no truth and false case FIR No. 338 dated 06.10.2022 u/s 118-KP Police Act-2017 PS Sabir Abad has been registered against him. As for case FIR No. 337 dated 04.10.2022 u/s 9D CNSA PS Sabir Abad is concerned, the accused namely Afzal Mehmood s/o Arbab Khan r/o Dab Bego Khel is a resident of my village, therefore my name must have been taken in the hope of getting some expected concession.

Moreover, accused Afzal Mehmood charged in case FIR No. 337 dated 04.10.2022 u/s 9D CNSA his interrogation report was called from which it was concluded that the said Constable was selling drugs near Kamran Shaheed Chowk. Further, the said constable used to buy drugs from Hazrat Umar and Sabir Nawaz and sell it to Nasir Khan, Rab Nawaz, Shahab Sultan, and Naqeeb near the petrol pump in Kamran Shaheed Chowk.

In this regard a secret report was brought from DSB Karak to dig out the real facts, in which it came forward that no such evidence was found against the accused constable which can be made part of the enquiry as evidence.

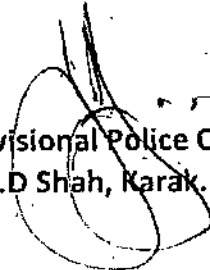
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Further, after the perusal of the service book of the said constable, it was founded that Constable Nasir Iqbal No. 117 was dismissed from the service back in the year 2017, for being involved in criminal activities. However, Regional Police Officer Kohat reinstated him back, and he is also a habitual absentee during his service.

CONCLUSION.

After going through all the available records the undersigned reached to the conclusion that Constable Nasir Iqbal No. 117 has not provided any kind of proof against himself, and being part of the discipline force it is quite adverse on his part that he is facilitating the drug sellers and also he selling drugs, which is not only a shameful act but also a source of embarrassment for the entire Police force, therefore being involved in extra-departmental activities and selling of the drugs the accused Constable Nasir Iqbal No. 117 found guilty and he is recommended for suitable punishment, please

Sub: Divisional Police Officer,
B.D Shah, Karak.



Annex - 11

No. 116 /Enq
Dated 21/11/2022

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FINAL SHOW CAUSE NOTICE.

1. I, KHAN ZEB, District Police Officer, Karak as competent authority under the Police Rule-1975 is hereby serve you Constable Nasir Iqbal No. 117 (suspended) Police Lines Karak as follow:-

That consequent upon the completion of re-enquiry conducted against you by Enquiry Officers Mr: Irfan Khan, SPO Banda Daud Shah.

2. On going through the finding and recommendation of the Enquiry Officer and materials on the record and other connected papers including your defense before the said Enquiry Officer, the charge against you were proved and you have committed the following acts / omission specified in Police Rule-1975:-

"It has been noticed with grave concern that you Constable Nasir Iqbal No. 117 are involved in illegal and extra-departmental activities and develop links with criminals and narcotics sellers and leaked secret information regarding raids etc to them due to which you Constable Nasir Iqbal No. 117 have directly been charged in case FIR No. 338 dated 06.10.2022 u/s 118-KP Police Act-2017 PS Sabirabad. This is quite adverse on your part and shows your malafide intention, willful breach, and non-professionalism in the discharge of your official obligations. This act on your part is against service discipline and amounts to gross misconduct."

3. As a result thereof I, as competent authority, have tentatively decided to impose upon you the penalty of major punishment under Police Rule-1975.

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

5. If no reply to this Notice is received within (07) days of its delivery in the normal course of circumstances, it will be considered/presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

6. Copy of findings of the Enquiry Officer is enclosed.

District Police Officer, Karak

جنا علیؑ جو اللہ تعالیٰ نے اسے نازل فرمایا ہے اور اس میں 22/11/2022ء کا جواب ہے۔
 جواب منہار کے مفروضوں میں ہے۔ کہ سوال کا اصل دوزخ بزرگ چارج سبب 158/EN9
 22/10/10 اور انکو اسے اپنے منہار کو بھی دیا گیا اور اسے شہادہ بیان ہے۔ وہی منہار بیان ہے
 جس پر بہتر مقام ہوں۔ ناکر وہ گناہ ہوں۔ سوال کے مفروضہ جو اللہ تعالیٰ نے 338/EN9 میں 22/10/6
 فرم 118 الیوں آڈر عقابہ منہار آباد کا ذکر ہے۔ یہاں الذرات نہ صرف غلط بلکہ برائی پر مبنی ہیں جو
 منہار کے ناراضگی کے باعث بن چکے ہیں۔ سوال کو بھی دیکھو دانت کو غیر قانونی فعل یا خد ف
 ڈی ایس ن فعل کا نتیجہ نہ کہ ہے۔ اور نہ ہی اس کا سبب ہے۔ البتہ بلکہ غم کے جان دمان کے معاملات
 اور دوسرے کے عزت و قدر کے خلاف جو اللہ تعالیٰ نے مقدمہ ملت نمبر 22/2011-7-2 میں 392-394
 عقابہ بلیا وینہا حضور صلی اللہ علیہ وسلم کے ساتھ مقابلہ میں نکر کر بھی ہو کر غازی میں جبکہ سوال کو فرمایا ہے
 یہ کہ سوال میں 22/9/22 سے نام ان شہید ہو کر وقوع حدود عقابہ منہار آباد پر موجود پوسٹ/لینڈ
 نیا آباد دوسرے عقابہ کے عقابہ میں نکر کر سوال کا کو بھی موجود ہے۔ یہ کہ جو اللہ تعالیٰ نے 337/EN9 میں
 22/6/2011 فرم 95 نصیب منہار آباد کی منہار آباد میں افضل فرم 22/2011-7-2 میں کاروباری ہے
 جو دوسرے قوم کا نام ہے شہید ہو کر نکر کر کٹ کیل سے کہ فوراً جاتے ہوئے 940 ملین کے متاثر کرنا
 اس سے کہی جی بہ آفر نہ کیا گیا تھا۔ ہر فرم میں اس کا ذکر ہے کہ غلطی ہوئی ہے۔ کہ وقت گزاری
 لیا جی دن سے ملنے دوسری فرم میں 22/10/5 کو جی قابل فان 940 ملین کے لو سے سے عقابہ منہار آباد
 اس کے۔ سوال کا 940 ملین پر جب عقابہ لیا۔ لہذا 940 ملین کے سوال کے عقابہ لینے کے متاثر کے
 نکر کر کے اور اس کے بالہ سے منظور کیے گئے ہیں۔ یہاں جو اللہ تعالیٰ نے فرم 22/10/7 تک غیر قانونی
 فرم میں رکھا۔ لہذا سوال کو زیر مراد است لولین لائن کو لیا کر فرم 22/10/90 تک بندہ کو لیا کر
 لیا ہے۔ نکل وراثت بطور شہرت لیں۔ اس کے بالہ کو غلط التفار میں دیکر انتخابات کی ناجائز اشمال
 کے ناجائز دست اندازی سے کہ غیر قانونی قابل دست اندازی منہار سوال کے خلاف مقدمہ ملت 338/EN9 میں
 22/10/6 فرم 118 الیوں آڈر 2011 عقابہ منہار آباد خد نام لیا ہے۔ جو لہذا خارج ہو چکی ہے۔ نام ان شہید ہو کر
 نام لیا ہوئے کے وہ سے گاؤں/علاقے کے ملکوں کے ساتھ خاندانی رشتہ دار سے غم فوشی میں شامل ہونا ان
 ایچے فرم کے اس سوال فالٹن میں ہے۔ کہ ساتھ میں جوں جوں لکھنا کوئی بھی نہیں لکھتا۔ البتہ 940 ملین پر
 فرم عقابہ اور ہے۔ کہ وہ سوال کے غیر قانونی عمل کے ثبوت پیش کرے۔ جس کے مطالبہ سوال کے غیر قانونی
 فعل یا مفروضہ ایسٹن عمل ثابت ہو۔ حالہ نام کے ساتھ نام ان شہید ہو کر لولین لائن پر دیکر لولین سے
 22/10/90 فرم سے اس کے عقابہ کے۔ لہذا لازم تھا کہ وہ سوال کے غیر قانونی عمل خلاف ڈی ایس ن
 کے لئے لیا گیا تھا۔

جو التعمیر کے کیا ہے۔ یہ سب اس لیے ہے کہ ان کے فائدے سے سائل پر پردہ پوشی
 کرنے کے بارے میں باقاعدہ ملاحظہ کیا جاتی ہے۔ چونکہ کیا ہے جو اس وقت 337 شمار
 لزم افضل نمود کا تعلق ہے کہ یہ بیانات / اشارات اور کتب کے مطالعے ملزم کے جانب سے
 سائل کے متعلق الذمات قائم رکھے گئے ہیں۔ خود سائنس ہے۔ جس کے مطالعے سائل کا علم کسی
 شخص سے منشیات فروری بعد دیگر منشیات فروری کو سہلہ کے الزام قائم کیا ہے۔ سائل کے حملوں
 کے مطالعے فروری شخص 3/4 میں سے گرفتار میں ہو یا بیان ہو ہے۔ علاوہ ازیں سائل کے
 سائل کو ملنے سے 5.11.22 سے 5.11.22 تک کو غیر ملاحظہ ہے۔ فروری میں ایک مرتبہ
 3.11.22 تک فروری خود میں رکھے تھے۔ سائل کے فائدے کو ثابت کرنے میں نا کام رہا ہے
 چنانچہ آدب و احترام کے ساتھ فروری کے سائل کو فروری منشیات فروری کے ساتھ فروری
 رابطے میں فروری کے فائدہ اگے کو منشیات فروری کے میں ہی ملوث ہے۔ جس نے میرے موجودگی میں
 ایک منشیات فروری کے ساتھ فروری کے جاکر ایک طے سبب میں ایسا نزدیک فروری باغ سے سرکاری گاڑی
 میں منشیات ایک لیا تھا۔ سائل کا فروری کرنے سے قبل سائل ہی کے فائدے فروری الذمات قائم
 کرتے ہیں کے متعلق فروری کو ملنا الخلع فروری۔ فروری فروری سے سائل کے فروری نا قابل دست اندازی
 میرا کو قابل دست اندازی بنا کر سائل کو فروری 5.10.22 سے فروری 22.10.22 تک فروری کے
 فروری میں رکھا ہے۔ ایک فروری فروری کے ناطے فروری سے الفائدہ کا ملاحظہ فروری بہ فروری

صفحہ 6.11.22

کامیلاً نامہ ارسال فروری اسٹیشن فروری فروری فروری

ORDER

This Order will dispose off the departmental enquiry against Constable Nasir Iqbal No. 117 (suspended) of this district Police.

It has been noticed with grave concern that Constable Nasir Iqbal No. 117 is involved in illegal and extra-departmental activities and he has developed links with criminals and narcotics sellers. He also leaked secret information regarding raids, etc, to them due to which Constable Nasir Iqbal No. 117 has directly been charged in case FIR No. 338 dated 06.10.2022 u/s 118-KP Police Act-2017 PS Sabirabad. This is quite adverse on his part and shows his mala fide intention, willful breach, and non-professionalism in the discharge of his official obligations. This act on his part is against service discipline and amounts to gross misconduct.

He was issued Charge Sheet and Statement of Allegations. Mr. Irfan Khan, SDPO B.D.Shah was appointed as Enquiry Officer to conduct proper departmental enquiry against him and he was directed to submit his findings in the stipulated period.

The Enquiry Officer reported that Constable Nasir Iqbal No. 117 has not provided any kind of evidence against his innocence. Being a part of the discipline force, it is quite adverse on his part that he facilitated drug sellers and selling drugs which are not only a shameful act but also a source of embarrassment for the entire Police Force. Therefore, he being involved in extra-departmental activities and selling of drugs, the accused Constable Nasir Iqbal No. 117 is found guilty of the charges and the E.O recommended him for award of a suitable punishment.

He was issued Final Show Cause Notice. In response to the Final Show Cause Notice, accused official submitted his reply, which is found unsatisfactory.

From the perusal of his service record, numerous red entries have also been found which are against the service discipline and amounts to gross misconduct, and it shows his indiscipline and mala fide intention.

Keeping in view above available record and facts on file, perusal of enquiry papers, and recommendations of the Enquiry Officer, he is found guilty of the charges. He is a stigma on the Police Force. Being a member of the discipline Force, his involvement in narcotics selling stigmatizes the Police department. His further retention in Police Force is no more required. Therefore, in exercise of the power conferred upon me, I, KHAN ZEB, District Police Officer, Karak, as competent authority under Police Rules 1975 (amended in 2014), hereby impose major punishment of dismissal from service upon defaulter Constable Nasir Iqbal No. 117 with immediate effect.

CBNC: 584

Date: 08/11/22

OB No. 584
Date: 08/11/2022

[Handwritten signature]

District Police Officer, Karak

District Police Officer
Karak

To

The Regional Police Officer,
Kohat Region, Kohat.

Subject DEPARTMENTAL APPEAL.

Respected Sir,

With due respect appellant submits departmental appeal against the order of learned District Police Officer, Karak bearing OB No. 584 dated 08/11/2022 vide which appellant was dismissed from service.

Facts.

1. That appellant was serving as constable No. 117 in District Police Karak under your kind control and command. Appellant was posted at Kamran Shaheed Police Post Police Station Sabir Abad.
2. That on 06/10/2022, Station House Officer (SHO) Police Station Sabir Abad booked appellant in criminal case vide FIR No. 338 under section 118 Khyber Pakhtunkhwa Police Act, 2017 for the reasons that an accused namely Afzal Mehmood arrested in case FIR No. 337 dated 04/10/2022 under section 9 (d) CNSA Police Station Sabir Abad had allegedly disclosed during interrogation that appellant was extending help and disclosing information to him in dealing of narcotics. He also refused to another case FIR No. 302 dated 21/06/2017 under section 356-B PPC P.S Yaqoob Khan Shaheed (YKS) Takht-e-Nasrati which was already cancelled by competent court. Copy of order is enclosed.
3. That SHO Sabir Abad arrested appellant on the very day of Registration of case, confined appellant for three (03) nights in lock-up of Police Station without any judicial order and later on confined appellant in the quarter-guard of Police Lines Karak. Extracts of the daily diary of police line are enclosed for perusal. Appellant was illegally confined for 13 days in quarter-guard.
4. That charge sheet based on allegations of developing link with narcotics dealers and involvement in the above cited case FIR No. 338 was issued to appellant. An ex-parte was conducted and eventually appellant was dismissed from service vide impugned order, hence this departmental appeal on the following grounds.

Grounds.

- a. That the impugned order has wrongly been based on hallowed charges and defective enquiry findings. No evidence was brought on record which may that appellant had developed link with antic social elements and was leaking secret information. In the same vein criminal case FIR No. 338 under Section 118 KP Police Act, 2017 was registered against appellant on the basis of alleged statement of accused recorded under section 161 Cr.PC without any corroborative pieces of evidence. Therefore the very

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foundation of the charges leveled against appellant was baseless and groundless.

- b. That the biased attitude of complainant in case FIR No. 338 is proved from the fact that the has showed appellant involvement in another case FIR No. 302 dated 21/06/2017 under section 366-B PPC PS YKS. Actually this case was registered against the relatives of appellant. Later on the so-called abducted woman appeared before court and negated the charges leveled in the FIR, therefore the case cancelled vide order of court.
- c. That enquiry officer did not considered the plausible reply of appellant submitted in response the charge sheet. Similarly the lower authority did not take into account the detailed reply submitted in response to the Final Show cause Notice. Enquiry officer did not examine any witness in presence of appellant. Appellant was not confronted with any evidence. Therefore the whole departmental proceedings were carried out in violation of law and rules.
- d. That appellant was first illegally confined in police station lock-up, followed by 13 days confinement in quarter-guard of police lines. The SHO exercised powers beyond his jurisdiction. No law of the land wrongful confinement. In addition to award of punishment of illegal confinement, appellant was also dismissed from service. The constitution of Islamic Republic of Pakistan strictly prohibits double jeopardy.
- e. That the departmental punishment before the decision of criminal case is pre-mature. Appellant will fall trial of the criminal charge and there is every probability of acquittal of appellant because the contents of FIR does not attract provision of section 118 KP Police Act, 2017. Again no evidence was collected during investigation of the case.
- f. That appellant also places requested for personal hearing and raising other grounds.

It is, therefore, requested that the impugned order bearing OB No. 584 dated 08/11/2022 may be set aside with all back benefits and obliged.

Yours Obediently

(Signature) 30/11/2022

**Nasir Iqbal Ex Constable No. 117
R/O Hakim Khel Tehsil & District,
Karak. Post Office Dabb Begu
Khel. Mobile No. 0346-9267032**

Total page
1-13

POLICE DEPTT:

Anx-G

KOHAT REGION

ORDER.

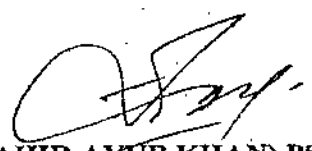
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10/1/2023

This order will dispose of a departmental appeal, moved by the Ex-Constable Nasir Iqbal No. 117 of district Karak against the punishment order, passed by DPO Karak vide OB No. 584, dated 08.11.2022 whereby he was awarded major punishment of dismissal from service on the allegations of having links with criminals and leaking secret information to private individuals / criminals for his personal gains. The appellant was also charged in FIR No. 338, dated 06.10.2022 u/s 118-KP Police Act-2017 for this blunder.

He preferred appeal to the undersigned, upon which comments were obtained from DPO Karak and his service record was perused. He was also heard in person in Orderly Room held in this office on 03.01.2023. During hearing the appellant did not advance any plausible explanation in his defense to prove his innocence.


I have gone through the available record which indicates that the allegations leveled against the appellant have been proved and the same have also been established by the E.O in his findings. Being a member of disciplined force, he was not supposed to indulge himself in such like anti-social activities which tarnished the image of Police. Therefore, in exercise of the powers conferred upon the undersigned, his appeal being devoid of merits is hereby rejected.


Order Announced
03.01.2023


(TAHIR AYUB KHAN) PSP
Region Police Officer,
Kohat Region.

No. 322 /EC, dated Kohat the 06-01-2023.

Copy to District Police Officer, Karak for information and necessary action w/r to his office Letter No. 5588/EC, dated 13.12.2022. His Service Record is returned herewith.

ON BEHALF
of the undersigned

District Police Officer
Karak


(TAHIR AYUB KHAN) PSP
Region Police Officer,
Kohat Region.

3

مقامی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ ۱۵۲ مجموعہ ضابطہ نو جداری

کسر ۱۳/۱۰/۲۰۱۷

صابر آباد

مختلف اوقات

تاریخ وقت وقوع

338

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وقت رپورٹ 10/22/06	وقت دفعہ اوقات 10/22/06	جائیدگی پیر ج	جائیدگی پیر ج
مقامت اطلاع دہندہ و مستفیث ادراں کا کی موہا کون پیر	مادل خان SHO	118-12P یو کیس ایکٹ سال 2017	118-12P یو کیس ایکٹ سال 2017
مقامت وقوع (موردہ) حال اگر کچھ لیا گیا ہو۔	سکا مرزا محمد چوک بجاہم 4/5 کلو میٹر حانب نرس از قلعہ	نسبیل ناصر امبال بلٹ نمبر 117	نسبیل ناصر امبال بلٹ نمبر 117
کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کر لیں	مستفسر کے نام	مستفسر کے نام	مستفسر کے نام
تقدیر سے درآگئی کی تاریخ وقت	مستفسر کے نام	مستفسر کے نام	مستفسر کے نام

ابتدائی اطلاع نیچے درج کرومن مستفیث ہندرم خان نمبر 2 کو سر خلیفہ ہندرم خان نمبر 2 بابت غیر چھان بینوں میں ملوث ہونے اور منشیات فروشان کے ساتھ ساتھ انکار مشین کے ساتھ ساتھ ہندرم کے 337 مورخہ 10/22/06 جرم 9 DCNSA بجاہم میں نافرد ملزم افضل محمد ولد از باب خان ساکن ڈاٹ بیٹو چل سے دوران امتحان و آگے کو رقم کی سبب لیا اور اطلاعات فراہم کرنا اور عدد فراہم کرنا لقمہ تین سے لے کر نوہ کی بابت قانونی کارروائی کرنے افان بالا صاحبان کو تحریری درخواست پیش ہو ڈسکس کرنے حسب الحکم افسران بالا صاحبان سرخولف ملزم بالہ پیر ج ملزم بالہ ریسرڈ لیا جاتا ہے۔ شکل FIR مع درخواست توفیق نقش خوالم KBI سٹاف ملزم ہے۔ پیر ج گن ارش ہے۔ درخواست کا متن ذیل ہے۔

نسبیل ناصر امبال نمبر 117 جو غیر چھان بینوں اور SHO PS SA منشیات فروشان کے ساتھ ساتھ ہندرم کے 337 مورخہ 10/22/06 جرم 9 DCNSA 06-10-22 میں ملزم کے ساتھ لیا ہے۔ کہ نسبیل ناصر امبال ملزم استیجالت کار ہے۔ (مجموعہ) اطلاعات فراہم اس سے لیے ہی مذکورہ نسبیل ہندرم کے 302 مورخہ 06/21/2017 میں ملزم کے 365-8 میں ہی ملزم رہ گیا ہے۔ لہذا پیر ج درخواست استیجالت خوالم کے ساتھ ساتھ نسبیل کے ساتھ ساتھ 118-12P یو کیس ایکٹ سال 2017 قانونی کارروائی کی اجازت ملزم کے عین تفتیش ہوگی مورخہ 10/22/06 الحاضری دیکھو اندر نرس عادل خان صابر آباد۔

SHO PS SA
06-10-22

1/1

گزارش عدم پیشی نامہ ارسال شد 1171 جو ممبر حلقہ

سٹرکچر اور عیادت فریڈیشنوں کے ساتھ طور پر 1/1

حقت لکھ 337 قسم 10/4/2022 (NSA) 910 میں ملزم نے

انکشاف کیا ہے کہ پیشی نامہ ارسال میں اس وقت تک جو تمام

اطلاعات فراہم کرتے ہیں اس سے پہلے ہی ضروریہ پیشی صرف دہ

302 قسم 6/21/2017 (B.P.P. 365-B) کے تحت اطلاع میں بھی ملزم

لہذا نذرانہ درخواست اس کے ساتھ فروریہ پیشی

لکھیلاو سیکشن (118) Act. 247/1972 ICP Police

عین نواز شیخ

10/6/2022

الحق علیہ

عادل خان S.H.O سہارنپور

Approved

[Signature]

District Police Officer
11/10/22

Agreed

درخواست در باره حصول جواز فروش کتب

کتاب صحت 338 و ص 10/66 خدمت 118-KP ایس ایس سال 2017
کتاب کشف اسرار سال 17 و در کتاب سکت و کتب دیگر

درخواست در باره جواز فروش کتب و غیره
در باره کتب اسرار و غیره
در باره کتب اسرار و غیره

درخواست در باره جواز فروش کتب و غیره

Handwritten signature
07-10-22

Shops Sabirabad
As per Sec 115 of Police Act 1947
Section 112 to 115 shall be
Recognizable
Personal
Returned to Shop
7/15/2022

کامران پور
کامران پور

کامران پور 338
کامران پور 118
کامران پور 117

کامران پور
کامران پور

کامران پور
کامران پور
کامران پور

کامران پور
کامران پور
کامران پور



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بش 17 روز پانچ 07/10

28

افضل نیشنل کو اسٹریٹ / روڈنگ سٹریٹ (میں) مقرر خانہ صاحبہ آباد
 07/10 وقت 13:30 بجے اس وقت خانہ صاحبہ آباد مقرر خانہ
 نے پیراہ نیشنل نا اہل 117 جون 18 سن اگر بقول مقرر
 کے حسب درایت 10/10 - صرف ایک صاف - DPO کا پ
 نا اہل 117 کو خانہ صاحبہ آباد سے مقرر اور ساتھ ہی
 کاپی نیشنل کو اسٹریٹ کرتے مقرر کا ہے جس کا مقرر خانہ
 حاضر کیا ہے نیشنل کو اسٹریٹ مقرر پورے مقرر خانہ نے کیا اور
 نیشنل نا اہل کو خانہ صاحبہ آباد سے مقرر اور ساتھ ہی نیشنل کو اسٹریٹ
 کرتے مقرر خانہ - DPO کے کا ہے - جس مقرر خانہ
 نیشنل کو اسٹریٹ مقرر کو اسٹریٹ مقرر خانہ نے کیا ہے اس
 کے لئے نیشنل کو اسٹریٹ مقرر خانہ نے کیا ہے اس
 نا اہل صاحبان کو اسٹریٹ مقرر خانہ

صاف

بش مطابق اصل

Sir
forwarded
Mam

Mir. PL. RK
07-10-2022

Lo. PL. RK
20-10-2022



کاپی

نقلہ 37 روزنامہ 20/10

نقلہ

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37

اطلاع دیا گیا کہ ڈاکٹر فاروق 20/10/2010ء کو 20/35 بجے
 وقت بحال ہونے پر SHC ٹھکانہ صابری کمانڈو نے بذریعہ جوائنٹ
 کی 3348681055 اطلاع دی کہ حسب الحکم افسران مال کو
 نے کنٹریل نامہ افعال 17 اجوارہ بند 17 روزنامہ 07/10 سے بند
 ڈاکٹر محمد کنیل مذکورہ بالا کے منقولہ افسران بالاصحابان کے
 پر کوئی ڈاکٹر سے نکال دیا جائے۔ امداد اطلاع اور روزنامہ
 ہو کر کنیل مذکورہ کو ڈاکٹر فاروق سے نکال جا کر نقلہ علیحدہ
 شد ہو کر افسران بالاصحابان کی خدمت میں ارسال ہوگی

حساب عالی

نقل بظابطہ اجیل سے

J

mm-p2-kk
20-10-022

Sir

Forwarded

Lo-P2-KK
20-10-022

ابتدائی اطلاع کے لیے پورا کیا گیا ہے۔ 14203-435947
ابتدائی اطلاع کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

30

46	4K5	302
22.05.2011	19/7	365B
21/05/2011	21/05/2011	365B
21/05/2011	21/05/2011	365B
21/05/2011	21/05/2011	365B
21/05/2011	21/05/2011	365B
21/05/2011	21/05/2011	365B
21/05/2011	21/05/2011	365B
21/05/2011	21/05/2011	365B
21/05/2011	21/05/2011	365B

ابتدائی اطلاع کے لیے درج ذیل معلومات فراہم کی گئی ہیں۔

1. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

2. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

3. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

4. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

5. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

6. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

7. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

8. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

9. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔

10. متعلقہ شخص کی شناخت کے لیے تمام متعلقہ اداروں کو مطلع کیا گیا ہے۔



Cons: Muhammad Iqbal 1802	-do-
Cons: Noor Saleem 4238	-do-

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31

Statement of Mst. Nadia Ali D/o Ali Khel, n Banda, Tehsil Takht-e-Naywan, District Khyber u/s 161 Cr.

Stated that my husband Rizwan Mir has lodged FIR No.302 dated 21.06.2017 u/s 365-B PPC in PS. Takht-e-Naywan, where in he has charged certain accused including accused Saeed Iqbal S/o Ghani Gul, Ghani Gul, Noor Sali Gul sons of Mina Gul and Khalid Usman S/o Noor Sali Gul for kidnapping me. I have voluntarily accompanied the accused, Abid and intend to remain with him. My Nikah has not been solemnized with the said accused, however, due to fear I do not want to re-join with my husband or my father and if accused Abid accuses me I intend to remain with him. 05 tolas of gold which are in possession of accused Saeed Iqbal be handed over to me. I do not trust my father and ex-husband. My this statement is voluntary and without any duress.

XV. On behalf of accused:

I voluntarily has not gone with Abid. In last 05 days I voluntarily had gone with Abid. On the day of occurrence two persons were present with Abid. Earrings are still in my possession. I had taken no money at the time of accompanying the accused Abid. Saeed Iqbal and an unknown person accompanied Abid at the time of occurrence. Nikah was not solemnized with the said accused. Now I want to go with accused Abid. I myself fear my father that he will hit me if I do not go with him. My husband Rizwan Mir was not present at the time when I went out of my home. I had not been tortured by the accused Abid.

RUEAL
27.06.2017.

Mst. Nadia Ali D/o Ali Khel.

HAIDER ALI KHAN
IMR/MOD
27.06.2017

Certified that the 161 Cr.PC statement was recorded after fulfilling all legal formalities. The witness was properly informed while regarding consequences for statement. The statement was read over to her and after admitting it to be correct she has signed/ thumb impressed the same

HAIDER ALI KHAN
IMR/MOD
27.06.2017

21/5/2018

Const: Muhammad Ibra: 1502	-do-
Const: Noor Saleem 4238	-do-

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3
Order No. 05
18-05-2018

APP Abul Qasim for the state is present.

- He was heard on the application for discharge of the case under Section 4(1) (c) (ii) of the Khyber Pakhtoonkhwa Prosecution Service (Constitution, Functions and Powers Act), 2005 on the basis of lack of evidence against the accused which was submitted by the prosecution.
- Accused Nasir Iqbal present on bail, rest of the accused are not in attendance. Process of the court issued against the complainant received after personal service of the complainant, but the complainant is absent.

The learned APP was heard and record was perused. The prosecution has sought to discharge the accused on the ground that wife of the complainant Nadia ALI was recovered who got recorded her statement under section 164 Cr.P.C wherein she categorically stated that she was not abducted rather she had accompanied the accused Abdidullah voluntarily. Moreover the prosecution has clearly given the opinion that this case is not fit for prosecution evidence. Keeping in view the case record, the application of the prosecution is genuine, therefore, it is accepted and the all accused along with the absconding accused are discharged under *ibid* section of law.

21/5/18

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Order No. 05

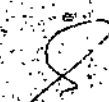
18-05-2018 continued at page No:2

This order shall not be presumed to entail any civil or criminal proceedings against the prosecution.

File be consigned to record room after necessary completion.

Announced
18-05-2018


(Muhammad Nayaz)
Judicial Magistrate-I Takht-e-Nasrati
Karak


21/5/2018

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بعد الت عنان سندھ سٹریٹجیوں کے بارے میں

B.C 1046-05
Mob-03329931676

3/2023ء پنجاب

ناصر اقبال بنام حکومت

موزخ	---
مقدمہ	---
دعویٰ	---
جرم	---

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ سال
آن مقام بیتاور کیلئے انسٹریکشنل ٹریک - راحد اللہ ادریس

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر حالت فیصلہ برحلف دینے جو اب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخ
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانا التوائے مقدمہ کے سبب سے وہ ہوگا۔

کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سندھ

Accepted + Hosted

الرقوم 1/2/2023

واہ العب

کے لئے منظور ہے۔

بمقام انسٹریکشنل ٹریک

داہد اللہ ادریس

داہد اللہ ادریس

ناصر اقبال