

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

Service Appeal No. 1362/2021

Date of Institution ... 03.09.2021

Date of Decision ... 11.11.2022

Mr. Naheed Khan, Ex-Constable No. 2826, FRP Range, Police Lines,  
Peshawar.

... (Appellant)

**VERSUS**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Commandant, FRP, Khyber Pakhtunkhwa, Peshawar.
3. The Superintendent of Police, FRP, Peshawar Range, Peshawar.

...(Respondents)

Mir Zaman Safi  
Advocate

... For appellant.

Kabir Ullah Khattak  
Additional Advocate General

... For respondents.

Mrs. Rozina Rehman

... Member (J)

Miss. Fareeha Paul

... Member (E)

**JUDGMENT**


ROZINA REHMAN, MEMBER:The appellant has invoked the jurisdiction of this Tribunal through above titled appeal with the prayer as copied below:

**“That on acceptance of the appeal the impugned orders dated 28.04.2021 and 25.08.2021 may very kindly be set**

**aside and be re-instated the appellant into service with all back benefits.”**

2. Brief facts of the case are that appellant was appointed as constable. During service his mother became seriously ill which was taken to FIC Hospital Rawalpindi for treatment. He got a room in a local hotel for stay there but on the next morning raid was conducted by the local police and 30 bore pistol duly licensed was recovered from possession of the appellant. Despite presentation of proper license on the spot, bribe was remanded in respect of his release which was refused, therefore, he was implicated in case FIR No. 563/20 U/S 13-2(a) and FIR No. 564/20 U/S 9(c) of CNSA, at Police Station Pir Wadahi. He was dismissed from service while he was behind the bars. He was convicted by the Trial Court which judgment was assailed before the Hon'ble Lahore High Court, Rawalpindi Bench and vide order dated 04.11.2020 of the Hon'ble High Court conviction was set aside and he was acquitted from the charges. After release from prison, he preferred departmental appeal and vide order of appellate authority dated 28.04.2021 order of dismissal was converted into removal from service. Feeling aggrieved he filed revision petition but the same was also rejected, hence the present service appeal.

3. We have heard Mir Zaman Safi, Advocate learned counsel for the appellant and Kabir Ullah Khattak, learned Additional Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars.



4. Mir Zaman Safi Advocate, learned counsel for appellant contended that the impugned orders dated 28.04.2021 and 25.08.2021 were against the law, facts, norms of natural justice, hence not tenable and liable to be set aside. He submitted that the appellant was not treated in accordance with law and rules and respondents violated Article 4 & 25 of the Constitution of Islamic Republic of Pakistan. It was submitted that no charge sheet alongwith statement of allegations were served upon the appellant and that no regular inquiry was conducted before issuing the impugned order. Lastly it was submitted that the appellant was not afforded any opportunity of personal hearing.

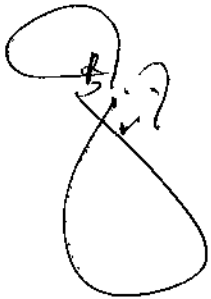
5. Conversely, learned Additional Advocate General submitted that the appellant remained absent from lawful duty w.e.f 14.08.2019 to 01.09.2019, 16.09.2019 to 30.09.2019, 20.02.2020 to 09.03.2020 and 05.05.2020 till the date of dismissal i.e 28.07.2020 for total period of 132 days without any leave or prior permission of the competent authority. He further submitted that charge sheet alongwith statement of allegations was properly issued and S.I Mushtaq Shah FRP, Peshawar Range was nominated as inquiry officer who submitted his report wherein the present appellant was found guilty of the charges leveled against him and was recommended for major punishment. In the meanwhile, he was found involved in criminal case, wherein 1220 gm heroin was recovered from his possession by local police on spot. Lastly, he submitted that after fulfillment of all codal formalities major punishment was awarded according to law.



6. Perusal of record would reveal that allegations against the present appellant were in respect of involvement in two different criminal cases registered against him vide FIR No. 563 and 564 at police station Pir Wadahi as well as for absence. The impugned order of Superintendent of Police, FRP, Peshawar Range dated 28.07.2020 would reveal that the appellant absented himself from lawful duty w.e.f 14.08.2019 to 01.09.2019, 16.09.2019 to 30.09.2019, 20.02.2020 to 09.03.2020 and 05.05.2020 till the date of dismissal i.e 28.07.2020. In this connection, as per impugned order appellant was charge sheeted and one Mushtaq Shah S.I was appointed as inquiry officer. Neither charge sheet nor inquiry report is available on file. On the allegation of involvement of the appellant in two different criminal cases separate charge sheet alongwith summary of allegations was issued and an inquiry committee comprising of Noor Zameen Shah FRP/HQrs and Gul Nawaz RI, FRP was constituted vide order dated 08.05.2020 which is available on file. Charge sheet and summary of allegations is not available on file and despite directions the same was not produced. Order of inquiry against the appellant is available on file which was replied by the appellant. The inquiry report is also available on file. It is not denied that the appellant was behind the bars as it is evident from the inquiry report submitted by inquiry committee that one Mushtaq Shah S.I was deputed to serve the charge sheet alongwith summary of allegation upon the appellant. In this regard letter was issued by Senior Superintendent of Police FRP to Superintendent of Prison Adyala Jail. It merits a mention here that copies of the charge sheet alongwith



summary of allegations are not available on file and the report by Mushtaq Shah S.I is also not available. The only show cause notice available on file was issued on 08.07.2020 but the same was in respect of his absence and the number of FIR has been wrongly mentioned therein as FIR No. 563 was in respect of 30 bore pistol while FIR No. 564 was in respect of 1220 gm heroin. Admittedly, the appellant was acquitted vide judgment dated 09.03.2021 of Hon'ble Lahore High Court, Rawalpindi Bench, Rawalpindi. The impugned order as well as the appellate order shows his involvement in FIR No. 563 registered U/S 9(c) of CNSA, whereas the record shows that FIR No. 563 was in respect of 30 bore pistol and FIR No.564 was in respect of narcotics. The competent authority as well as the appellate authority and the inquiry officer badly failed to take into consideration all these facts including his acquittal form the competent court of law. The competent authority did not wait for the trial of the appellant whereas the appellate authority did not take into consideration the acquittal order before passing the impugned order. It has been held by the superior fora that all acquittals are hon'ble but even then this aspect of the case was not taken into consideration. Another important limp of arguments was that it was not brought on record that the appellant who remained allegedly absent from 14.08.2019 to 01.09.2019 was never departmentally proceeded against and he continued his duty. In the meanwhile he was once again charged for absence w.e.f 16.09.2019 to 30.09.2019 and it was on 20.02.2020, when he was once again charged for absence w.e.f 20.02.2020 to 09.03.2020 and




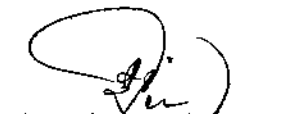
then from 05.05.2020 till the date of dismissal from service as to whether he joined his duty in between the period for which he was never charged?

7. In view of the above circumstances, facts and discussion made here in above the instant service appeal is partially accepted. Appellant is reinstated into service and case is remitted back to the Department for the purpose of denovo inquiry within 60 days of the receipt of this judgment. Needless to mention that the appellant shall be provided proper opportunity of defense during the inquiry proceedings. The issue of back benefits shall be subject to the outcome of the inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

11.11.2022

  
(Preeti Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

**ORDER**

11.11.2022


Mir Zaman Safi, Advocate for appellant present.

Kabir Ullah Khattak, learned Additional Advocate General  
for respondents present.

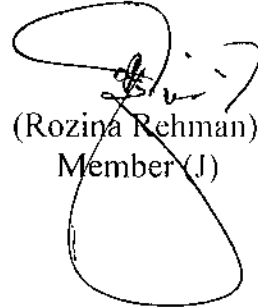
Vide our detailed judgment of today, containing 06 pages, the instant service appeal is partially accepted. Appellant is reinstated into service and case is remitted back to the Department for the purpose of denovo inquiry within 60 days of the receipt of this judgment. Needless to mention that the appellant shall be provided proper opportunity of defense during the inquiry proceedings. The issue of back benefits shall be subject to the outcome of the inquiry. Parties are left to bear their own costs. File be consigned to the record room.

**ANNOUNCED.**

11.11.2022



(Faeeha Paul)  
Member (E)




(Rozina Rehman)  
Member (J)

8<sup>th</sup> Nov. 2022 Counsel for the appellant present.

Mr. Muhammad Adeel Butt, Additional Advocate General  
alongwith Ihsanullah, ASI, FRP for the respondents present.

02. Partial arguments heard. During the course of arguments,  
representative of the respondents submitted copies of previous enquiry  
reports/orders, which are placed on file and a copy whereof handed over  
to learned counsel for the appellant. To come up for further arguments on  
11.11.2022 before this D.B.

  
(FAREEHA PAUL)  
Member(E)

  
(ROZINA REHMAN)  
Member (J)

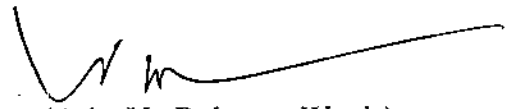
D



05.01.2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 19.04.2022.

  
(Atiq-Ur-Rehman Wazir)  
Member (E)

19.04.2022


Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General alongwith Ihsan Ullah, ASI for the respondents present and submitted reply/comments, which are placed on file. To come up for arguments before the D.B on 14.06.2022. The appellant may submit rejoinder within a fortnight, if, so advised.

  
Chairman

14.06.2022

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 08.08.2022.

  
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

8-8-22

Due to the Public Holiday the case is adjourned to 8-11-2022  
Reader

**Naheed Khan, 1362/2021**


29.09.2021

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the instant service appeal has been filed on 03.09.2021 against the impugned appellate order dated 28.04.2021 whereby major penalty of dismissal from service was modified/converted into removal from service. The appellant submitted revision petition on 04.05.2021. However, his revision petition was rejected being time barred, vide order dated 25.08.2021, hence, the instant service appeal instituted in the Service Tribunal.

Points raised need consideration. The appeal is provisionally admitted to regular hearing, subject to all just and legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 05.01.2022 before the D.B.

Appellant Deposited  
Security & Process Fee  
08/10/21

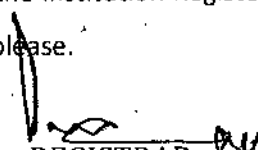

  
(Mian Muhammad)  
Member(E)

Form- A

FORM OF ORDER SHEET

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

Case No.- 7362 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/09/2021	<p>The appeal of Mr. Naheed Khan submitted today by Mr. Mir Zaman Safi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>29/09/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECK LIST**

Case Title: Nabeed Khan vs Police Deptt:

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Mir Zaman Safi Adv.</u>	✓	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?		✓
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

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

Name:

Mir Zaman Safi  
Advocate

Signature:

Mir Zaman

Dated:

02-09-2021

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

APPEAL NO. \_\_\_\_\_/2021

NAHEED KHAN

VS

POLICE DEPTT:

**INDEX**

S.NO.	DOCUMENTS	ANNEXURE	PAGE
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3	Medical prescriptions	<b>A</b>	5- 10.
4	FIR's	<b>B &amp; C</b>	11- 12.
5	Dismissal order	<b>D</b>	13- 14.
6	Judgment dated 09.03.2021	<b>E</b>	15- 21.
7	Departmental appeal	<b>F</b>	22.
8	Impugned order dated 28.4.2021	<b>G</b>	23- 24.
9	Revision petition	<b>H</b>	25.
10	Rejection order dated 25.08.2021	<b>I</b>	26.
11	Wakalat nama	.....	27.

APPELLANT

THROUGH:

  
MIR ZAMAN SAFI  
ADVOCATE

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

Khyber Pakhtunkhwa  
Service Tribunal

SERVICE APPEAL NO. 2362/2021

Diary No. 7527

Dated 03/09/2021

Mr. Naheed Khan, Ex-Constable No.2826,  
FRP Range, Police Lines, Peshawar.....APPELLANT

**VERSUS**

- 1- The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2- The Commandant FRP, Khyber Pakhtunkhwa, Peshawar.
- 3- The Superintendent of Police, FRP, Peshawar Range, Peshawar.

.....RESPONDENT

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED  
ORDER DATED 28.04.2021 WHEREBY MAJOR PENALTY OF  
DISMISSAL FROM SERVICE HAS BEEN MODIFIED/  
CONVERTED INTO REMOVAL FROM SERVICE AND AGAINST  
THE ORDER DATED 25.08.2021 WHEREBY REVISION PETITION  
OF THE APPELLANT HAS ALSO BEEN REJECTED IMPOSED ON  
THE APPELLANT ON NO GOOD GROUNDS**

**PRAYER:**

That on acceptance of this service appeal the impugned orders dated 28.04.2021 and 25.08.2021 may very kindly be set aside and be re-instated the appellant into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be granted in favor of the appellant.

**R/SHEWETH:**  
**ON FACTS:**

- 1- That the appellant was the employee of respondent department and was serving as Constable No.2826 quite efficiently and up to the entire satisfaction of his superior.
- 2- That during service mother of the appellant became seriously ill and the appellant took her to FIC Hospital Rawalpindi for treatment. That the appellant had got a room in the local hotel for stay there but one the next morning the local police raided in the hotel and in searching they recovered 30 bore all Pakistan licensed pistol from the possession of appellant. That being a police official the appellant showed the license on the spot but the local police demanded bribe in respect of release but the same was refused by the appellant. Copies of the medical prescriptions are attached as annexure.....A.
- 3- That due to refusal of illegal demand of the police officials they malafidely charged the appellant in two different FIR's i.e. FIR No.563/20 under

Filed to-day  
Registrar  
3/9/2021

section 13-2(a) and FIR No.564/20 under section 9(c) CNSA, dated 07.05.2020 at Police station Pir Wadahi. Copies of the FIR's are attached as annexure..... **B & C.**

- 4- That during the said period when the appellant was behind the bar the respondent No.3 issued order dated 28.07.2020 whereby major penalty of dismissal from service was imposed on the appellant without waiting for decision of the trial court. Copy of the dismissal order is attached as annexure.....**D.**
- 5- That the learned trial court convicted the appellant for rigorous imprisonment for 06-years with fine of Rs.30000/- in the alleged narcotics case vide judgment dated 04.11.2020. That appellant feeling aggrieved from the judgment dated 04.11.2020 of the learned trial court, the appellant filed criminal appeal No.548/2020 before the Honorable Lahore High Court, Rawalpindi Bench at Rawalpindi and the Honorable High Court set aside the judgment of the learned trial court dated 04.11.2020 and honourably acquitted the appellant from the charges leveled against vide its judgment dated 09.03.2021. Copy of the judgment of High Court are attached as annexure.....**E.**
- 6- That after release from prison the appellant preferred Departmental appeal before the respondent No.2 but the respondent No.2 instead of setting aside the dismissal order dated 28.07.2020 modified/converted the same into removal from service vide impugned order dated 28.04.2021. Copies of the departmental appeal and impugned order are attached as annexure.....**F & G.**
- 7- That appellant feeling aggrieved from the impugned order dated 28.04.2021 filed Revision Petition before the respondent No.1 but the same has been rejected vide order dated 25.08.2021 without touching of the merit. Copies of the revision petition & rejection order are attached as annexure.....**H & I.**
- 8- That appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned orders dated 28.04.2021 & 25.08.2021 are against the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- B- That appellant has not been treated by the respondent department in accordance with law and rules on the subjected noted above and as such respondents violated the Article 4 and 25 of the Constitution of Islamic Republic of Pakistan.
- C- That the respondents acted in arbitrary and malafide manner while issuing the impugned orders dated 28.04.2021 & 25.08.2021.


- D- That no charge sheet and statement of allegation have been served on the appellant before issuing the impugned order dated 28.04.2021.
- E- That respondent department while issuing the impugned order dated 28.04.2021 haven't been served show cause notice on the appellant.
- F- That neither fact finding nor regular inquiry has been conducted before issuing the impugned order dated 28.04.2021 which is necessary before taking punitive action against the civil servant.
- G- That no chance of personal hearing/defense has been provided to the appellant before issuing the impugned order dated 28.04.2021 which is mandatory as per judgment of the Superior Court.
- H- That the no chance has been provided to the appellant to cross examine the witnesses on the record, which necessary as per rule.
- I- That in light of Fundamental Rule-54 the appellant is entitle to be re-instated in service with all back benefits.
- J- That the appellant seeks permission to advance any other ground and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 02.09.2021

APPELLANT

  
NAHEED KHAN

THROUGH:   
MIR ZAMAN SAFI  
ADVOCATE

**CERTIFICATE:**

It is certified that no other earlier appeal was filed between the parties.

  
D E P O N E N T

**LIST OF BOOKS:**

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- SERVICES LAWS BOOKS
- 3- ANY OTHER CASE LAW AS PER NEED



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

APPEAL NO. \_\_\_\_\_/2021

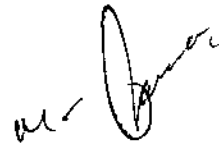
NAHEED KHAN

VS

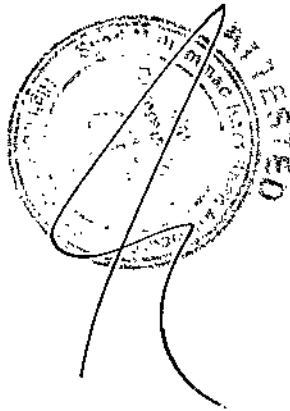
POLICE DEPTT:

**AFFIDAVIT**

I Mir Zaman Safi, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



**MIR ZAMAN SAFI,**  
Advocate  
High Court, Peshawar





A-5

# ARMED FORCES INSTITUTE OF CARDIOLOGY & NATIONAL INSTITUTE OF HEART DISEASES RAWALPINDI

## DISCHARGE BOOK

*M. J. Khan, M.A.*

Patient's Name : \_\_\_\_\_

Status / Rank : \_\_\_\_\_ Process No \_\_\_\_\_

Unit / Deptt : \_\_\_\_\_

Age : \_\_\_\_\_ Sex Male

A&D Register No : \_\_\_\_\_

NIC No 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Address : \_\_\_\_\_

Telephone No Off: \_\_\_\_\_ Res: \_\_\_\_\_

Disease 1. 1. Angina 2. IHD

2. \_\_\_\_\_

3. \_\_\_\_\_

Date of Admission

Date of Discharge

1st 25.10.66 07.11.66

2nd \_\_\_\_\_

3rd \_\_\_\_\_

4th \_\_\_\_\_

NICD Dr. Takin Consultant M. Hasan

Registered \_\_\_\_\_



6

ARMED FORCES INSTITUTE OF CARDIOLOGY  
&  
NATIONAL INSTITUTE OF HEART DISEASES  
RAWALPINDI

DISCHARGE BOOK

Patient's Name : \_\_\_\_\_

Status Ranks : \_\_\_\_\_ Process No \_\_\_\_\_

Unit Deptt : \_\_\_\_\_

Age : \_\_\_\_\_ Sex : \_\_\_\_\_

A&D Register No : \_\_\_\_\_

NIC No : 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Address : \_\_\_\_\_

Telephone No Off: \_\_\_\_\_ Res: \_\_\_\_\_

Disease 1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Date of Admission

Date of Discharge

1st \_\_\_\_\_ 2.5.10.16 \_\_\_\_\_ 07-11-16 \_\_\_\_\_

2nd \_\_\_\_\_

3rd \_\_\_\_\_

4th \_\_\_\_\_

M.O \_\_\_\_\_ Consultant \_\_\_\_\_

Registrar \_\_\_\_\_



7

Patient Name: [Name]

Age: [Age]  
Gender: [Gender]  
Admission Date: [Date]  
Operation Date: [Date]  
Discharge Date: [Date]  
Final Diagnosis: [Diagnosis]

Procedure No: [No]  
Consultant: [Name]  
Consultant: [Name]  
Consultant: Anesthesiologist: [Name]  
Priority: [Priority]

Operative History

History of previous operations: [Text]

Preoperative Cardiac, Vascular, General Medical Information

CCS Class	Class	Angina Duration	[Duration]
NYHA Class	Class	Cardiac Failure	[Status]
ASA Class	Class	Hypertension	[Status]
Rhythm Prob	No	Pulm Hypertension	[Status]
Rheumatic Fever	No	Ejection Fraction	[Value]
Hemoglobin (g/dl)	[Value]	Creatinine (mg/dl)	[Value]

The patient had [Status] previous Q-Wave MI.

Preoperative Medications Included

Oral hypoglycemics

Predicted Risk of Operative Mortality

The patient had Parsonnet Score of [Score], Additive Euroscore of [Score], and logistic Euroscore of [Score]

with a predicted mortality of [Percentage] (range [Percentage] to [Percentage])



Armed Forces Institute of Cardiology  
National Institute of Heart Disease  
16, Mall Road, Dhaka



DISCHARGE REPORT

0016 250473-1

Patient Name: [Name]

Hospital No: [Number]

Personal Information

Patient Name: [Name]  
Gender: [Gender]  
Age: [Age]  
Admission Date: [Date]  
Operation Date: [Date]  
Discharge Date: [Date]  
Final Diagnosis: [Diagnosis]

Hospital No: [Number]  
Consultant Surgeon: [Name]  
Consultant Cardiologist: [Name]  
Consultant Anaesthetist: [Name]  
Priority Status: [Status]

0016 250473-1  
[Additional patient details]

Clinical History

A [Patient Name] aged [Age] years, [Gender], [Occupation], [Address], [City], [Country] was admitted to the hospital on [Date] with a history of [Symptoms].

Preoperative Cardiovascular General Medical Information:

CCS Class	[Class]	Angina Duration	[Duration]
NYHA Class	[Class]	Cardiac Failure	[Status]
ASA Class	[Class]	Hypertension	[Status]
Rhythm Prob	[Status]	Pulm Hypertension	[Status]
Rheumatic Fever	[Status]	Ejection Fraction	Modestly (30-50%)
Haemoglobin (g/dl)	13.70	Creatinine (mg/dl)	[Value]

The patient had [Status] previous Q-Wave MI

Preoperative Medications Included

[List of medications]

Predicted Risk of Operative Mortality:

This patient had a predicted mortality of [Percentage] and logistic Euroscore of [Score].  
[Additional risk assessment text]

[Handwritten signature]

B-13  
D-11210



AFIC-F-18

01

# ARMED FORCES INSTITUTE OF CARDIOLOGY & NATIONAL INSTITUTE OF HEART DISEASES RAWALPINDI

## DISCHARGE BOOK

HUSSAN ARA

Patient's Name : \_\_\_\_\_

Status / Rank : \_\_\_\_\_ Process No \_\_\_\_\_

Unit / Deptt : \_\_\_\_\_

Age : \_\_\_\_\_ Sex (F)

A&D Register No: \_\_\_\_\_

NIC No : 

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Address : \_\_\_\_\_

Telephone No Off: \_\_\_\_\_ Res: \_\_\_\_\_

Disease 1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Date of Admission M.A. Date of Discharge

1-1-16 07-11-16

1st \_\_\_\_\_

2nd \_\_\_\_\_

3rd \_\_\_\_\_

4th \_\_\_\_\_

M.O \_\_\_\_\_

Consultant M.A.

Registrar \_\_\_\_\_

ابتدائی اطلاعی رپورٹ نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 154 مجموعہ ضابطہ نوچداری

نمبر: 563/20 تھانہ: پیر ودھائی ضلع: راولپنڈی ای ٹیک نمبر: 1949-5/7/2020-Pirwadhai

تاریخ و وقت وقوع: 07-05-2020 03:30 AM

1	تاریخ و وقت رپورٹ	حوالہ رپٹ نمبر (60) 07-05-2020 03:35 AM
2	نام و سکونت اطلاع دہندہ مستفیث	ظہیر احمد ASI تھانہ پیر ودھائی فون نمبر: 03455325300
3	مختصر کیفیت جرم (معد دفعہ) و مال اگر کچھ کھو گیا ہے	بجرم:
The Punjab Arms Amendment Ordinance 2015 - 13 - 2(a)		
4	جائے وقوعہ و فاصلہ تھانہ سے اور سمت	بحد رقبہ ضیاء الحق کالونی چوک بقاسمہ قریب 1/4 کلومیٹر جانب مشرق از تھانہ
5	کارروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہوا ہو تو اس کی وجہ بیان کی جائے	بیٹ نمبر: 1 جنرل بس اسٹینڈ، اڈہ پیر ودھائی، ضیاء الحق کالونی، بیانی بول، بلال کالونی، ٹریڈنگ پوسٹ حسب آمد استغاثہ مقدمہ درج رجسٹر ہوا

دستخط: محمد طاہر سیلٹ نمبر: 1841-R نمبر: SI 0300511466

(ابتدائی اطلاع نیچے درج کریں)

استغاثہ زیر دفعہ PAO-13-2A/2015 اشب مین معد خورشید ایاز C/5279 با مسلح SMG عقیل حسین C/8555، میثم عباس C/5462 مظہر اقبال C/1277 بسلسلہ گشت و پڑتال مین روڈ پیر ودھائی نزد گلی لوہاراں موجود تھا کہ مخبر خاص نے آکر اطلاع دی کہ ایک شخص جس کے پاس کافی مقدار میں منیات موجود ہے اور اپنے مخصوص جاکبوں کے انتظار میں ضیاء الحق کالونی چوک میں کھڑا ہے اگر فوری ریڈ کیا جائے تو منیات سمیت پکڑا جاسکتا ہے لہذا مخبر کی اس اطلاع کو معقول جاننے ہوئے ہماری ملازمان پر مشتمل ریڈنگ پارٹی تشکیل دیکر جائے متذکرہ پر بوقت قریب 2/30 بجیرات پہنچے تو حسب اشارہ مخبر ایک نوجوان کو دائیں کندھے پر سیاہ رنگ کا پیرا شوٹ بیگ اٹھائے ہوئے پایا جسکے مناسب حکمت عملی سے باہر او ہمراہی ملازمان قابو کر لیا جسے دریافت پر اپنا نام و پتہ ناہید خان ولد گل رحمان سرائین فتح آباد پشاور بتایا مذکورہ کی سرسری تلاشی عمل میں لاسے پر مذکورہ کی شلوار پوشیدگی کی ڈب میں بائیں جانب ازیس ہوا پٹل 30 بور برآمد ہوا جو ان کو اسلحہ پر پٹل کی میگزین سے (4) ضرب روند زندہ برآمد ہوئے مذکورہ استقصار پر پٹل 30 بور کے متعلق کوئی لائسنس یا اجازت نامہ پیش نہ کر سکا لہذا برآمد پٹل 30 بور بعد تشہید کرنے فاکہ حلیہ بر مطابق فرد بعد تیاری پارسل معد میگزین سر بمبر اسمی 01ZA عدد ثبت کر کے پارسل پٹل 30 بور + (4) ضرب روند بذریعہ فرد بطور وجہ ثبوت قبضہ پولیس میں لیکر تکمیل فرد کی مذکورہ کے دائیں کندھے پر لٹکے سیاہ رنگ کے پیرا شوٹ بیگ کو لیکر از خود پڑتال کرنے پر بیگ کے اندر سے سفید رنگ کے موٹی شاپر میں بیگ شدہ پیرا شوٹ برآمد ہوئی جو وزن کرنے پر کل 1220 گرام ہوئی جس پر مذکورہ کے خلاف الگ کارروائی ضابطہ عمل میں لائی جارہی ہے تاہم مذکورہ نے خلاف نیو انکسٹی بدوں ہماری اطلاع بنا بجرم مذکور مرتب ہوئی اصل استغاثہ معد نقل FIR بدست ارندہ کنسٹیبل عقب فرسندہ ASI ہمراہ تفتیش ارسال سے محروم بعد تکمیل ریکارڈ انقول FIR بندت افسران مجاز ارسال کرے

ATTESTED

محمد طاہر SI  
07-05-2020

ابتدائی اطلاعی رپورٹ نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 154 مجموعہ ضابطہ فوجداری

نمبر : 564/20 تھانہ : بیرو دھائی ضلع : راولپنڈی ای ٹیک نمبر : Pirwahai-5/7/2020-1950

تاریخ و وقت وقوع : 07-05-2020 02:30 AM

1	تاریخ و وقت رپورٹ	بحوالہ رپورٹ نمبر (63) 07-05-2020 04:20 AM	6	تھانہ سے رداگی کی تاریخ و وقت	بیرو دھائی
2	نام و سکونت اطلاع دہندہ مستغیث			ظہیر احمد ASI : تھانہ بیرو دھائی فون نمبر : 03455325300	
3	مختصر کیفیت جرم (معدہ دفعہ) و مال اگر کچھ کھو گیا ہے			بجرمینہ	
4	جائے وقوع و فاصلہ تھانہ سے اور سمت			بحد رقبہ ضیاء الحق کالونی چوک بفاصلہ قریب 1/4 کلومیٹر جانب مشرق از تھانہ	
5	کارروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہوا ہو تو اس کی وجہ بیان کی جائے			سیٹ نمبر : 1 جنرل بیس اسٹیبلشمنٹ ، اڈہ بیرو دھائی ، ضیاء الحق کالونی ، کیلانی ہوٹل ، بال کالونی ، ٹریک پوسٹ حسب آمد استغاثہ مقدمہ درج رجسٹر ہوا	

THE CONTROL OF NARCOTIC SUBSTANCES  
ACT, 1997 - 9-(c)

دستخط : محمد طاہر بیٹ نمبر : 1841-R عہدہ : SI ٹیلی فون نمبر : 03005144663

(ابتدائی اطلاع نیچے درج کریں)

استغاثہ زیر دفعہ 9C/CNSA مشتبہ میں معہ خورشید ایاز C/5279 با مسلح SMG عقیل حسین C/8555 . میٹم عباس C/5462 جنس تفتیش مقدمہ نمبر 563 مورخہ 7/5/20 بجرم PAO-13-2A/2015 تھانہ بیرو دھائی ضیاء الحق کالونی چوک میں موجود تھا کہ بوقت قریب 2/30 بجرات مزمل ناہید خان ولد گل رحمان ساکن فقیر آباد پشاور بھراست پولیس کے قبضہ سے مذکورہ کے دائیں کندھے پر لٹکے سیاہ رنگ کے پیرا شوٹ پیگ کو لیکر از خود پناہ مانگنے پر بیگ کے اندر سے سفید رنگ کے موٹی ٹاپر میں پیک شدہ ہیروئن برآمد ہوئی جو وزن کرنے پر کل 1220 گرام ہوئی برآمدہ ہیروئن میں سے (61) گرام ہیروئن بطور نمونہ بغرض تجزیہ کیمیائی الگ ٹانکا نمونہ و بقیہ ماندہ ہیروئن کے (2) عدد پارسلز سر بمبراسی 01/017A عدد الگ الگ ثبت کر کے تیار کیے جو سر (2) عدد پارسلز بذریعہ فرد بطور وجہ ثبوت قبضہ پولیس میں لیکر تکمیل فرد کی مذکورہ نے اولین دریافت پر بتلایا کہ یہ ہیروئن وہ کالج اور یونیورسٹی سٹوڈنٹس کو فروخت کرتا ہے مذکورہ کی مزید تلاشی عمل میں لانے پر مذکورہ کی قبضہ پوشیدگی کی دائیں بگلی جیب سے موبائل فون نوکیا شیگرین رقم مبلغ 1160 روپے تکمیل بمطابق فرد برآمد ہوئے جو بذریعہ الگ فرد بطور وجہ ثبوت قبضہ پولیس میں لیکر تکمیل فرد کی ناہید خان نے ہیروئن برائے فروخت اپنے قبضہ میں رکھ کر انکتاب جرم ہلا کا کیا ہے جسکے خلاف استغاثہ ہذا بجرم مذکور مرتب کر کے بغرض قائمی مقدمہ بدست میٹم عباس C/5462 ارسال تھانہ ہے مقدمہ درج رجسٹر کر کے NIU آفیسر کو نامور تفتیش کر کے روانہ موقع کا کیا جائے میں موقع پر موجود ہوں از موقع بوقت 4/15 بجے صبح ظہیر احمد ASI تھانہ بیرو دھائی 20-5-7 از تھانہ حسب آمد استغاثہ رپورٹ ابتدائی اطلاعی ہذا بجرم مذکور مرتب ہوئی اصل استغاثہ معہ نقل FIR بدست ارندہ کنستبل عقب قلب عباس SI/NIU بمراہ تفتیش ارسال ہے مقرر بعد تکمیل ریکارڈ نقول FIR بدست افسران مجاز ارسال کرے

محمد طاہر SI  
07-05-2020



D-13

ORDER.

This office Order relates to the disposal of formal departmental inquiry against constable Nahid No.2826 of FRP Peshawar Range.

Brief facts of the that constable Nahid No.2826 absented himself from lawful duty w.e.from 14.08.2019 to 01.09.2019, 16.09.2019 to 30.09.2019, 20.02.2020 to 09.03.2020 and 05.05.2020 till to date without taking any leave permission from competent authority.

In this connection Constable Nahid No.2826, was issued charge sheet along with summery of allegation and SI/Mushtaq Shah was appointed as Inquiry Officer, vide this office order No.78/PA, dated 16.03.2020. the charge sheet served upon him, to which he replied, but his reply was found unsatisfactory by the Inquiry officer. After completion of inquiry the inquiry officer submitted his finding.

In the meanwhile reportedly the accused constable arrested by Rawalpindi Police, he involved in case FIR No.563 dated 07.05.2020 at PS Pirwadhai Rawalpindi u/s 9C CNSA while transporting drugs from Peshawar to Rawalpindi and recovered 1220 gm heroin from his possession.

Afterward the accused constable was suspended vide this office order No.109-15/PA dated 08.05.2020 and closed to FRF/HQrs: Line Peshawar.

On the allegation of above a separate charge sheet along with summary of allegation was issued and an inquiry committee comprising by DSP/Noor Zameen Shah Khan of FRP/HQrs: & RI/Gul Nawaz Khan FRP/PR was constituted vide order No.116/PA dated 08.05.2020. The charge served upon him to which he replied but found unsatisfactory.

After conducting proper departmentally the inquiry committee submitted their findings, wherein they acquired duty records from Muharrar FRP Peshawar Range. According to records vide D.D report No.08, dated 25.01.2020 SHO PS Regi Peshawar which received to this office from SP Rural Peshawar letter No.312/SPR, dated 28.01.2020, that accused constable involved in immoral activities and ice smoking. In this regard accused constable has recommended for transferred to other range.

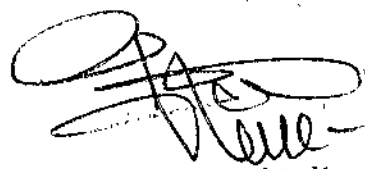
During the course of inquiry and progress reports of SI/NIU city circle PS Pirwadhai district Rawalpindi one white color shopper recovered 1220 gm heroin from his possession. During the arrestment the accused constable confessed that I supplied to colleges and universities students. The inquiry committee further added that there is no hope from him in future to become a good police officer. It is therefore, accused constable Nahid No.2826 of FRP Peshawar Range, is recommended for Major Punishment i.e dismissal from service.

ATTESTED

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Later on he was served/issued with Final Show Cause Notice. But his reply found unsatisfactory.

Keeping in view all of the above, Therefore, I Jehan Zeb Khan Superintendent of Police, FRP Peshawar Range, Peshawar the exercise of power vested upon me under 5 (5) of Khyber Pakhtunkhwa police rules 1975 (amendment in 2014) award him Major Punishment of "Dismissal from Service" with immediate effect and his absence period is hereby treated as absence from duty.



Superintendent of Police, FRP  
Peshawar Range, Peshawar.

No. 205-10/PA dated Peshawar Range the 28 / 07 / 2020.

Copy to:-

1. The Accountant FRP/PR Peshawar
2. The SRC/FRP/PR Peshawar
3. The OASI/FRP/PR Peshawar

Enclosed papers 39

**ATTESTED**



E-15

IN THE LAHORE HIGH COURT RAWALPINDI  
BENCH, RAWALPINDI.

Crl. Appeal No. 548 /2020

For Private Use

Exhibit  
Copy Supply Section  
Lahore High Court  
Rawalpindi Bench

Muhammad Ahsan Khan son of Gul Rehman resident of Faqir Abad,  
Peshawar, presently confined in Central Jail Adyala,  
Rawalpindi.

Appellant

VERSUS

The State .

Respondent

APPEAL UNDER SECTION 48 OF CNSA ACT, 1997  
READ WITH SECTION 410 CR.P.C AGAINST THE  
JUDGMENT DATED 04-11-2020 PASSED BY LEARNED  
ADDITIONAL SESSIONS JUDGE/SPECIAL COURT  
CNS, RAWALPINDI, WHEREBY THE LEARNED  
JUDGE SENTENCED THE APPELLANT FOR 06 YEARS  
RIGOROUS IMPRISONMENT ALONGWITH FINE OF  
RS. 30,000/- AND IN DEFAULT THEREOF FURTHER  
UNDERGO 06 MONTHS SIMPLE IMPRISONMENT IN  
CASE FIR NO. 564 DATED 07-05-2020, UNDER  
SECTION 9(C) CNSA 1997 P.S PIRWADAHIL,  
RAWALPINDI. BENEFIT OF 382-B CR.P.C IS ALSO  
EXTENDED TO THE APPELLANT.

Respectfully sheweth: -

ATTESTED

1. Precise facts of the prosecution case as alleged in the FIR are that on 07-05-2020 when the police party of P.S Pirwadahi was present at Zia ul Haq Colony Chowk

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Judgment Sheet  
IN THE LAHORE HIGH COURT  
RAWALPINDI BENCH RAWALPINDI  
JUDICIAL DEPARTMENT

**Criminal Appeal No.548 of 2020**  
(Naheed Khan v. The State)

**JUDGMENT**

Date of hearing: 09.03.2021

Appellant by: Mr. Shan Zeb Khan, Advocate.  
State by: Mr. Naveed Ahmed Warraich, Deputy District Public  
Prosecutor with M.N. Baig, SI.

-----  
Ch. Abdul Aziz, J. Naheed Khan (appellant) involved in case FIR No.564/2020 dated 07.05.2020 registered under Section 9 (c) of the Control of Narcotic Substances Act, 1997 (hereinafter referred to as "CNSA, 1997") at Police Station Pirwadahi, Rawalpindi, was tried by learned Additional Sessions Judge/Judge Special Court (CNS), Rawalpindi. The trial court vide judgment dated 04.11.2020 proceeded to convict and sentence the appellant in the following terms:-

"Under section 9 (c) of CNSA, 1997 to suffer rigorous imprisonment for 06-years with fine of Rs.30000/- and in default whereof to further undergo SI for 06-months. Benefit of section 382-B Cr.P.C. was also extended to the appellant.

Challenging his conviction and sentence, appellant filed the instant appeal.

2. Succinctly stated the case of the prosecution as unraveled by Zaheer Ahmed ASI (PW.4) in FIR (Exh.PA) is to the effect that on 07.05.2020 at about 2:30 a.m., he along with Khursheed Ayaz 5279/C, Aqeel Hussain 8555/C, Meesam Abbas 5462/C was present at Zia-ul-Haq Colony Chowk in connection with investigation of case FIR No.563/2020; that herein weighing 1220 grams was recovered from the polythene bag hanging on the right shoulder of Naheed Khan (appellant) who was under custody in the aforesaid case; that out of the recovered substance, 61 grams were separated for chemical analysis. Thereafter, he drafted complaint (Exh.PD)

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Examiner Copy Supply  
Secy (IA) Lahore High Court  
Rawalpindi Bench

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and sent it to the police station through Meesam Abbas 5462/C for the registration of formal FIR.

3. The matter after investigation was placed before the trial court where prosecution in order to prove its case against the appellant produced six PWs, namely, Tahir SI (PW.1) who upon the receipt of complaint (Exh.PD) chalked out the formal FIR (Exh.PA), Zulfiqar Ali 3172/HC (PW.2), who was serving as Moharrar/Station Clerk at the eventful time, Meesam Abbas 5462/C (PW.3), Zaheer Ahmed ASI (PW.4) & Khurshid Ejaz 5279/C (PW.5) who are witnesses of recovery and Qalb-i-Abbas SI (PW.6) who is Investigating Officer of the case. After the conclusion of prosecution evidence, the learned trial court also examined the appellant under section 342, Cr.P.C. during which he was asked the questions arising out of the prosecution evidence but he denied almost all such questions while pleading his innocence and involvement in the case. Appellant did not make statement under section 340(2) of Cr.P.C. however, produced copies of Duty Roster (Exh.DA & Exh.DB) and copy of Register No.19 (Exh.DC) in his defence. On the conclusion of trial, the appellant was convicted and sentenced as afore-stated, hence, the instant appeal.

4. It is contended by learned counsel for the appellant that the prosecution case from the face of it appears to be dubious in nature; that though as per allegation, 1220 grams of heroin was recovered from the appellant, however, during trial prosecution miserably failed to prove such recovery; that though the alleged recovery of heroin was effected from a public place, however, none from the vicinity was produced as witness during trial; that the recovery witnesses contradicted each other on all material aspects which rendered their testimony unworthy of any credence; that though reasonable doubt emerges from the recital of prosecution evidence, however, its benefit was not extended to appellant. With these submissions, it is prayed that conviction awarded to the appellant be set-aside.

5. On the other hand, learned DDPP strongly controverted the arguments advanced on behalf of the appellant and submitted that reasonable quantity of heroin was recovered from the appellant for which

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Section Lahore High Court  
Rawalpindi Bench

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he failed to give any explanation; that there was no reason for the police officials to falsely plant such quantity of heroin on an innocent person; that during trial the detail of recovery proceedings was successfully narrated by the prosecution witnesses; that despite lengthy cross-examination, the defence failed to get any benefit from the prosecution witnesses and that in the given circumstances, the conviction awarded to the appellant needs no interference.

6. Arguments heard. Record perused.

7. It is discernable from the review of record that Naheed Khan (appellant) was under custody in case FIR No.563/2020 registered under Section 13 of Arms Ordinance (Amended) 2015 when heroin weighing 1220 grams was taken into possession by Zaheer Ahmad ASI (PW.4), out of which 61 grams were separated for chemical analysis.

8. We have observed that prosecution banked upon the statements of three witnesses to prove the recovery of 1220 grams of heroin, out of whom one was Zaheer Ahmed ASI (PW.4). During cross-examination Zaheer Ahmed ASI (PW.4) described the said recovered narcotic as Charas and not the heroin. Since this is an important aspect, hence a relevant excerpt from the cross-examination of Zaheer Ahmed ASI (PW.4) is being reproduced hereunder:-

"Sample from recovered charas was separated after cutting the packet from one corner....".

It is further noticed that Zaheer Ahmed ASI during cross-examination described the colour of the contraband as "light brown", whereas upon the request of learned defence counsel, the parcel of the case property was de-sealed and the colour of the alleged contraband was found to be of "creamy off white". From the afore-mentioned anomaly, we have arrived at inevitable conclusion that apparently the parcel sent for chemical analysis was not the representative sample of the recovered heroin. In case reported as Maula Jan v. The State (2014 SCMR 862) the difference of colour of recovered narcotic substance was considered one of the grounds

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Examiner Copy Supply  
 Section for High Court  
 Sessions Bench

17/3/21

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for the acquittal of the accused. For reference sake, an extract from the afore-cited judgment is being reproduced hereunder:-

"The parcel was examined in his presence and the material was found in 10-packets, seven packets of large size in white and blue colour and three packets were of red colour in small size. He also admitted that according to the report of the chemical examiner Exh.PZ the charas allegedly recovered was brownish solid and the said brownish solid charas was not found in the packets when these packets were opened in the Court. Similarly, P.W.4 Zahir Shah, S.I. also admitted that he had perused the report of Forensic Science Laboratory which did not specifically mention that the charas was pukhta or gardah."

9. We have also minutely gone through the statement of Naheed Khan (appellant) recorded under Section 342 Cr.P.C. In question No.3, the following question was put to the appellant:-

"It is in the prosecution evidence that sample sealed parcel of Charas was sent for chemical analysis and report of chemical examiner (Exh.PF) confirmed that narcotics recovered from you was Charas. What do you say about it?"

From above, it can be gathered that the appellant was not asked a question about sending of sample parcel of heroin to the office of Chemical Examiner, rather some sample parcel of Charas was put to him. It would be in fitness of things to observe here that the examination of an accused under section 342 Cr.P.C. after the closure of prosecution evidence is not a mere formality but a legal requirement, which in no manner can be dispensed with. The primary purpose of such an examination is to apprise an accused with all the circumstances which are incriminating in nature, so as to enable him or her to address them properly. Any omission on the part of the court is likely to jeopardize the final decision of the Court. The law is settled that if the accused, facing the trial is not confronted with such circumstances, no conviction can be awarded on the basis thereof. While holding so, this Court is guided by the observation of the Hon'ble Supreme Court of Pakistan in the case of Muhammad Shah v. The State (2010 SCMR 1009) which is being reproduced below for advantage sake:-

"It is well settled that if any piece of evidence is not put to the accused in his statement under section 342 Cr.P.C. then the same cannot be used against him for his conviction. In this case both the Courts below without realizing the legal position not only used the above portion of the evidence against him, but also convicted him on such piece of evidence, which cannot be sustained."

ATTESTED

Examiner Copy Supply  
 Registry Lahore High Court  
 Rawalpindi Bench

18/3/21

ATTESTED

*[Signature]*

10. It further unveils from the examination of record that according to Zulfikar Ali 3172/HC (PW.2), the case property of the instant case was received by him at about 6:30 a.m., whereas the cross-examination of Investigating Officer, namely, Qalb-i-Abbas SI (PW.6) reveals that he handed over the case property to Moharrar at about 4:50 a.m. He during cross-examination again stated that the time of handing over of the case property to Moharrar was 6:00 a.m. Such conflict in the statements of two important witnesses is another factor to shatter the prosecution case regarding the safe dispatch of the parcels of the case property to the Moharrar of the police station.

11. The resume of above discussion is that prosecution remained unsuccessful in proving its case against the appellant beyond any scintilla of doubt. Even otherwise, according to golden principles laid down for the appraisal of evidence, the benefit of every reasonable doubt is to be extended to the accused which can best be provided through the judgment of acquittal. As per saying of the Holy Prophet (P.B.U.H.), the mistake in releasing a criminal is better than punishing an innocent person. Same principle was also followed by the Hon'ble Supreme Court of Pakistan in the case of Ayub Masih v. The State (PLD 2002 SC 1048), wherein, it was observed as under:-

"... It will not be out of place to mention here that this rule occupies a pivotal place in the Islamic Law and is enforced rigorously in view of the saying of the Holy Prophet (p.b.u.h) that the "mistake of Qazi (Judge) in releasing a criminal is better than his mistake in punishing an innocent."

In supra mentioned case of Ayub Masih, the Hon'ble Supreme Court was also pleased to observe as under:-

"...The rule of benefit of doubt, which is described as the golden rule, is essentially a rule of prudence which cannot be ignored while dispensing justice in accordance with law. It is based on the maxim, "it is better that ten guilty persons be acquitted rather than one innocent person be convicted".

**ATTESTED**

12. In the light of what has been discussed above, we accept Criminal Appeal No.548 of 2020 filed by Naheed Khan (appellant); his conviction and sentence is set-aside and he stands acquitted of the charge by extending



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Criminal Appeal No.548 of 2020  
(Naheed Khan v. The State)

benefit of doubt in his favour. Naheed Khan (appellant) is in custody; be released forthwith if not required to be detained in any other criminal case.

(RAJA SHAHID MEHMOOD ABBASI)  
JUDGE

(CH. ABDUL AZIZ)  
JUDGE

Najam\*

Certified to be True Copy

Examiner of the Supply Section  
Authenticity Inspector & In-charge  
Cantonment Order 1984

18649

Section No. \_\_\_\_\_  
 Date of Presentation \_\_\_\_\_  
 Date of Receipt of \_\_\_\_\_  
 Name of \_\_\_\_\_  
 Copy No. \_\_\_\_\_  
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 Date of \_\_\_\_\_  
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 Date of Delivery of \_\_\_\_\_

ATTESTED

15/3/21  
15/3/21

FRP کے تحت درخواست فراہم شدہ

صوبہ ہریانہ

گزارش کے تحت - 2013 کا بندہ شدہ ہے - 1 اور  
اس ڈیوٹی فرض اسلوبی سے انجام دے رہا تھا۔ چونکہ سب سے کم آمدی  
دین کے ہیڈ سے بندہ ہے۔ اور ان کے علاوہ فعالہ کی خاطر بیماری  
میں مسئلہ کے بعد ریٹائرمنٹ پر افسانہ واپس راوی لہذا لے جا رہا تھا۔ اور  
حکومت ہریانہ پر رٹ گزارنے کے لیے بیڑوں میں گھر گیا تھا۔ یہ بیڑوں نے  
لوکل لوٹیاں نے بیڑوں پر حکام پارا اور یہ بیڑوں کے پاس 30 پور بیڈوں  
آل بائیں لائنوں اور لہذا اور لہذا بیڑوں کے پاس بیڑوں کے پاس ہیں۔  
میں سب سے کم آمدی ہے کہ بیڑوں کو لہذا ہے اور لہذا میں  
لوٹیاں لہذا لہذا لہذا لہذا لہذا لہذا لہذا لہذا لہذا لہذا  
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کرنے کے لیے۔ لہذا سب سے کم آمدی ہے اور لہذا لہذا لہذا لہذا  
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صوبہ ہریانہ -  
چونکہ سب سے کم آمدی ہے لہذا عدالت عالی میں لہذا لہذا لہذا  
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FRP 2826  
ATTESTED

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**ORDER**

G-23

This order will dispose of the departmental appeal preferred by ex-constable Naheed Khan No. 2826 of FRP Peshawar Range, against the order of SP FRP Peshawar Range, Peshawar, wherein he was awarded major punishment of dismissal from service vide order Endst: No. 208-8 dated 28.07.2020.

Brief facts of the case are that the applicant was enlisted in Police Department as constable on 28.10.2013. He absented himself from lawful duty with effect from 14.08.2019 to 01.09.2019, 16.09.2019 to 30.09.2019, 20.02.2020 to 09.03.2020 and 05.05.2020 till the date of removal from service i.e 28.07.2020 for total period of (132) days, without any leave or prior permission of the competent authority.

In this regard, proper departmental enquiry was initiated against him, as he was issued Charge Sheet alongwith Summary of Allegations and SI Mushtaq Shah FRP Peshawar Range, was nominated as Enquiry Officer to conduct proper enquiry against him. After completion of enquiry, the Enquiry Officer submitted his finding, wherein the delinquent constable has found guilty of the charges leveled against him and recommended for major punishment.

Moreover, in the meanwhile the above named applicant was arrested/involved in criminal case vide FIR NO. 563 dated 07.05.2020 u/s 9-C CNSA PS Pirwadhai District Rawalpindi, where 1220 Gms Heroin was recovered from his possession.

On the allegations of above he was placed under suspension and a separate enquiry was initiated against him as he was issued a fresh Charge Sheet and an enquiry committee was constituted. After completion of enquiry the enquiry committee submitted their findings, wherein the accused constable was found guilty of the charges leveled against him and recommended for major punishment.

Keeping in view the above narrated facts and other material available on record, he was awarded major punishment of dismissal from service vide order Endst: No. 208-8 dated 28.07.2020.

Feeling aggrieved against the order of SP FRP Peshawar Range, Peshawar he preferred the instant appeal. He was summoned and heard in person.

**ATTESTED**



During the course of personal hearing he contented that a false and baseless criminal case was registered against him by the local Police. He produced a copy of the judgment of Lahore High Court, Rawalpindi Bench dated 09.03.2021, wherein the applicant was acquitted from the criminal case. It is worth mentioning here that from perusal of the instant judgment it reveals that earlier the applicant had already been convicted in the above criminal case by the learned Additional Sessions Judge/Judge Special Court (CNS) Rawalpindi, which the applicant was sentenced of rigorous imprisonment of 06 years.

Moreover, regarding to the absence period (132 days) the applicant failed to present any justification. Thus there doesn't seem any infirmity in the order passed by the competent authority; therefore no grounds exist to interfere in same.

Based on the findings narrated above, I, **Malik Muhammad Tahiq, PSP**, Deputy Commandant FRP Khyber Pakhtunkhwa, Peshawar, being the competent authority, has found no substance in the appeal, therefore, the same is rejected/dismissed being badly time barred and meritless. However, his punishment of dismissal from service is hereby modified and converted into the punishment of removal from service.

Order Announced.



*o/c*  
Deputy Commandant  
For Commandant FRP  
Khyber Pakhtunkhwa, Peshawar.

No 3408-10 ISI Legal, dated Peshawar the 28/04/2021.

Copy of above is forwarded for information and necessary action to the:-

1. SP FRP Peshawar Range, Peshawar. His service record and D file sent herewith.
2. Ex-constable Naheed Khan No. 2856 S/o gul Rehman R/o Faqeer Abad Regi Peshawar.

ATTESTED



مفتی محمد رفیع صاحب دہلی اور مولانا صاحب دہلی

(35) H درگاہت برصغیر حکم نمبر 101-3409 مورخہ 28-04-2021

کتاب عالیہ فقہ اسلامی کے مسائل ص 241 ط 1 ص 241

کے مسائل کو جو 28-07-2020 کے حکم نمبر 101-3409 مورخہ 28-07-2020 کے تحت Dismissed

کے مسائل کو جو 28-07-2020 کے حکم نمبر 101-3409 مورخہ 28-07-2020 کے تحت Dismissed

کے مسائل کو جو 28-07-2020 کے حکم نمبر 101-3409 مورخہ 28-07-2020 کے تحت Dismissed

کے مسائل کو جو 28-07-2020 کے حکم نمبر 101-3409 مورخہ 28-07-2020 کے تحت Dismissed

کے مسائل کو جو 28-07-2020 کے حکم نمبر 101-3409 مورخہ 28-07-2020 کے تحت Dismissed

28/4/2021

اللہ اعلم

FRP 2826

No. S/ 3490 /21, dated Peshawar the 25/08/2021.

To : The Commandant,  
Frontier Reserve Police,  
Khyber Pakhtunkhwa, Peshawar

Subject: - REVISION PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-Constable Naheed Khan No. 2826 of FRP Peshawar Range Peshawar against the punishment of dismissal from service awarded by Superintendent of Police, FRP Peshawar Range Peshawar vide order Endst: No. 208, dated 28.07.2020, being time barred.

The applicant may please be informed accordingly.

  
(NOOR AFGHAN)

Registrar,

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

  
**ATTESTED**  


**VAKALATNAMA**

**BEFORE THE** Khyber Pakhtunkhwa Service Tribunal  
Peshawar

\_\_\_\_\_ OF 2021

Naheed Khan

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Police Department

(RESPONDENT)  
(DEFENDANT)

I/We Naheed Khan

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/2021



CLIENT



**ACCEPTED**

**MIR ZAMAN SAFI  
ADVOCATE**

OFFICE:  
Room No.6-E, 5<sup>th</sup> Floor,  
Rahim Medical Centre, G.T Road,  
Hashtnagri, Peshawar.  
Mobile No.0323-9295295

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1362/2021.

Mr. Naheed Khan, Ex-constable No. 2826, FRP Range, Police Lines, Peshawar  
.....Appellant.

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &  
others.....Respondents.

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES
1.	Para-wise Comments		03
2.	Charge Sheet & Reply	"A & B"	02
3.	Show Cause & Office Letter	"C & D"	02
4.	Enquiry Committee	"E"	02
5.	Affidavit		01
6.	Index		01
Total			11

  
**RESPONDENTS**



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 1362/2021.**

**Mr. Naheed Khan, Ex-constable No. 2826, FRP Range, Police Lines, Peshawar**  
.....Appellant.

**VERSUS**

**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others**  
.....Respondents.

**PARAWISE REPLY BY RESPONDENTS.**

**RESPECTFULLY SHEWETH.**

**PRELIMINARY OBJECTIONS:-**

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
3. That the appellant has no cause of action and locus stand to file the instant appeal.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is estopped due to his own conduct to file the instant Service Appeal.
6. That the appellant is trying to conceal the material facts from this Honorable Tribunal.

**FACTS:-**

1. The appellant was enlisted in police department as admitted, but subsequently he was found an inefficient official as per his service record. (list of bed entry attached herewith as annexure "A").
2. Incorrect. The appellant remained absent from lawful duty with effect from 14.08.2019 to 01.09.2019, 16.09.2019 to 30.09.2019, 20.02.2020 to 09.03.2020 and 05.05.2020 till the date of dismissal from service i.e 28.07.2020 for total period of (132) days, without any leave or prior permission of the competent authority. In this regard, proper departmental enquiry was initiated against him, as he was issued Charge Sheet with Summary of allegations and SI Mushtaq Shah FRP Peshawar Range, was nominated as Enquiry Officer to conduct proper enquiry against him. After completion of enquiry, the Enquiry Officer submitted his finding report, wherein the delinquent constable was found guilty of the charges leveled against him and recommended for major punishment. Moreover, in the meanwhile, the appellant was found involved in criminal case vide FIR No. 563 dated 07.05.2020 u/s 9-C CNSA PS Pirwadhai District Rawalpindi.
3. Incorrect. As the appellant was involved in the above moral turpitude nature criminal case, where 1220 Grams Heroin, was recovered from his possession by the local police on the spot. Hence he was arrested and confined to judicial lockup.

4. Incorrect. The appellant is trying to conceal the actual facts from this Honorable Tribunal. The appellant being involved in a moral turpitude nature criminal case was placed under suspension and a separate enquiry was initiated against him as he was issued a fresh Charge Sheet and an enquiry committee was constituted to conduct enquiry against him. After completion of enquiry, the enquiry committee submitted their findings report, wherein the accused constable was found guilty of the charges leveled against him and recommended for major punishment. In view of the above narrated facts and other material available on record, he was awarded major punishment of dismissal from service vide order Endst: No. 208-8 dated 28.07.2020, after fulfillment of due codal formalities required as per law/rules.
5. Correct to the extent that earlier the appellant was convicted in the above criminal case by the learned Additional Sessions Judge/Judge Special Court (CNS) Rawalpindi, which the applicant was sentenced of rigorous imprisonment of 06 years with fine of Rs.30000, vide judgment dated 04.11.2020.
6. Incorrect. Departmental appeal of the appellant was thoroughly examined and rejected on sound grounds. Infact, before involvement of above criminal case the appellant was also remained absent from lawful duty for a long period of (132 days), which he was dealt departmentally. For disposal of departmental appeal, the appellant was summoned and heard in person by the Appellate Authority, but he failed to present any justification regarding his prolong absence. Thus there is no any infirmity found in the order passed by the competent authority; therefore no grounds exist to interfere in same. However, the punishment of dismissal from service awarded to the appellant was modified and converted into removal from service.
7. Incorrect. The revision petition submitted by the appellant at this belated stage was rejected on the ground of badly time barred.
8. The appellant has no cause of action to file the instant appeal and he wrongly arrayed the respondents in unsound appeal.

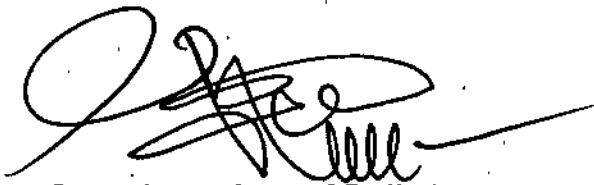
**GROUND:-**


- A. Incorrect. The orders passed by the respondents in the case of appellant are legally justified and in accordance with law / rules as the same were passed after fulfillment of all codal formalities required as per law / rules.
- B. Incorrect. The appellant was absolutely treated in accordance with law/rules within the meaning of Article 4 of the constitution by giving him sufficient and proper opportunities at every level of defense and that the entire proceedings were carried out in accordance with existing laws and rules.
- C. Incorrect. The appellant was proceeded against proper departmentally and the allegations of willful absence was fully established against him by the enquiry officer during the course of enquiry and after fulfillment of all codal formalities he was awarded major punishment of dismissal from service by the competent authority.


- D. Incorrect. The appellant being involved in criminal was placed under suspension and a separate enquiry was initiated against him as he was issued a fresh Charge Sheet and an enquiry committee was constituted to conduct enquiry against him. The Charge Sheet was service upon him by the enquiry officer to which he replied too, but his reply was found unsatisfactory. (Copy of Charge Sheet and his reply are attached as annexure "A" & "B")
- E. Incorrect. Upon the finding report of enquiry committee the appellant was issued Final Show Cause Notice, which was served upon him through Superintendent of Prison, Adyala Jail Rawalpindi by the respondent No. 3 vide office letter No. 272/PA, dated 13.07.2020. (Copy of Show Cause Notice & office letter are attached herewith as annexure "C" & "D").
- F. Incorrect the appellant was dealt with proper departmentally as he was issued Charge Sheet with Summary of allegations and an enquiry committee was constituted to conduct enquiry against him. After completion of enquiry, the enquiry committee submitted their findings report, wherein the appellant was found guilty of the charges leveled against him and recommended for major punishment. After fulfillment of all codal formalities, he was awarded major punishment of dismissal from service, as per law/rules. (Copy of enquiry committee is attached as annexure "E" ).
- G. Incorrect. The appellant was absolutely treated in accordance with law/rules by giving him sufficient and proper opportunities at every level for defense.
- H. Incorrect. The process of cross examination was already carryout by the enquiry committee during the course of enquiry.
- I. Incorrect. The appellant is legally not entitled for reinstatement in service.
- J. The respondents may also be permitted to raise additional grounds at the time of arguments.

**PRAYERS:-**

Keeping in view the above facts and circumstances, it is most humbly prayed that the instant service appeal being not maintainable may kindly be dismissed with costs please.

  
**Superintendent of Police, FRP,**  
Peshawar Range, Peshawar  
(Respondent No. 03)

  
**Commandant, FRP,**  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 02)

  
**Inspector General of Police,**  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 01)

A  
10

**ORDER OF ENQUIRY AGAINST CONSTABLE NAHEED NO.2826, CONTAINED UNDER  
SUB.RULE 4, OF RULE 5 OF NWFP (NOW KHYBER PAKHTUNKHWA) (E&D) RULES  
1975.**

It has been made to appear before me that accused **Constable Naheed No.2826**, is primes-faice guilty of the following charges to be dealt with under General Police proceedings contained u/r 5(4) of NWFP Rules (E&D) 1975.

**Constable Naheed No.2826**, of FRP Peshawar Range, being involved in case FIR No.563 dated 07.05.2020 at PS Pirwadhai Rawalpindi U/S 9C CNSA while transporting drugs from Peshawar to Rawalpindi and recovered 1220 gm heroin from his possession.

The act of accused official falls within the ambit of misconduct within the meaning of rules 2 (iii) rules 1975 and is liable to be proceeded with under the General police proceedings, contained in Police Rules 1975.

From the above charge, I am convinced that the said official has ceased to become efficient and it accused of gross misconduct therefore, I Superintendent of Police FRP/Peshawar Range, Peshawar being authorized officer within the meaning of 2(ii) of the said rules nominate Enquiry Officers. **DSP/Noor Zamin Shah of FRP/HQrs: and RI/Gul Nawaz of FRP/PR.** to enquiry into the charge, levelled against him.

The enquiry officer after completing all enquiry proceedings, shall forward the verdict/Findings to the undersigned within due dated period of 10-days contained U/S 6 (5) of the rules.

Charge sheet and summary of allegations against the accused officer, are being issued separately, reply where of shall be submitted before the enquiry officer within the period of 07.days from date of receipt.



(Jehanzeb Khan)

Superintendent of Police FRP,  
Peshawar Range, Peshawar.

No. ~~116~~ ~~116~~ /PA dated Peshawar Range the 08/05/2020.

Copy to:-

Enquiry Officers. **DSP/Noor Zamin Shah of FRP/HQrs: and RI/Gul Nawaz** of FRP/PR.

جا۔ ناالی! جو عالم طاریت سٹوٹسمی آف اسٹین مارچ جا۔ آئی

آئی اور شیخ نے اور حضرت کا وقت فون کے میں سالی اپنے مزید دوست نام

1 راولپنڈی اور (2) افتخار کے ساتھ آئی جسٹال میران آٹو میں آئی

میں - آئی جسٹال میں فون جمع کرنے کے بعد ایک ہوٹل میں فون سے کار

کری اور صبح 2006 کو جمع کے وقت ہوٹل میں حفاظی پولیس کا بندھو دلی

کے تھا پائی کی - اس دوران ایک ٹرک کا نام (مصلح) نے چھو کتاب میں

پولیس سے جان چھڑائی اور مبلغ 5 لاکھ روپے رشتہ داروں سے

جسے یہ وہ ٹرک کا چھایا ہوا چلا گیا اتنے میں پولیس بھی پکڑنے کے

پاس آئی اور بیماری تلاشی کی - میرے پاس 30 پورسٹل کا جہد

آل پاکستان کالاسٹن میرے پاس موجود تھا جسے پولیس

سے اپنا تعارف کروایا لیکن موقع پر تیار ہونے کی وجہ سے پولیس

نے چھو اور میرے دونوں ساتھیوں کو گرفتار کرنے آئی ہوٹل کے ایک

کمرے میں بند رکھا جو میرا ٹوٹی اور اسٹ ہے - اور میں سے 1 لاکھ

روپے کی ڈیمانڈ کی - ہم نے رقم دینے سے انکار کیا - اور پاس

نہ ہی پاس پاس اتنی رقم ہے اور نہ ہی کوئی قصور ہے - لیکن

اپنی جو کچھ میرا فون کر اسٹ میں رکھے کے بعد صبح 2006 کو میرے

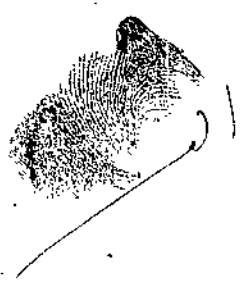
صرف انگ اور میرے ساتھیوں کے صرف انگ سے Fik درج کی گئی

جو بنیاد ظلم ہوا ہے - اور چھو اور میرے ساتھیوں کو بے گناہ

گرفتار کرنے کے چھوٹے قدم میں ملوث کیا گیا ہے - لہذا آپ

صاحبان سے اسٹد ماحول سائل کے حال پر راج کرتے ہوئے

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سائنس کو قانونی امداد فراہم کریں اور سائنس کے خلاف جاری انکوائری  
فائل کرنے کا حکم صادر فرمادیں۔ سائنس کا تصور آپ صاحبان کی بلند  
اعتدالی اور دراز عمری سے ڈیٹا گورننس کا۔ یہ یہ ہے امر ایسا ہے  
جو حقیقت پر مبنی ہے۔

آپ کا نام: محکمہ سائنس، حیدرآباد سائبر 2826  
اور اصل راولپنڈی



کراس سوالات -

س 1 - کیا آپ کے پاس FIC ہسپتال میں فون جمع کروانے کا ریکارڈ موجود ہے؟  
ج 2 - جی ہاں۔ بیماری گاڑی میں سب ڈائونٹس موجود تھے جو مقامی  
پولیس نے مرنے حقیقت میں لائیف لائن



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س 2 - جب آپ کو پولیس نے (غدار کیا تو آپ کے پاس کیا کیا موجود تھا؟

ج 2 - ایک 50 بریسٹل بلع آل ہائٹن لائسنس، بیروں کارڈ، جو سائنس  
فون اور مبلغ (25) ہزار روپے موجود تھے اور  
کے علاوہ FIC ہسپتال کی مکمل فائل جو سیری و لڈ صاحبہ کا بیمار لائی تھی اور

س 3 - راولپنڈی پولیس نے آپ کے خلاف جرم (Case) کا حقد کن وجوہات  
کی بناء پر درج کیا؟

ج 2 - مجھے معلوم نہیں ہے۔ یہ سراسر ظلم ہے۔ اور ان بلا صاحبان سے  
استدعا بھیجیے۔ العاف فرامع زمین اللہ

From: The Sr: Superintended of Police, FRP  
Peshawar Range, Peshawar.

To: The Superintendent of Prison,  
Adyala Jail Rawalpindi.

No. 272 /PA, dated the 13 / 07 /2020.

Subject: DEPARTMENTAL PROCEEDING.

Memo:

It is submitted that Constable Naheed No.2826 of FRP Peshawar Range, Peshawar has been arrested by the local Police of Police Station Pirwadhai Rawalpindi. A proper case vide FIR No.563 dated 07.05.2020 U/S 9C CNSA at PS Pirwadhai Rawalpindi has been registered. After the investigation he is in Judicial Lock up in Adyala Jail Rawalpindi.

It is therefore requested that Duty Foot Constable Israr No.2509 of FRP Peshawar Range Peshawar, may kindly be allowed to distribute Final Show Cause Notice on defaulter Constable Naheed No.2826 and reply of the same may be returned to this Office for further necessary action please.

147-2

Supdt. Jail.	
Addl: Supdt	
DS (E)	
DS (D)	
DS (J)	
DS (HSS)	
LDS	
MO/WDO	
O/S	
ASW	
ASUT	
LO	
HC	
SK (M/F)	

2826

Sr:Superintendent of Police, FRP  
Peshawar Range, Peshawar.

4578  
13/7/20

**FINAL SHOW CAUSE NOTICE UNDER POL**


I, Superintendent of Police FRP Peshawar Range Peshawar  
hereby serve you Constable Naheed No.2826, of FRP/PR Peshawar

- 1) I. That consequent upon the completion of enquiry conducted against you, Nawaz of FRP/PR and DSP/Noor Zamin Shah of FRP/HQrs: for which you were given full opportunity of hearing. On going through the finding/recommendations of the enquiry officer the material available on record and other connected papers I am satisfied that you have committed the following acts/omissions per police rules 1975.

While posted at FRP Peshawar Range, Peshawar you involved in case F.I.R No.563 dated 07.05.2020 at PS Pirwadhai Rawalpindi U/S 9C CNSA while transporting drugs from Peshawar to Rawalpindi and recovered 1220 gm heroin from your possession.

Your this act amount to gross miss-conduct and punishable.

- 2) Therefore, I Superintendent of Police FRP/PR Peshawar as competent authority has tentatively decided to impose upon you Major/Minor penalty including dismissal from service under the said Rules.
- 3) You are, therefore, required to Show Cause as to why penalty should not be imposed upon you.
- 4) If no reply to Final Show Cause Notice is received within the fifteen days of it delivered in the normal course of circumstance, it shall be presumed that you have no defense to put in and consequently ex-parte action shall be taken against you.

  
(Jehan Zeb Khan)  
Superintendent of Police, FRP  
Peshawar Range, Peshawar.

No. 271/PA, dated Peshawar the 08/07/2020.





## انکوائری رپورٹ

جناب عالی!

بحوالہ مشمولہ انکوائری کاغذات برخلاف کنسٹیبل ناہید خان نمبر 2826 ایف آر پی پشاور ریجن معروض خدمت ہوں کہ بحوالہ نقلہ نمبر 04 روزنامہ 07.05.2020 میں لائن افسر ایف آر پی پشاور ریجن نے اطلاع رپورٹ درج روزنامہ کی جس میں درج ہے کہ "کنٹرول ایف آر پی سے ایڈیٹر قاسم نے اطلاع دی کہ کنسٹیبل ناہید خان نمبر 2826 بحوالہ مقدمہ علت نمبر 563 جرم CNSA-9C تھانہ پیرودھائی ضلع راولپنڈی میں ملوث تھا جس میں مذکورہ کو گرفتار کر کے بندہ سلاسل ہے۔"

متذکرہ نقلہ رپورٹ پر جناب SSP صاحب ایف آر پی پشاور ریجن نے کنسٹیبل ناہید خان نمبر 2826 ایف آر پی پشاور ریجن کو معطل لائن کر کے مذکورہ کے خلاف چارج شیٹ و سمری آف ایگیشن جاری فرما کر کاغذات بغرض انکوائری سن DSP ہیڈ کوارٹر ایف آر پی پشاور اور RL ایف آر پی پشاور ریجن کو حوالہ ک ہوئے۔

اندریں سلسلہ کنسٹیبل ناہید خان نمبر 2826 پر چارج شیٹ و سمری آف ایگیشن تقسیم کرنے اور مذکورہ سے بیان ریکارڈ کرنے کے غرض سے SI مشتاق شاہ بحوالہ لیٹر نمبر 486/PA مورخہ 12.05.2020 ایڈیالہ جیل ضلع راولپنڈی بھیجے گئے۔ SI مشتاق خان نے کنسٹیبل مذکورہ پر ایڈیالہ جیل میں چارج شیٹ و سمری آف ایگیشن حسب تقسیم کر کے مذکورہ سے تحریری بیان لیا گیا اور مذکورہ پر کراس سوالات بھی کئے گئے ہیں جس کا خلاصہ ذیل ہے۔

خلاصہ بیان کنسٹیبل ناہید خان نمبر 2826 ایف آر پی پشاور ریجن۔ مذکورہ نے اپنے بیان میں لکھا ہے کہ وہ اپنے دوستوں راوید اور افتخار کے ساتھ FIC ہسپتال مہراں آٹو میں آئے تھے۔ FIC ہسپتال میں خون جمع کرنے کے بعد ایک ہوٹل میں مورخہ 05.05.2020 کی رات گزارا اور مورخہ 06.05.2020 کی صبح کے وقت ہوٹل میں مقامی پولیس تھانہ پیرودھائی نے چھاپہ زنی کی۔ اس دوران ایک نامعلوم لڑکے نے اُسے کہا کہ اُس نے پولیس سے جان چھڑائی ہے اور مبلغ 105 لاکھ روپے رشوت دی ہے۔ جیسے ہی وہ لاکھ بھانگتا ہوا چلا گیا اتنے میں پولیس ان کے پاس آئی اور ان کی تلاشی لی۔ اُس کے پاس 30 بور پستول تھا جس کا آل پاکستان لائسنس اُس کے ساتھ موجود تھا۔ اُس نے پولیس سے اپنا تعارف کرایا لیکن موقع پر سکرار ہونے کی وجہ سے پولیس نے اُسے اور اُس کے دوستوں کو گرفتار کر کے اُس ہوٹل کے ایک کمرہ میں بند رکھا جو کہ غیر قانونی حراست ہے اور ان سے 10 لاکھ روپے کی ڈیمانڈ کی۔ ہم نے رقم دینے سے انکار کیا اور کہا کہ نہ ہی ہمارے پاس اتنی رقم ہے اور نہ ہی کوئی تصور ہے لیکن ایک یوم غیر قانونی حراست میں رکھنے کے بعد مورخہ 07.05.2020 کو اُس کے خلاف الگ اور اُس کے دوستوں کے خلاف الگ سے FIR درج کی جو کہ نہایت ظلم ہوا ہے۔ مذکورہ نے مذید اپنے بیان میں لکھا ہے کہ ہم کو بے گناہ گرفتار کر کے جھوٹا مقدمہ میں ملوث کیا گیا ہے۔

### کراس سوالات

- س نمبر 01:- کیا آپ کے پاس FIC ہسپتال میں خون جمع کروانے کا ریکارڈ موجود ہے؟
- ج:- جی ہاں ہماری گاڑی میں سب ڈاکومنٹس موجود تھے جو کہ مقامی پولیس نے اپنے قبضہ میں لئے تھے۔ (نشان انگشت)
- س نمبر 02:- جب آپ کو پولیس نے گرفتار کیا تو آپ کے پاس کیا کیا موجود تھا؟
- ج:- ایک 30 بور پستول، بیچ آل پاکستان لائسنس، سروس کارڈ، موبائیل فون اور مبلغ (20) ہزار روپے موجود تھے۔ نیز FIC ہسپتال کی مکمل فائل جو کہ میری والدہ صاحبہ کی بیماری کی تھی۔
- س نمبر 03:- راولپنڈی پولیس نے آپ کے خلاف جرم CNSA 9C کا مقدمہ کن وجوہات کی بناء پر درج کیا؟
- ج:- مجھے معلوم نہیں ہے۔ یہ سراسر ظلم ہے۔ افسران بالا صاحبان سے استدعا ہے کہ مجھے انصاف فراہم کریں۔

اس سلسلے میں SI/NIU سٹی سرکل قلب عباس تھانہ سٹی سرکل پیرودھائی ضلع راولپنڈی سے بحوالہ لیٹر نمبر 487/PA مورخہ 12.05.2020 پر اگر س رپورٹ طلب کی گئی۔ جس نے اپنے رپورٹ میں لکھا ہے کہ بحوالہ مقدمہ علت نمبر 564 جرم CNSA-9C مورخہ 07.05.2020 تھانہ پیرودھائی ضلع راولپنڈی میں ملزم ناہید خان ولد گل رحمان سکند فقیر آباد پشاور کے دائیں کندھے پر لگے سیاہ رنگ کے ہیرا شوٹ بیگ کو از خود ہتال کرنے پر بیگ کے اندر سے سفید رنگ کے مومی شاہر میں بیگ شدہ ہیرا وین برآمد ہوئی جو وزن کرنے پر کل 1220 گرام ہوئی مذکورہ نے اولین دریافت پر بتلایا کہ یہ ہیرا وین وہ کالج یونیورسٹی اسٹوڈنٹس کو فروخت کرتا ہے۔ مذکورہ مقدمہ ہذا میں صحیح گتہ کار ہا کر حسب ضابطہ گرفتار کیا گیا ہے اور آئندہ بعد اہل جناب ڈیوٹی جی صاحب پیش کر کے ملزم کار یارینڈ جو ڈیٹیل 14 یوم حاصل کر کے بند حوالات جو ڈیٹیل ایڈیالہ جیل کر دیا۔ آئندہ ملزم کے خلاف چالان مرتب کر کے ارسال عدالت کیا جائیگا۔ پراسر رپورٹ ہمراہ لف ہے۔

محرر ایف آر پی پشاور ریجن سے کنسٹیبل ناہید خان نمبر 2826 کا ڈیوٹی ریکارڈ طلب کیا گیا۔ محرر ایف آر پی پشاور ریجن نے کنسٹیبل مذکورہ کے خلاف ایک

25.01.2020 پر رپورٹ درج کی ہے جس میں درج ہیکہ کنسٹیبل مذکورہ کے بارے میں کئی مختلف ایجنسیوں سے بوساطت افسران بالا صاحبان چھٹی نمبری-81 R مورخہ 17.01.2020 مجاریہ DSP صاحب ریگی سرکال غیر اخلاقی سرگرمیوں کے بارے میں کنسٹیبل رپورٹ موصول ہو رہی تھی تاہم بمطابق سوس رپورٹ علاقہ میں کھڑی گمرانی جاری رکھ کر معززین علاقہ اور امدادیان پولیس سے خفیہ ذرائع کے وساطت معلومات حاصل کر کے واقعی مذکورہ کنسٹیبل غیر اخلاقی سرگرمیوں میں ملوث پایا۔ جس بابت جناب SP درول ڈویژن پشاور نے تحریری لیٹر نمبر 312/SPR مورخہ 28.01.2020 جناب SP ہیڈ کوارٹر CCP پشاور کو ارسال کی اور جناب SP ہیڈ کوارٹر CCP پشاور نے کنسٹیبل ناہید نمبر 2826 کے خلاف محکمہ کاروائی کرنے کے لئے تحریری لیٹر نمبر 238/PA مورخہ 29.01.2020 پر جناب کمانڈنٹ صاحب ایف آر پی KP پشاور کی خدمت میں ارسال کی۔ جس پر کنسٹیبل مذکورہ کے خلاف محکمہ انکوائری مکمل ہو کر انکوائری افسر نے فائنڈنگ رپورٹ میں کنسٹیبل مذکورہ کو غیر قانونی سرگرمیوں میں ملوث ہونے پر دیگر رینج تبدیل کرنے کی سفارش کی ہے۔ سابقہ انکوائری فائل فونو کا بیاناں ہمراہ لف ہے۔ جبکہ بمطابق بیان کنسٹیبل مذکورہ بحال مد 08 روز نامہ 05.05.2020 سے بدستور غیر حاضر ہے۔ رپورٹ ہمراہ لف ہے۔

جناب عالی!

دور ان انکوائری درج بالا ریکارڈ اور حقائق کو مد نظر رکھ کر اس نتیجے پر پہنچے ہیں کہ کنسٹیبل ناہید نمبر 2826 ایف آر پی پشاور رینج کے خلاف مقدمہ علت نمبر 564 جرم CNSA-9C مورخہ 07.05.2020 تھانہ پیر دوہائی ضلع راولپنڈی میں درج ہوا ہے۔ مقدمہ ہذا میں کنسٹیبل مذکورہ گرفتار ہو کر میں بند ب سلاسل ہے۔ بمطابق پراگرس رپورٹ SI/NIU کسی سرکل تھانہ پیر دوہائی ضلع راولپنڈی کے ڈورن گرفتاری کنسٹیبل مذکورہ کے دائیں کندھے پر لگے سیاہ رنگ کے پیراشوٹ بیگ کے اندر سے سفید رنگ کے بمی شاپر میں بیک شدہ ہیر وین برآمد ہوئی ہے جو وزن کرنے پر 1220 گرام معلوم ہوئی مذکورہ نے اولین دریافت پر بتلایا ہے کہ یہ ہیر وین وہ کالج پونیورسٹی اسٹوڈنٹس کو فروخت کرتا ہے۔ کنسٹیبل مذکورہ کا ریمانڈ جو ڈیشل 14 یوم حاصل کر کے بند حالات جو ڈیشل اڈیالہ جیل کروایا ہے۔ کنسٹیبل ناہید نمبر 2826 نے اپنے بیان میں لکھا ہے کہ وہ اپنے دوستوں کے ساتھ راولپنڈی FIC ہسپتال خون جمع کرنے کی غرض سے آیا تھا۔ خون جمع کرنے کے بعد ایک ہوٹل میں رات گزارنے گیا۔ پولیس پارٹی چھاپہ زن ہو کر مذکورہ پر جھوٹا مقدمہ درج کیا ہے۔ جبکہ بمطابق ریکارڈ محرر ایف آر پی پشاور رینج کنسٹیبل مذکورہ مقدمہ ہذا سے دور و ز قلم بحال مد 08 روز نامہ 05.05.2020 سے بدستور غیر حاضر چلا آ رہا ہے اور دوران غیر حاضری جرم CNSA-9C کا لزوم گردانا گیا ہے۔ کنسٹیبل مذکورہ کا چارج شیٹ پر دیا گیا بیان غیر تسلی بخش ہے اور ہم انکوائری افسران اس کے بیان سے مطمئن نہیں ہیں۔

مذکورہ کنسٹیبل ایک ڈسپلن فورس کا ملازم ہوتے ہوئے اس قسم کے جرائم میں ملوث ہونا اور بغیر رخصت حاصل کے مورخہ 05.05.2020 سے اپنے ڈیوٹی سے بدستور غیر حاضر رہنے پر مذکورہ کنسٹیبل کو Major Punishment دینے کی سفارش کی جاتی ہے۔

رپورٹ گزارش ہے۔

1. DSP ہیڈ کوارٹر ایف آر پی پشاور

2. RI ایف آر پی پشاور رینج پشاور 71712020

176 مورخہ 07/07/2020

کل صفحات 23

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 1362/2021:**

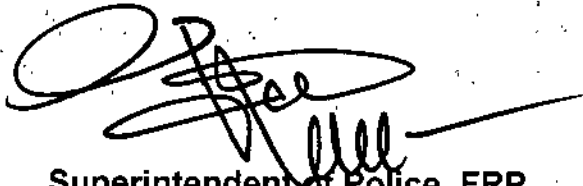
**Mr. Naheed Khan, Ex-constable No. 2826, FRP Range, Police Lines, Peshawar**  
.....Appellant.

**VERSUS**

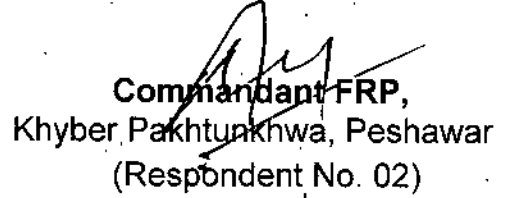
**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &**  
others.....Respondents.

**AFFIDAVIT**

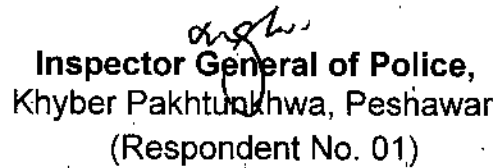
We respondents No. 1 to 3 do hereby solemnly affirm and declare on oath that the contents of the accompanying Para-wise Comments on behalf of Respondents No. 1 to 3 is correct to the best of my knowledge and belief that nothing has been concealed from this Honorable Court.



**Superintendent of Police, FRP,  
Peshawar Range, Peshawar  
(Respondent No. 03)**



**Commandant FRP,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 02)**



**Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 01)**

**ATTESTED**



*29-4-2022*

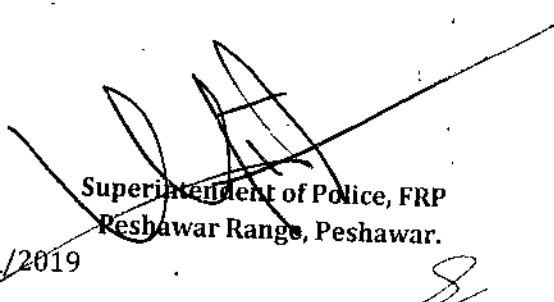
**ORDER**

This office Order relates to the disposal of formal departmental enquiry against Constable Nahid No.2826, while posted at FRP Peshawar Range, absented himself from lawful duty w.e.from 30.03.2019 to 10.07.2019 for the total period of (100) days without taking any leave/permission of Competent Authority.

In this connection Constable Nahid No.2826, was charge sheeted along with Summery/Statement of allegation vide this office order No.225/PA, dated 27.05.2019 and also proceed him against departmentally through SI/Iltaf Hussain of FRP/PR. Who after fulfilling necessary process submitted his findings wherein the E.O mentioned that the said constable did not submit reply of charge sheet, he is habitual absentee and also previous service records were found unsatisfactory. His that act has bad effect on other police officials. The said constable absented himself without any cogent reason and did not submit reply of charge sheet therefore, I as an Enquiry Officer recommend him for Major Punishment.

Later on he served/issued with Final Show Cause Notice to which he replied but unsatisfactory. He was called for heard in person in Orderly Room.

Keeping in view all of the above episode and recommendation of Enquiry Officer, the Undersigned came to the conclusion that therefore, his total (100) days absence period is treated as leave without pay along with stoppage of one annual advance increment without accumulative effect. He is sternly warned to be careful in future. His pay is hereby released with immediate effect.

  
Superintendent of Police, FRP  
Peshawar Range, Peshawar.

No. 413-15/PA dated Peshawar the 05/09/2019

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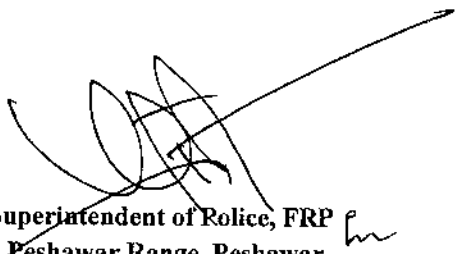
1. The Accountant FRP/PR Peshawar
2. The SRC/FRP/PR Peshawar
3. The OASI/FRP/PR Peshawar

**ORDER**

This office Order relates to the disposal of formal departmental inquiry against Constable Nahid No.2826, while posted at FRP Peshawar Range, Peshawar absented himself from lawful duty w.e.from 15.10.2018 to 05.11.2018 for the total period of (20) days without taking any leave/permission of Competent Authority.

In this connection Constable Nahid No.2826, was charge sheeted vide this office order No.519/PA, dated 30.10.2018 and also proceed him against departmentally through LO/Mushtaq Shah of FRP/PR. Who after fulfilling necessary process submitted his findings wherein the I.O mentioned that the said constable stated that he regularly offered his duties with security Line officer and was absented mistakenly. The Enquiry officer mentioned that his statement is wrong because the LO at the time of his absentee was closed to FRP Peshawar Range on 05.10.2018. Therefore it is recommended that his total absence period of (20) days may be treated as leave without pay.

Keeping in view all of the above the undersigned came to the conclusion that therefore, his total (20) days absence period is treated as leave without pay along with stern warning to be careful in future. His pay is hereby released.

  
Superintendent of Police, FRP  
Peshawar Range, Peshawar.

No. 552-54/PA dated Peshawar Range the 14 / 11 / 2018.

Copy to:-

1. The Accountant FRP/PR Peshawar
- ✓ 2. The SRC/FRP/PR Peshawar
3. The OASI/FRP/PR Peshawar


eted along  
2019

**ORDER**

This office Order relates to the disposal of formal departmental inquiry against Constable Nahid No.2826, while posted at FRP Peshawar Range, Peshawar absented himself from lawful duty w.e.from 01.06.2018 to 09.07.2018 for the total period of (37) days without taking any leave/permission of Competent Authority.

In this connection Constable Nahid No.2826, was charge sheeted vide this office order No.316/PA, dated 27.06.2018 and also proceed him against departmentally through LO/Mushtaq Shah of FRP/PR. Who after fulfilling necessary process submitted his findings wherein the I.O mentioned that the said constable in his reply stated that his mother was ill which caused him absented from duty but I am not agreed with him, he didn't produce any medical certificate regarding his mother illness. His previous record is also not satisfactory therefore it is recommended that his total absent period of (37) days may be treated as leave without pay along with other suitable punishment. Later on he was served with Final Show Cause Notice.

Keeping in view all of the above the undersigned came to the conclusion that therefore, his total (37) days absence period is treated as leave without pay along with (07) days extra drill. His pay is hereby released.

  
Superintendent of Police, FRP  
Peshawar Range, Peshawar.

No. 418-20/PA dated Peshawar Range the 13 / 09 /2018.

Copy to:-

1. The Accountant FRP/PR Peshawar
2. The SRC/FRP/PR Peshawar
3. The OASI/FRP/PR Peshawar

**ORDER**

This office Order relates to the disposal of formal departmental Inquiry against **Constable Nahid No.2826**, while posted at FRP Peshawar Range, Peshawar absented himself from lawful duty w.e.from 27.04.2017 to 23.05.2017 for the total period of (26) days without taking any leave/permission of Competent Authority.

In this connection **Constable Nahid No.2826**, was charge sheeted vide this office order No.156/PA, dated 18.05.2017 and also proceeded against him departmentally through **RI/Mushtaq Shah FRP/PR**. Who after fulfilling necessary process submit his findings wherein the I.O mentioned that the said constable submitted reply of charge sheet but I was not agree with him. Therefore, his total absence period recommended as leave without pay.

The undersigned take a lenient view that **therefore, his total (26) days absence period reckoned as causal leave and awarded ten days extra drill along with stern warning to careful in future. His pay is hereby released.**



Superintendent of Police, FRP  
Peshawar Range, Peshawar.

No: 287-89 /PA dated Peshawar Range the 18 / 07 /2017.

Copy to:-

1. The Accountant FRP/PR Peshawar
2. The SRC/FRP/PR Peshawar
3. The OASI/FRP/PR Peshawar

انلوائری رپورٹ

جناب عالی!

2826

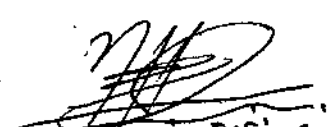
بجواب مشمولہ انلوائری ماغذات پر خلاف کنٹریل ناہید نمبر FRP لٹاؤری ریج لٹاؤری مع وضو خدمت ہونے نہ مذکورہ کنٹریل کے خلاف رائے آفیسر صاحب FRP لٹاؤری ریج رپورٹ کرتا ہے کہ مذکورہ کنٹریل کو بے کار سرکار طلب کیا گیا۔ لیکن مذکورہ کنٹریل عدم موجود یا یا گیا۔ مذکورہ کنٹریل کے خلاف رپورٹ غیر حاضری درج روزنامہ کے نکلے بندہ بندہ مناسب کارروائی انسران بلا صاحبان کی خدمت سے ارسال کی گئی۔ تقلمد غیر حاضری پر جناب SP صاحب FRP لٹاؤری ریج لٹاؤری کے مذکورہ کنٹریل کی تنخواہ بجواب 127/08 پر بندہ کے مذکورہ کنٹریل کے خلاف خارج ٹیسٹ و سہری آف 09-03-2020 ایلیٹن جاری کر کے ماغذات برائے انلوائری من ایک مشتاق شاہ کو جواب دہئے۔ دوران انلوائری خارج ٹیسٹ مذکورہ کنٹریل پر حسب ضابطہ تقسیم کی گئی۔ مذکورہ کنٹریل نے خارج ٹیسٹ بذات خود لیتے ہوئے خارج ٹیسٹ پر اسناد دستخط کر کے بیان کرتا ہے کہ جوہر جائیداد تنازعہ میں ایسی رٹوں سے غیر حاضر رہا۔ دوران انلوائری معلوم ہوا کہ مذکورہ کنٹریل بجواب 05 روزنامہ 20-02-2020 کو غیر حاضر ہوا اور بجواب 28 روزنامہ 09-03-2020 کو ایسی حاضری کی رپورٹ درج روزنامہ کی ہے۔ اس کے بعد مذکورہ کنٹریل بجواب 29 روزنامہ 14-08-2019 کو غیر حاضر ہوا اور بجواب 39 روزنامہ 01-09-19 کو ایسی حاضری کی رپورٹ کی ہے۔ پھر مذکورہ کنٹریل بجواب 16-09-19 کو غیر حاضر ہوا اور بجواب 21 روزنامہ 30/09/19 کو ایسی حاضری کی رپورٹ درج روزنامہ کی ہے۔ دوران انلوائری معلوم ہوا کہ مذکورہ کنٹریل نے وجہ غیر حاضری رشتہ داروں سے ساتھ جائیداد تنازعہ بیان کیا ہے۔ اب مذکورہ کنٹریل بجواب 05 روزنامہ 05 سے بدستور غیر حاضر ہے۔

فائینڈنگ رپورٹ ہے۔

سے بجسٹ انلوائری آفیسر بعد از انلوائری ریج لٹاؤری اس نتیجے پر پہنچا ہوا کہ مذکورہ کنٹریل مورخہ 28-10-2013 کو پولیس میں پھرتی ہوا۔ قبل ازیں بھی مذکورہ کنٹریل 248 یوم غیر حاضری میں ہے۔ 26 یوم رخصت میں تھا اور 222 یوم بلا تنخواہ کی سزا پھرتی ہے۔ اور 19 یوم ایلیٹرا ڈرل کی سزا پھرتی ہے۔ مذکورہ کنٹریل کی موجودہ عرصہ غیر حاضری 08/14 تا 09/01 تک کل 18 یوم غیر حاضر رہا ہے۔ اور 09/16 تا 09/30 تک کل 14 یوم غیر حاضر رہا اور



تاریخ 02 تا 03 2020 09 تک کل 18 یوم غیر حاضر رہ چکا ہے۔  
 مذکورہ کنٹیل کل 50 یوم غیر حاضر رہ چکا ہے۔ اور اب مذکورہ  
 کنٹیل 05 سے بدستور غیر حاضر ہے۔ مذکورہ کنٹیل نے وجہ غیر حاضر  
 رشتہ داروں کے ساتھ جائیداد تنازعہ بیان کیا ہے۔ جس کی بحشت انوائسری  
 آفیسر مذکورہ کنٹیل کے بیان سے مطمئن نہیں ہوں۔ مذکورہ کنٹیل کو  
 جانچنے کے لئے وہ باقاعدہ طریقے سے اسٹیشنر بالا صاحبان کی نوٹس  
 میں لائے۔ اور باقاعدہ رجسٹر حاصل کرتے ہیں۔ مذکورہ کنٹیل نے ایسا  
 نہیں کیا اور اپنی مرضی سے غیر حاضر رہے۔ مذکورہ کنٹیل نہایت ہی  
 غیر حاضر باس ہے۔ اور وہ اپنی ڈیوٹی اپنے اوپر بوجھ سمجھتا ہے۔  
 لہذا مذکورہ کنٹیل کی موجودہ عرصہ غیر حاضری جو کہ 50 یوم  
 بلا شکوہ کرنے کی سنارش کی جاتی ہے۔ اور مذکورہ کنٹیل کو  
 (Major punishment) کی سزا کی سنارش کی جاتی ہے۔ مزید حکم  
 اسٹیشنر بالا صاحبان افضل ہے۔ رپورٹ عرض ہے۔

  
 ای سی ایچ ایچ

جواب - عالی! جو اہم مشورہ انٹوائری کا عہدات پر خلاف نیشنل ٹیبڈ نمبر 2826  
 FRP معرض خدمت ہوں، مذکورہ نیشنل کے متعلق جواب کی ملاحظہ فرمادیں  
 کو اور فریڈ سے جواب لیکر نمبر 238/18A مورخ 29<sup>01</sup>/<sub>2020</sub> پر FRP اس کے لئے  
 صاحبان کو اسٹڈیا کی صفحہ مذکورہ نیشنل نمبر 051451 سرگرمیوں میں  
 ملوث پایا گیا ہے اور آٹھ سالہ کرنا ہے نیز مذکورہ نیشنل کے خلاف  
 حکام نے کارروائی عمل میں لائی جائے۔

آج وہ لیکچر روزہ میں ہے، جواب کی صاحب FRP کے ذریعہ نیشنل کے خلاف  
 نیشنل کے خلاف خارج سٹیٹ جسٹس آف انٹرنیشنل مارکیٹ کے کاغذات پر  
 انٹوائری میں RI ایف آر پی کے ذریعہ نیشنل کے خلاف خارج سٹیٹ  
 مذکورہ نیشنل کے خلاف نیشنل ڈیفنس ڈیپارٹمنٹ کے ذریعہ نیشنل کے خلاف  
 جوابی کے اصول پر۔

مورخ 17<sup>2</sup>/<sub>2020</sub> کو مذکورہ نیشنل کے خارج سٹیٹ کے جواب میں تحریر بیان میں  
 نیشنل کے ذریعہ نیشنل کے خلاف خارج سٹیٹ کے ذریعہ نیشنل کے خلاف  
 نیشنل اس سلسلہ میں مذکورہ نیشنل کے رہائشی علاقہ حرم فدویہ آباد ریلوے  
 کارکنوں کے لئے - جہاں پر حکام کا تعلق افدہ ولد احمد شاہ اور عاطف اللہ  
 ولد عارف اللہ کے تحریر بیان میں نیشنل کے ذریعہ نیشنل کے خلاف خارج سٹیٹ  
 سرگرمیوں میں ملوث نہیں ہے اور آٹھ کا تعلق بھی نہیں کرتا۔  
 نیشنل کے ذریعہ نیشنل کے خلاف خارج سٹیٹ کے ذریعہ نیشنل کے خلاف

جواب - عالی! میں بحسب انٹوائری آفس کے بعد از حاجی ڈیپارٹمنٹ اور  
 کے موجود رپورٹ کے ذریعہ نیشنل کے خلاف خارج سٹیٹ کے ذریعہ نیشنل کے خلاف  
 نیشنل نمبر 2826 کے متعلق حکام ریلوے کے ذریعہ نیشنل کے خلاف خارج سٹیٹ  
 2826

رپورٹ درج ذیل نواح میں تیار کی گئی۔ رپورٹ میں ذکر ہے کہ ایڈیشن نمبر 2896 کے بارے میں  
 مختلف ایجنسیوں اور اہل صحابہ ریلی سرگرمیوں کے لئے SIR کی رو سے مذکورہ  
 کٹیل غیر اعلیٰ سرگرمیوں میں ملوث ہے جس کی کٹیل نگہبانی رکھی جائے گا۔ مذکورہ کو  
 واقعہ غیر اعلیٰ سرگرمیوں میں ملوث پایا جائے گا۔ حسب الحکم ان شاء اللہ تعالیٰ  
 مذکورہ کٹیل کو وہ ریم کوآرڈر مارڈ میں بند رکھا گیا ہے۔ نقلیہ رازدارانہ کٹیل  
 سہراہ لگا ہے۔ کٹیل مذکورہ نے اپنے خلاف لگائے گئے الزامات کی نفی کرتے ہوئے  
 کہا ہے۔ اور اپنے زعمی حوالے سے آگے بڑھی اور میں بھی مذکورہ کٹیل غیر  
 اعلیٰ سرگرمیوں اور اس کے ذریعے میں مشہور نہیں ہے۔ لہذا اس کے  
 کو مد نظر رکھتے ہوئے نقلیہ رازدارانہ کٹیل کو مد نظر رکھنا بھی مناسب نہیں ہے  
 اور ہے۔ کیونکہ سٹیبل برانچ کی رپورٹ اور دیگر ایجنسیوں کی رپورٹ اور  
 کٹیل کے لئے بعد میں مذکورہ کٹیل کے خلاف غیر اعلیٰ سرگرمیوں میں  
 ملوث رہنے کی رپورٹ درج ذیل نواح میں تیار کی گئی ہے۔ لہذا مذکورہ کٹیل کو بطور  
 سزا کسی دیگر ضلع کی بلا ٹون میں تعینات کرنے کی سفارش کی گئی ہے۔  
 مذکورہ حکم ان شاء اللہ تعالیٰ کا افضل ہے۔

رپورٹ رازدارانہ  
 19/2/2020  
 انسٹرکشن نواز خان  
 RIFARPAR

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