

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

Service Appeal No. 1110/2019

BEFORE: MR. KALIM ARSHAD KHAN, ... CHAIRMAN
MR. MIAN MUHAMMAD, ... MEMBER(E)

Mr. Umar Hayat, Ex-LHC son of Syed Badshah R/O Mohallah Tor Chaari Banda, Kohat..... (Appellant)

Versus

1. **Regional Police Officer**, Kohat Region, Kohat and
2. **District Police Officer**, Kohat.....

**SCANNED
RESPONDENTS
PESHAWAR**

Mr. Javed Iqbal Gulbela, Advocate ... For appellant

Mr. Kabirullah Khattak, Addl. Advocate General ... For respondents.

Date of Institution.....30.08.2019
Date of Hearing.....04.04.2022
Date of Decision.....05.04.2022

JUDGMENT.

KALIM ARSHAD KHAN CHAIRMAN.- The appellant. Umar Hayat Ex-LHC has filed the instant appeal against the order dated 24.05.2019 of the District Police Officer, Kohat, whereby, he was dismissed from service and against the order dated 17.08.2019 of Regional Police Officer, Kohat Region Kohat, whereby his departmental appeal was rejected.


2. As per the appeal, the appellant was appointed in the Police Department and had served for more than twenty years with devotion; that the appellant remained posted as DFC at the Police Station Jungle Khel Kohat for some time alongwith another DFC Namely Muhammad Sabeel; that during the trial of one case, titled "*The State Vs. Nawab Khan*" pending before the Court of learned Additional Sessions Judge-II Kohat; that vide order No. 09, dated 22.03.2019, the learned Judge not only attached salary of the appellant but also the DIG Kohat Range and DPO Kohat were directed to take necessary action against the

appellant. That a show cause notice was issued to the appellant which was replied by him. That he was dismissed from service vide impugned office order dated 27.05.2019. Feeling aggrieved, he moved a departmental appeal which was also rejected on 17.08.2019, hence, the present appeal.

3. After admission of the appeal, reply was sought from the respondents, which was accordingly submitted, wherein it was contended that the appellant had earned in-different service record with numerous bad entries, found ill-reputed as charged in case FIR No.705 dated 01.05.2019 u/s 371-A/B PPC Police Station MRS Kohat. That the appellant was directed by the court of Additional Sessions Judge-II, Kohat for execution of non-bailable warrants against PWs in case FIR No.101 dated 07.03.2017 u/s 9-C CNSA Police Station Jungle Khel, Kohat but the appellant willfully disobeyed the lawful order of the competent court. That the act of appellant caused delay in conclusion of the prosecution case and the court vide order No.9 dated 22.03.2019 had directed the respondents for necessary action against the appellant. That a show cause notice was served upon the appellant and on completion of proceedings, he was awarded punishment on the above ground and his previous conduct as charged in a moral turpitude offence and earning bad name to Police Department.

4. We have heard the learned counsel for the appellant and learned Additional Advocate General for the Respondents.

5. It was urged by the learned counsel for the appellant reiterating the grounds taken in the appeal and submitted that the appellant was wrongly awarded major penalty. He prayed for acceptance of this appeal and reinstatement of the appellant.


05/4/22

6. Conversely the learned Additional Advocate General opposed the arguments and submitted that the charge against the appellant stood established and he has appropriately been penalized.

7. The appellant was proceeded against departmentally on the basis of order sheet dated 22.03.2019 of learned Addl. Sessions Judge-II, Kohat which order sheet is reproduced as under:-

"Azhar Ali, Dy.PP for the State present. Accused absconding.PW, Qismat Khan, SHO present and examined as PW.5. Remaining PWs absent. Against them, even the process not properly served by the processing agency. In the circumstances, salary of DFC, Umar Hayat is hereby attached. Copy of this order sheet again be sent to the offices of the Worthy DIG, Kohat Range, Kohat and the DPO, Kohat for necessary action against the DFC concerned. Fresh NBW-A be issued against the remaining PWs and the prosecution is directed to produce its evidence by next date of hearing. Put up for prosecution evidence, for..."

8. The show cause notice under Rule 5(3) of the Khyber Pakhtunkhwa, Police Rules, 1975 (Amendment 2014) showed that the evidence of the appellant was required as PW by court of learned Additional Sessions Judge-II Kohat in Case FIR No.101 dated 07.03.2017 U/S-9-C of the CNSA Police Station Jungle Khel, but despite repeated summons/warrants he did not appear before the Court. The court vide order dated 22.03.2019, took serious action that the appellant willfully disobeyed order of the court and also amounting to misconduct. The impugned order is shown to have been issued on 17.05.2019 which also reveals

Handwritten signature and date: 17/5/2019

that evidence of the appellant was required as PW by court of learned Additional Sessions Judge-II, Kohat but despite repeated summons/warrants, he deliberately did not appear before the court. In addition to the above, it was mentioned in the dismissal order that the DPO Kohat had gone through the record which he found indifferent. It was added that the accused official earned 28 bad entries in his whole service. He was charged in Case FIR No.705 dated 01.05.2019 U/S 371-AB PS MRS as accused No. 1 for running brothel House or supporting the same, hence the appellant was declared the black mole on the image of Khyber Pakhtunkhwa Police.(The underlining is ours) While exercising the powers conferred under Section 5(2) of Khyber Pakhtunkhwa Police Rules, 1975, the general proceedings were dispensed with and punishment of dismissal was imposed on the appellant.

9. It is to be observed at this juncture that the above underlined portion was not part of the show cause notice rather an unjustified addition in the dismissal order, which, as the record shows, was even not earlier confronted with the appellant.

10. When we go through Rule 5 sub rule-2 of Police Rules, 1975, it would reveal that an official can be awarded "*one of the minor punishments*" while the DPO Kohat in exercise of powers under Rule 5(2) "*could not award major punishment of dismissal from service*". Similarly, the show cause notice as well as impugned order both show that the evidence of the appellant was required by the learned Additional Sessions Judge-II Kohat and additional grounds taken by the DPO in the dismissal order that the appellant had 28 bad entries in his whole service and was also charged in a case FIR No. 705 dated 01.05.2019 u/s 371-AB PS MRS as accused No. 2, were also not in the show cause notice. In this particular case initiated on the order sheet of learned Additional Sessions Judge-II Kohat there was no reference of the case registered under Section 371-AB

27/4/22

PPC nor is there any evidence to be recorded in the case registered under Section 9-C of the CNSA, wherein the court of learned Additional Sessions Judge-II, Kohat had attached the salary of the appellant and the matter was sent to the DIG and the DPO Kohat for necessary action against the appellant.

11. The learned Additional Sessions Judge-II had himself taken a coercive measure by attaching the salary of the appellant and his alleged act was also not supported by any other evidence which could show his alleged misconduct thereby awarding him major punishment of dismissal from service. There is nothing said by the authority about the negligence of the appellant in executing the process of the court, or who marked that to the appellant or for that matter when/whether the process of the court was received by the appellant and against which witness etc, was there any sufficient time for the appellant to execute the process of the court are the questions which do not have answers and without any justified material, in the slipshod manner the DPO hastily proceeded against the appellant and while reaching a wrong conclusion, dismissed the appellant from the service. It appears that the DPO has not considered and evaluated the reply of the appellant given by him in response to the show cause notice, wherein he categorically submitted that he had served the process of the court and the witnesses got their statements recorded and the court passed/disposed of the case under Section 512 CrPC, therefore, at the most it was sluggishness of the appellant and for which awarding the major punishment of dismissal from service does not commensurate with the quantum of his guilt.

12. Therefore, on allowing this appeal we convert the major punishment of dismissal from service into minor penalty of censure under Rule 4(1)(a)(ii) of the Police Rules, 1975. The appellant is reinstated in service, with the consequential benefits. The intervening period be treated as leave of the kind. We direct that costs shall abide by the result of this appeal. Consign.

12/11/21
S. H. S. G.

13. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 05th day of April, 2022.



(KALIM ARSHAD KHAN)
Chairman

(MIAN MUHAMMAD)
Member (E)

05th April, 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, containing 06 pages, on allowing this appeal we convert the major punishment of dismissal from service into minor penalty of censure under Rule 4(1)(a)(ii) of the Police Rules, 1975. The appellant is reinstated in service, with the consequential benefits. The intervening period be treated as leave of the kind. We direct that costs shall abide by the result of this appeal. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 05th day of April, 2022.*



(KALIM ARSHAD KHAN)

Chairman




(MIAN MUHAMMAD)


Member (E)

11.10.2021

Clerk to counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Ishaq Gul DSP for the respondents present.

Learned Members of the DBA are observing Sogh over the demise of Dr. Abdul Qadeer Khan (Scientist) and in this regard request for adjournment was made; allowed. To come up for arguments on 22.12.2021 before D.B.



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


(Rozina Rehman)
Member (J)

22.12.2021

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

Former made a request for adjournment as he has not gone through the record. Adjourned. To come up for arguments before D.B on 04.04.2022.



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


Chairman

04.04.2022

Counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Arguments heard. To come up for consideration on 05.04.2022 before this D.B.


(Mian Muhammad)
Member(E)



Chairman

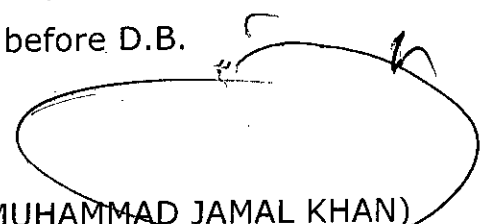
02.02.2021

Appellant is present in person. Mr. Muhammad Rasheed, Deputy District Attorney and Mr. Arif Saleem, Steno, for the respondents are also present.

The departmental representative submitted copy of inquiry report which his placed on record.

According to appellant his counsel has proceeded somewhere to attend the funeral prayer of an acquainted ^{Sint} due to which he is not available today. Requested for adjournment. The request is acceded to, the appeal is adjourned to 08.04.2021 on which file to come up for arguments before D.B.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

08.04.2021
~~Due~~


Due to demise of Hon'ble Chairman
The Tribunal is defunct, Therefore the case is
adjourned to 26.07.2021 for the same as before.


Reader

26.07.2021

Mr. Javed Iqbal Gulbela, Advocate, for the appellant present. Mr. Arif Saleem, Steno alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment being not prepared for arguments today. Adjourned. To come up for arguments before the D.B on 11.10.2021.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

21.08.2020

Due to summer vacation case to come up for the same on 18.09.2020 before D.B.



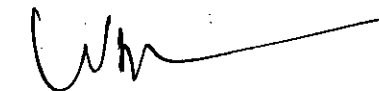
Reader

18.09.2020

Counsel for appellant present.

Mr. Kabirullah Khattak learned Additional Advocate General for respondents present.

Former requests for adjournment. Adjourned. To come up for arguments on 20.11.2020 before D.B.



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



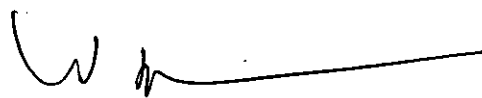
(Rozina Rehman)
Member (J)

20.11.2020

Counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Former submitted rejoinder with a request for adjournment. Adjourned. To come up for arguments on 02.02.2021 before D.B.



(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

1110/2019

23.01.2020

Appellant in person and Addl. AG alongwith Arif Saleem, Steno for the respondents present.

Representative has furnished parawise comments on behalf of the respondents. The appeal is assigned to D.B for arguments on 02.04.2020. The appellant may furnish rejoinder, if any, within one month.


Chairman

02.04.2020

Due to public holiday on account of COVID19, the case is adjourned to 12.06.2020 for the same as before.


Reader

12.06.2020

Appellant in person present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Arif Salim Stenographer for the respondents present. Appellant seeks adjournment as his counsel is not available. Adjourned. To come up for arguments on 21.08.2020 before D.B.


(Rozina Kehman)
Member


(M.Amin Khan Kundi)
Member

15.10.2019

Counsel for the appellant present.

Contends that the appellant was proceeded against under the Khyber Pakhtunkhwa Police Rules, 1975 and by invoking the provisions contained in Rule 5(2) of the rules ibid was awarded penalty of dismissal from service. However, the rules quoted and referred in the impugned order speak of only minor penalty and not the major. Further contends that the appellant was not issued any final show cause notice nor was issued any statement of allegations or charge sheet. No enquiry was conducted to look into the allegations against the appellant. It is also contended that all the allegations contained in the impugned order were not incorporated in the show cause notice issued to the appellant on 02.04.2019.

In view of arguments of learned counsel and the available record, instant appeal is admitted for regular hearing subject to all just exceptions. 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 on 16.12.2019 before S.B.

Appellant Deposited
Security Access Fee

23/10/19


Chairman

16.12.2019

Counsel for the appellant and Addl. AG alongwith Arif Saleem, Steno for the respondents present.

Representative of the respondents requests for time to furnish the requisite reply/comments. Adjourned to 23.01.2020 on which date reply/comments shall positively be submitted.





Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 1110/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/08/2019	<p>The appeal of Mr. Umar Hayat presented today by Mr. Javed Iqbal Gulbella 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 30/8/19</p>
2-	02/09/19.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>15/10/2019.</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: right;"></p>

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

In Re S.A 1110 /2019

Umar Hayat Ex-LHC

VERSUS

Regional Police Officer Kohat and others

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4.	Copies of the order sheets	"A"	10-20
5.	Copies of Show-cause Notice, Reply & Impugned dismissal order dated 24/05/2019	"B, C & D"	21-23
6.	Copies of Departmental Appeal and Impugned office order dated 17/08/2019	"E & F"	24-26
7.	Other documents	"G to K"	27-36
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Appellant
Through ^(Umar Hayat)
Javed Iqbal Gulbela
Israr Ahmad
&
Saghir Iqbal Gulbela,
Advocates, High Court
Peshawar.

Dated: 29/08/2019

Off Add: 9-10A Al-Nimrah Centre, Govt College Chowk Peshawar

(1)

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

In Re S.A 1110 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 12/16

Dated 30/8/2019

Umar Hayat Ex-LHC S/o Syed Badshah R/o
Mohallah Tor Chapari, Banda, Kohat

-----(*Appellant*)

VERSUS

1. Regional Police Officer Kohat Region, Kohat.
2. District Police Officer Kohat.

-----(*Respondents*).

APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL
ACT -1974 AGAINST THE IMPUGNED
ORDER NO: 7329/EC, DATED 17/08/2019
OF THE REGIONAL POLICE OFFICER
KOHAT REGION, WHEREBY
DEPARTMENTAL APPEAL AGAINST
THE IMPUGNED ORDER DATED
24/05/2019 OF THE DISTRICT POLICE
OFFICER KOHAT, WHEREBY THE
APPELLANT HAS BEEN DISMISSED
FROM SERVICE, WAS DISMISSED AND
TURNED DOWN IN CLASSICALLY
CURSORY AND WHIMSICAL MANNER.

Filed to-day

Registrar
30/8/19

Respectfully Sheweth;

1. That the appellant is a law abiding citizen and hails from a respectable family of District Kohat.

2. That after going through the mandatory required test and interviews, the appellant got inducted into Police Force Nineteen (19) years back.
3. That during all his long service, spread over almost two (2) decades, the appellant has been thoroughly a devoted, punctual, obedient and pragmatic member of the Force which never compromised upon his service and never left any stone unturned in performance and furtherance of his legal obligations.
4. That the appellant has been performing the duties of DFC at Police Station Jungle Khel Kohat for some time along with one another DFC namely Muhammad Sabeel.
5. That it was during the Trial of one case, titled as "The State Versus Nawab Khan" which was pending trial before the court of Hon'ble Additional Session Judge - II Kohat. That vide order No. 9, dated 22/03/2019, the learned Judge not only attached salary of the appellant, but as well as the DIG Kohat Range and DPO Kohat were also directed to take action against the appellant. **(Copies of the order sheets are annexed herewith as Annexure "A")**

6. That thereafter only a Show-Cause Notice was issued to the appellant, which was properly replied with. But even then, the appellant was dismissed from service vide impugned office order No: 628, dated 24/04/2019 by the District Police Officer Kohat. **(Copies of Show-cause Notice, Reply & Impugned dismissal order dated 24/05/2019 are annexed as Annexure "B, C & D" respectively).**

7. That feeling aggrieved, the appellant moved a departmental appeal against the impugned dismissal order, but that was also turned down vide the impugned office order No: 7329/EC, dated 17/08/2019 of the office of the Regional Police Officer Kohat Region, in a classically, cursory and whimsical manner. **(Copies of Departmental Appeal and Impugned office order dated 17/08/2019 are annexed as Annexure "E & F" respectively).**

8. That feeling aggrieved, the appellant prepares the instant appeal for setting aside both the impugned orders dated 24/05/2019 and 17/08/2019 and for his reinstatement into service with all back benefits, upon the following grounds inter-alia:-

4

Grounds:

- A. That both the impugned orders of the Appellate Authority as well as the Competent Authority are illegal, unwarranted, against the facts and circumstances and are liable to be set aside.
- B. That no inquiry was ever conducted to probe into matter and to extend a fair opportunity to the Appellant to defend his case and thus both the impugned orders are unwarranted and illegal.
- C. That even there is no inquiry dispensation order available, nor any charge sheet or statement of allegation was ever issued or served upon the Appellant.
- D. That even no "Final Show-Cause Notice" was ever issued or served upon the Appellant which is mandatory, even if there is no inquiry conducted at all.
- E. That no right of examination or cross-examination was even extended to the Appellant and thus all the proceeding against him took place in vacuum.
- F. That it is pertinent to mention here that there are two DFCs of Police Station Jungle Khel Kohat. One is the Appellant and the other is Muhammad Sabeel. The incharge of police station Jungle Khel used to assigned the process of the case titled as "The State V/s Nawab Khan", to both DFCs and because of same reasons the attendance of other DFC namely Muhammad Sabeel is repeatedly been marked in the order sheets of the case in

(5)

question, while name of the Appellant appeared for the first time in order No. 9 dated 22/03/2019 of the order sheet wherein, allegedly strict action was suggested against the Appellant.

- G. That because of the aforementioned uncertainty and engagement of two different DFCs in a single case, no harsh punishment can be given.
- H. That even in the impugned order No.9 of 22/03/2019 no order or direction for dismissal or removal or any other major penalty is there, but rather the respondent resorted to such harshest major penalty in the grab of the direction of the Hon'ble Court which under the law is not allowed.
- I. That both the Show-Cause Notice as well as the dismissal orders are malicious for the reason that the Appellant has never ever been called by the Learned Court to record his statement as PW, nor there is any such direction in the order dated 22/03/2019.
- J. That even the Appellant has been regularly attending the court of learned ASJ – II Kohat & all other courts and can never ever think of disobeying the orders of any Hon'ble Court.
- K. That in the instant case, just once the Appellant's name appeared & that too, just in order No.9 of 22/03/2019 and that also just for suggesting action for the Appellant and not for dismissal of the Appellant or for imposing any other major penalty upon the Appellant.

- L. That otherwise too the appellant is made subject to double jeopardy as not only salary was attached, but as well as dismissed from service and that too without any fault on his part.
- M. That the Appellant has long service of nineteen years and his dismissal from service in the given circumstances is the harshest penalty which is unwarranted.
- N. That the malafide and hollowness of both the impugned orders can also be gathered from the fact that almost four different dates appeared on the dismissal order while at the same time almost same number of dates appeared on the impugned Appellant Authority's order.
- O. That from every angle the impugned dismissal order, as well as order of the Appellate Authority are wrong, void, illegal, unwarranted and are liable to be set aside, and the Appellant is entitled to be re-instated into service with all back benefits.
- P. That any other ground not raised here may graciously be allowed at the time of arguments.

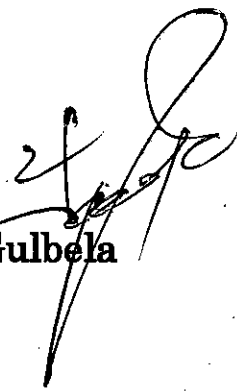
It is, therefore, most humbly prayed that on acceptance of the instant Service Appeal, both the impugned orders No: 7329/EC, dated 17/08/2019 of the Regional Police Officer, Kohat Region and No: 628 dated 24/05/2019 of the District Police

Officer Kohat may kindly be set aside and by doing so, the Appellant may very graciously be re-instated into service with all back benefits.

Any other relief not specifically asked for may also graciously be extended in favour of the appellant in the circumstances of the case.

Prayer

Appellant
Through
Javed Iqbal Gulbela
Israr Ahmad
&



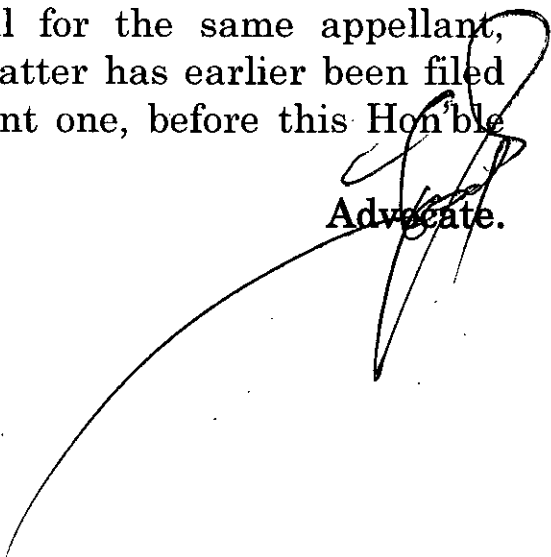
Saghir Iqbal Gulbela,
Advocates, High Court
Peshawar.

Dated: 29/08/2019

NOTE:-

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.

Advocate.



(7)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

In Re S.A _____/2016

Umar Hayat Ex-LHC

VERSUS

Inspector General of Police Khyber Pakhtunkhwa and
others

AFFIDAVIT

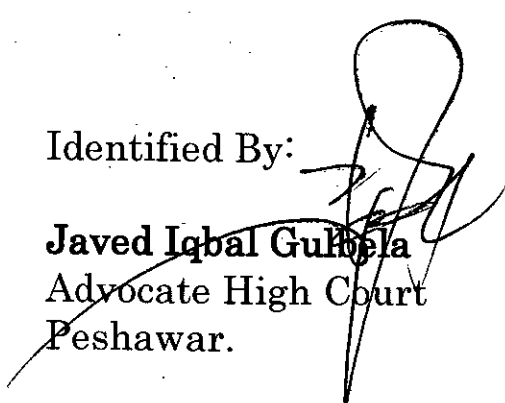
I, Umar Hayat Ex-LHC S/o Syed Badshah R/o Mohallah
Tor Chapari, Banda, Kohat, do hereby solemnly affirm
and declare that all the contents of the accompanied
appeal are true and correct to the best of my knowledge
and belief and nothing has been concealed or withheld
from this Hon'ble Tribunal.

Umar Hayat

DEPONENT

CNIC:14301-2026734-9

Identified By:


Javed Iqbal Gulbela
Advocate High Court
Peshawar.



D.K.
29-08-19.

(9)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

In Re S.A _____/2019

Umar Hayat Ex-LHC

VERSUS

Regional Police Officer Kohat and others

ADDRESSES OF PARTIES

APPELLANT

Umar Hayat Ex-LHC S/o Syed Badshah R/o
Mohallah Tor Chapari, Banda, Kohat

ADDRESSES OF RESPONDENTS

1. Regional Police Officer Kohat.
2. District Police Officer Kohat.

Hayat

Through

Appellant

Javed Iqbal Gulbela

Israr Ahmad
&

Saghir Iqbal Gulbela,
Advocates, High Court
Peshawar.

Dated: 29/08/2019

شماره نواب خان (10)

FORM "A" 7-3-17

FORM OF ORDER SHEET

9 ENSA

Ann A

Court of

ASST

Case No.


SPL #155/-

قلمه قیبلہ

Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
------------------------------------	------------------------------	--

184
 SPL
 551/245
 29/3/17
 11/5/17
 11/5/17
 30/6/17

19-5-017



14-5-011

11-05-2017

2-

Complete Challan received from the court of Judicial Magistrate, Kohat. Check & found correct. Place before the court for order.

Superintendent

Entrusted to the court of Additional Sessions Judge Kohat for disposal.

AHMED SULTAN TAREEN
District & Session Judge,
Kohat

Be ordered. Accused be summoned for 30-6-2017

RAJESH
Addl. Dist. & Sessions Judge-II,
Kohat

APP present for state. Accused absent. NBW-A be issued against accused and notices against Sureties for 8-17

RAJESH
Addl. Dist. & Sessions Judge-II,
Kohat

COPY

27/4

(11)

Order-04
10.08.2017

فواب خان

APP present for the State. Accused Nawab Khan present on bail. Provisions of section 265c Cr.P.C. carried out. Put up for framing of charge, for

20-9-17

RAHAT ULLAH
Addl. Distt. & Sessions Judge-II,
Kohat

Order-05
20.09.2017

APP present for the State. Accused Nawab Khan present on bail. Charge framed, to which the accused pleaded not guilty and claimed trial. PWs be summoned, for 13/11/2017

RAHAT ULLAH
Addl. Distt. & Sessions Judge-II,
Kohat

Order-06
13.11.2017

APP present for the State. Accused Nawab Khan present on bail. PWs absent. Fresh summons be issued against the PWs, for

01-01-18

RAHAT ULLAH
Addl. Distt. & Session Judge II
Kohat

ATTESTED TRUE COPY

EXAMINED
COPIES 27/8/18
RAHAT

NIR
1-1-18.

For your information
15-3-18
AK

(12)

(3)

Order-07
09.02.2018

APP present for the State. Accused Nawab Khan present on bail. PWs absent. Because of reader note on the preceding date of hearing, process could not be issued against the PWs. Fresh summons be issued against the PWs, for 15-3-18.

Rahat Ullah
RAHAT ULLAH
Addl. Dist. & Session Judge II
Kohat.

Order 08
15.03.2018

APP present for the State. Accused Nawab Khan present on bail. PWs absent. BW-A worth Rs.20,000/- be issued against the PWs, for 24-4-18. File to come up for prosecution evidence for date fixed.

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Rahat Ullah
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Rahat Ullah
RAHAT ULLAH
Addl. Dist. & Session Judge II
Kohat.

Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or M and that of parties or counsel where necessary
1	2	3

13

Order-09
23.04.2018

APP for the State present. Accused Nawab Khan absent. Azmar Gul (LHC) present but could not be examined due to absence of the accused. NBW-A be issued against the accused and notice to be issued to the surety for 23.04.2018.



ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-10
28.05.2018

APP for the State present. Accused Nawab Khan absent. One of the sureties of the accused namely Muhammad Ayaz present and sought time for production of the accused, granted with the direction to produce the accused by next date of hearing. In the meanwhile, fresh NBW-A be issued against accused Nawab Khan and notice to other surety, for 19-7-18


ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

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The Presiding officer is
in election work. Put-up
for 27-9-18.

14

No	Date
Order or Aings	

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Reader.

Order-11
27.09.2018

Aamir Shah, APP for the State present. Accused Nawab Khan
absent. NBW-A issued against the accused returned unexecuted. Fresh
NBW-A be issued against the accused and his sureties. Notice also be
issued to the identifier of bail bonds. In case of non-execution of the
warrant, the DFC concerned shall attend the Court alongwith warrant,
for 25-10-18.

ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-12
25.10.2018

Shahab Shah, APP for the State present. Accused Nawab Khan
absent. One of the sureties of accused, namely, Allah Dad present.
NBW-A issued against him stands cancelled with the directions to
furnish bail bonds in sum of Rs. 1,00,000/- with two sureties each in the
like amount to the satisfaction of this Court, which he furnished today.
NBW-A issued against the accused Nawab Khan returned with the

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report that he is a proclaimed offender in another case. So, summons be issued against DFC, Atif for recording his statement, in this regard. In the meanwhile, fresh NBW-A be issued against other surety of the accused, namely, Muhammad Ayaz, for 22-11-18.


ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-13
22.11.2018

Azhar Ali, APP for the State present. Accused Nawab Khan absent. Fresh NBW-A be issued against the accused and his sureties. In case of non-execution of the warrant, the DFC concerned shall attend the Court alongwith warrant. Notice also be issued to the identifier of bail bonds, for 7-1-19


ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Post Script
22.11.2018

Later on, process issued against one of the sureties of accused, namely, Muhammad Ayaz returned with the report that he is confined in District Jail, Kohat in some other case, hence, *Zamima Alif* be issued for production of the above named surety for the date fixed:

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27/8/18
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ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

(16)

Order-14

07.01.2019

Azhar Ali, APP for the State present. Accused Nawab Khan absent. One of the sureties of accused, namely, Muhammad Ayaz produced in custody, as he is in jail in some other case. Taj Muhammad, surety of Allah Dad (surety of accused Nawab Khan) present and sought time for production of surety Allah Dad, granted with the directions to produce the surety Allah Dad by next date of hearing. In the meanwhile, fresh NBW-A be issued against the accused and his other surety, namely, Allah Dad. In case of non-execution of the warrant, the DFC concerned shall attend the Court alongwith warrant. BW-A also be issued against Zakir Ullah s/o Najeeb Ullah Khan, for 21-1-19.

ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-15

21.01.2019

APP for the State present. Accused Nawab Khan absent. One of sureties of the accused, namely, Allah Dad appeared before the Court and shown his disability in production of the accused. The other surety, namely, Muhammad Ayaz is in jail in some other case but today he is not produced before the Court. Perusal of file shows that on 28.05.2018, surety Muhammad Ayaz appeared before the Court and sought time for production of the accused but thereafter, neither he himself appeared

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before the Court nor produced the accused. In these circumstances, criminal *Ahlmad* is directed to prepare and open a separate file for proceedings u/s 514 Cr.P.C. against the above named sureties and be sent to the Illaqa Judicial Magistrate, Kohat. In the meanwhile, fresh NBW-A be issued against the accused and in case of non-execution of the warrant, the DFC concerned shall attend the Court alongwith warrant. Put up for 24.01.2019. Surety, Muhammad Ayaz be produced before the Illaqa Judicial Magistrate, Kohat fixed, whereas, surety Allah Dad is also directed to appear there, on the date fixed.

(B)

ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-16
24.01.2019

Azhar Ali, Dy: PP for the State present. Accused Nawab Khan absent. NBW-A issued against the accused returned with the report that he is proclaimed offender in another criminal case. In this respect, statement of Muhammad Sabeel, DFC recorded as CW.1. In the light of statement of the above named witness, proceedings u/s 512 Cr.P.C. are hereby initiated against the accused and the prosecution is allowed to lead its evidence in absence of the accused. PWs be summoned, for

28-2-19
01-2-19

ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

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JUDICIAL MAGISTRATE
KOHAT
27/1/19

(18)

Order-17
01.02.2019

Nisar Ahmad, APP for the State present. Accused Nawab Khan absconding. *Zamima Bai* of one of the sureties of accused namely, Muhammad Ayaz stands cancelled, as proceedings u/s 514 Cr.P.C. have already been initiated and separated against him and have been sent to the learned Illaqa Judicial Magistrate, Kohat. PWs absent. BW of arrest worth Rs. 20,000/- be issued against the remaining PWs, for

15-2-19

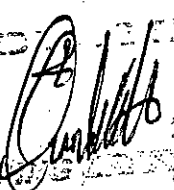

ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-18
15.02.2019

Nisar Ahmad, APP for the State present. Accused absconding. PWs, Khaliq Usman, ASI, Mizaj Hussain, LHC and Azmar Gul, LHC present and examined, whereas, PW, Zahid Hussain, LHC abandoned by the prosecution. NBW-A be issued against the remaining PWs and the prosecution is directed to produce its evidence by next date of hearing. Put up for prosecution evidence, for


ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

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Order-19
22.02.2019

Azhar Ali, Dy: PP for the State present. Accused absconding. Pw, Ayat Ullah, SHO present and examined as PW.4. NBW-A be issued against the remaining PWs and the prosecution is directed to produce its evidence by next date of hearing. Put up for prosecution evidence, for 8-3-19.


ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-20
08.03.2019

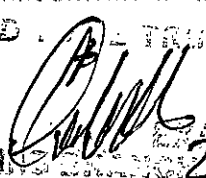
Azhar Ali, Dy: PP for the State present. Accused absconding. PWs absent. Fresh NBW-A be issued against the PWs and the prosecution is directed to produce its evidence by next date of hearing. Put up for prosecution evidence, for 22-3-19.


ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

Order-09
22.03.2019

Azhar Ali, Dy: PP for the State present. Accused absconding. PW, Qismat Khan, SHO present and examined as PW.5. Remaining PWs absent. Against them, even the process not properly served by the processing agency. In the circumstances, salary of DFC, Umar Hayat is hereby attached. Copy of this order sheet again be sent to the offices of the worthy DIG, Kohat Range, Kohat and the DPO, Kohat for necessary action against the DFC concerned. Fresh NBW-A be issued against the remaining PWs and the prosecution is directed to produce its evidence

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COPIES ATTACHED 27/3/19
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by next date of hearing. Put up for prosecution evidence, for

ARBAZ AZIZ AHMAD
Addl. Distt. & Sesssion Judge-II
Kohat

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TRUE COPY
27/8/14
KOHAT

(21)

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OFFICE OF THE DISTRICT POLICE OFFICER KOHAT

SHOW CAUSE NOTICE

(Under Rule 5(3) KPK Police Rules, 1975)

1. That You LHC Umar Hayat DFC/PS Jungle Khel have rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa, Police Rules 1975 (Amendment 2014) for following misconduct;
 - i. Your evidence as PW was required by court of ASJ-II Kohat in case FIR No. 101 dated 07.03.2017 U/Ss 9 CCNSA PS J/Khel, but despite repeated summons / warrants you deliberately did not appear before the court.
 - ii. The court vide order dated 22.03.2019, took serious action against you. Thus you willfully disobey order of the court and also amounts to misconduct.
2. That by reason of above, as sufficient material is placed before the undersigned, therefore it is decided to proceed against you in general Police proceeding without aid of enquiry officer:
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
4. That your retention in the Police force will amount to encourage in efficient and unbecoming of good Police officers.
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 (Amendment 2014) for the misconduct referred to above.
7. You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

No. 3649/PA

Dated 02-4-2019

JAVED IQBAL Gul Bela
Daudzai Law Chamber
Advocate High Court Peshawar
Mob: 045-9405501

**DISTRICT POLICE OFFICER,
KOHAT** 2/4

Amir
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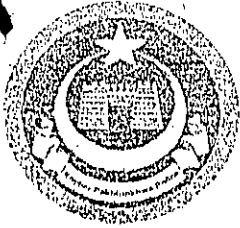
30/10/19 PA 11/11/19
02/4/19

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Handwritten notes in Urdu script, including the number 439 and various illegible text.

10-4-2019
DPC PS JK

JAVED IQBAL Gul Beta
Daudzai Law Chamber
Advocate High Court Peshawar
Mob: 0345-9485861



(23)

Amir
2

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

ORDER

This order is passed on the departmental enquiry (summary proceedings) against LHC Umar Hayat No. 516 the then DFC/PS Jungle Khel under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

Brief facts of the case are that his evidence as PW was required by court of ASJ-II Kohat in case FIR No. 101 dated 07.03.2017 U/Ss 9 CCNSA PS J/Khel, but despite repeated summons / warrants he deliberately did not appear before the court.

The court vide order dated 22.03.2019, took serious action against him. Thus he willfully disobeyed the order of the court and also amounts to misconduct.

The defaulter official was served with Show Cause Notice, to which he submitted reply and found un-satisfactory. Hence, he was called in O.R on 17.05.2019 and heard in person, but he failed to advance any plausible explanation.

I have gone through record, which is found indifferent. The accused official earned 28 bad entries in his whole service. He was charged in case FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS as accused No. 1 for running Brothel House or supporting the same hence in this show cause notice and above referred case, he is hereby the declared the black mole on the image of Khyber Pakhtunkhwa Police.

Therefore, in exercise of power conferred upon me under section 5 (2) of KP Police Rules (amendment 2014) 1975, the general proceedings are dispensed with and a punishment of **dismissal from service** is imposed on accused official LHC Umar Hayat No. 917 with immediate effect.

Announced

17.05.2019

DISTRICT POLICE OFFICER,
KOHAT 22/5.

OB No. 628
Date. 27.5 /2019

No. 6537-38/PA dated Kohat the 27-5-2019.

Copy of above to the:-

1. R.I Police Lines is hereby directed to collect kit etc from accused official and report.
2. Reader/SRC/OHC/Pay Officer for necessary action.

JAVED IQBAL Gul Bela
Daudzai Law Chamber
Advocate High Court Peshawar
MOB. 0345-9405501

(24) Am-E
2

BEFORE THE DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION KOHAT

SUBJECT: APPEAL AGAINST THE IMPUGNED ORDER OF DPO KOHAT VIDE DATED 27-05-2019, OB NO:-628 NO 6537-39 IN WHICH WITHOUT ENQUIRING THE ALLEGATIONS DIRECTLY IMPOSED THE MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE WITH IMMEDIATE EFFECT.

Respectfully Sheweth,

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

Facts:

Briefly facts of the case are that a PW was required by the court of ASJ-II Kohat in case FJR No 101 dated 07-03-2017 U/S 9C-CNSA PS Jungle Khel but despite repeated summons /warrant deliberately did not appear before the court.

That the court vide order dated 22-03-2019 took serious action against the appellant and thus willfully disobeyed the order of the court and also amounts to misconduct.

That the above allegations were not enquired by any enquiry officer even the annexed report of the appellant dated 10-04-2019 has not been consider which is self explanatory.

That even no enquiry has been conducted and only on the basis of Show cause notice the appellant has been dismissed vide impugned order mentioned above.

That all the proceedings were conducted against the appellant ex parte and no opportunity of personal hearing and defense has been provided to the appellant which is against to the service rules as well as against to the Police rules.

That the appellant is young energetic efficient person and having long service which could be verify from the service record of the appellant.

That no single evidence is available on record which connect the appellant with the allegation nor proved through any reliable probing.

That all the proceedings were conducted against the appellant in the are baseless and the appellant nor heard in person to explain the position.

That the appellant is very dedicated keen and apprehensive towards his assign duty but this factor has not been appreciated and the appellant was blessed with impugned order. (Copy annexed)

JAVED IQBAL Gul Bela
Daudzai Law Chamber
Advocate High Court Peshawar
Mob. 0345-9405501

That the appellant have properly complied with the court order and legal action has been taken by the concerned court against the delinquent (Copy annexed)

That so far as the other allegations are concerned which are pending adjudication have no connection with the present allegation on the basis that no any other show cause notice has ever been issued against the rumours allegation which has been mentioned in the impugned order.

That the appellant feeling aggrieved from the impugned order and submit the representation on the following grounds:-

Grounds:-

1. That the allegations never practice by the appellant and there is nothing on record which connect the appellant with the allegation.
2. That again an unjust has been done with the appellant by not giving ample opportunity of cross examination as well as not heard in person nor properly enquired the allegation. Just on the basis of show cause notice held guilty the appellant without following the prescribed rules relating to enquiry proceedings as per Police Rules 1975 (amended 2014).
3. That while awarding the impugned order none from the general public was examined in support of the charges leveled against the appellant.
4. That as per universal declaration of human rights 1948 prohibits the arbitral / discretion.
- 8.. That the DPO Kohat has acted whimsically and arbitrary, which is apparent from the impugned order.

II:-That the impugned order is not based on sound reasons and same is not sustainable in the eyes of law. The same is based on wrong assumption of facts.

Pray:

In the view of above circumstances it is humbly prayed that the impugned order of DPO Kohat may please be set aside for the end of justice and the appellant may please be graciously be re-instated in service with all back benefits as per rules.

Date: / /2019


(Appellant)

Ex-LHC (Umar Hayat No-516)
JAVED IQBAL Gul Bela
Daudzai Law Chamber
Advocate High Court Peshawar
Mob: 0345-9405504

(26)

Am-F
2

POLICE DEPTT:

KOHAT REGION

ORDER.

5/5 This order will dispose of a departmental appeal, moved by Ex-LHC Umer Hayat No. 917 of Operation Kohat against the punishment order, passed by DPO Kohat vide OB No. 628, dated 24.05.2019 whereby he was awarded major punishment of dismissal from service.


Facts are that evidence of the appellant was required as FW by the Court of ASJ-II Kohat in case vide FIR No. 101, dated 07.03.2017 U/Ss 9-CCNSA PS Jungle Khel, but despite of repeated summons / warrants, he deliberately did not appear before the Court concerned. The Court vide order dated 22.03.2019 directed to take serious action against him. Besides this, he has also 28 bad entries in his service record and previously charged in FIR No. 705, dated 01.05.2019 U/S 371-AB, PS MRS as accused No. 01 for running brothel house.

He preferred an appeal to the undersigned, upon which comments were obtained from DPO Kohat and his service record was perused. He was also heard in person in Orderly Room, held in this office on 07.08.2019. During hearing, the appellant did not advance any plausible explanation in his defense.

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


Order Announced
07.08.2019


6860
20/8/19


(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region

No. 7328 /EC, dated Kohat the 17/08 /2019.

Copy for information and necessary action to the DPO Kohat w/r to his office Memo: No. 12268/LB, dated 05.07.2019. His service roll and Fauji missal/enquiry file is returned herewith.

DSP/Legal, SBC
for 721

19/8/2019


(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region

JAVED IQBAL Gul Beta
Daudza Law Chamber
Advocate High Court Peshawar
Mob: 0345-9405501

فیم نمبر ۲۲-۵۰ (۱)

EXTRA

Amir
پولیس ڈیپارٹمنٹ نمبر ۲۲

ابتدائی اطلاعی رپورٹ

AS-2 R-
15102/2019

(تائیں) ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ ۱۵۲ مجموعہ ضابطہ فوجداری

منبع (سورس)

مستقل تھانہ

تاریخ و وقت وقوع ۱۵/۱۵:۳۵

نمبر 101

1	تاریخ و وقت رپورٹ ۱۵/۱۵:۳۵	تاریخ و وقت ۱۵/۱۵:۳۵
2	نام و سکونت اطلاع دہندہ و متغیث	۱۴۲۰۳۰۴۰۵۶۵۶۳۱-۵ قصرت خان S.H. 9291389
2	مختصر کیفیت جرم (مردہ) حال اگر کچھ یا گیا ہو	9661851A (بہت اچھی) ۲۵۲۴۰ (میں)
2	جائے وقوع فاصلہ تھانہ سے اور سمت	بیانہ بائی پاس نزد ہوٹل جگر جنٹل سیل
5	نام و سکونت ملزم	۱۰۸۵۷۳۷۲۶۳۱
6	کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو۔	بڑا سپرگ دراپلے پر کچھ دیا جاتا ہے
6	تھانہ سے روانگی کی تاریخ و وقت	بہت سیل ڈرائیو

ابتدائی اطلاع نیچے درج کرو

اس وقت ایک نئے میسرانہ میسرانہ
قصرت خان S.H. سپرگ دراپلے پر کچھ دیا جاتا ہے
دوران آگت اطلاع ملنے پر ایک شخص جانے وقوعہ پر جانے پر
سزا ہے جو اس روز کسی بھی وقت آسکتا ہے۔ اطلاع کے بعد
سزا اخیال ۱۵/۱۵:۳۵ پر کچھ دیا جاتا ہے۔ اطلاع کے بعد
کے لئے اس دوران جانیں شکی بھاگ کر ایک شخص آکر جس
بھاگنے کی تا کام کو جس سے فرار ہو گیا ہے ایک شخص
کے لئے اس دوران جانیں شکی بھاگ کر ایک شخص آکر جس
بھاگنے کی تا کام کو جس سے فرار ہو گیا ہے ایک شخص
کے لئے اس دوران جانیں شکی بھاگ کر ایک شخص آکر جس
بھاگنے کی تا کام کو جس سے فرار ہو گیا ہے ایک شخص

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بدرالت جناب ایڈیشن صاحب کوہاٹ
آئینہ پیشی

SPL-155

لغات خان
صنل میل

9CCV54 قانہ

101 مورث 7/17

0316-9544575

صانہ صنل میل 1133

نیشنل سٹیٹ بینک

دارت گرفتاری بند
NBW.A

0332-5962615

(57)

ارشاد اقبال 1011

گوان



LHC محمد سجاد حیدر 043-7499511

SHU سمت خان 0346-9291382

دانشجو کو کہہ دیا کہ وہ اس مذکورہ بالا لایہ دورانہ طور پر حاضر نہ ہوا ہے اور اس کے لئے اس کو
توا کر کے لایہ دورانہ طور پر حاضر نہ ہوا ہے۔

22 کوہاٹ سپریم کورٹ

ASJ - Kohat

6712

JAVED IQBAL Gul Bafa
Judicial Law Chamber
Appellate High Court Peshawar
Mobile: 0345-0415381

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بجرات جناب

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جناب عالی!

شواہد میں گورنر کو جانے لایا گیا ہے (میں نے پورے بار)

بذریعہ سربراہ (پول) فورن ہاؤس میں گورنر کی سربراہی کی ہے۔

میں نے اس کے بارے میں پوری تحقیق کی ہے۔

W
Hayat
DFC-74

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COPING BY THE JUDGE

JAVED IQBAL Gul Bela
Daudza Law Chamber
Advocate High Court Peshawar
Mob: 0345-9495591

(3D)

بجاعت جناب ایڈیشنل سیکریٹری صاحب 11 کوہاٹ

آئینہ پیشی

SPL 155

لواب خان

29/3/19

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جنگل منل

9CCNSA قانہ

101 مورخہ 7/3/17

0316-9544575

حصانہ جنگل منل

کابینل سردار علی 1133

NBN.A

0332-5962610

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ارشد امینال 1011

گورنمنٹ

مسلو مان ایڈیشنل سیکریٹری صاحب کوہاٹ

دانش ہوگیا تھو سب سے پیش نہ کہوہہ میں کوہاٹ اور پشاور میں ہوگا اور اس کوہاٹ میں ہوگا اور اس کوہاٹ میں ہوگا

ہوگا اور اس کوہاٹ میں ہوگا اور اس کوہاٹ میں ہوگا اور اس کوہاٹ میں ہوگا

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ASS-11 Kohat

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JAVED IQBAL Gul Bela
Daudzai Law Chamber
Advocate High Court Peshawar
Mob: 0345-9405501

10-6-10

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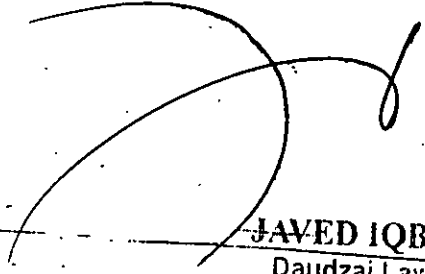
جناب عالی! کو ایمان نہ گورہ کو جا کے رہنا ہی ہر گز موجود
پاکر بندہ بعد سو بہل خون عارض کے متعلق مدعا
میں تازہ شرح پیش ہے مطلع رہنا۔ رپورٹ

عرفی ہے
Nayat
DFC-JK

M/s
10-6-10

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JAVED IQBAL Gul Bela.
Daudzai Law Chamber
Advocate High Court Peshawar
Mob: 0345-9405501

(32)

کراچی

تاریخ 11/19/89

Geenssa

کراچی

مقامی عدالت کراچی

بعدالت جناب ایڈیشنیشن صاحب الا کراچی

مقدمہ نمبر SDC 155

نواب خان

نکتہ نمبر 101 تاریخ 7/9/17 Geenssa مقامہ عدالت کراچی

دارت گرفتاری بنام -
ASJ-A

نواب خان و ملا ریس خان ملزمان افغان میاں

کونسل

دفتری امور

واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیدہ و دانستہ طور پر حاضر عدالت نہیں ہونے لہذا حکم
ہوا کہ مذکورہ بالا کو گرفتار کر کے حاضر عدالت کریں۔ (مستلزم میاں) لا اور جی ڈی پش
آج تاریخ 11/19/89 کو احکام جاری شد

ASJ-A Kohat

4517

بعدالت

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Amir
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**IN THE COURT OF ARBAB AZIZ AHMAD,
JUDGE SPECIAL COURT/ADDITIONAL SESSIONS JUDGE II,
KOHAT**

SPL No. 155/2017
State Versus Nawab Khan

ORDER
29.03.2019

12

Azhar Ali, Dy: PP for the State present. Accused Nawab Khan absconding. PWs, Muhammad Sajjad No. 441/LHC and Arshad Iqbal No. 1271 present and examined as PW.6 and PW.7, respectively and the prosecution closed its evidence.

Accused Nawab Khan s/o Raees Khan r/o Afghan Refugees Camp No. 3 has been charged in case FIR No. 101 dated 07.03.2017 u/s 9c CNSA of Police Station Jungle Khel, Kohat.

After completion of investigation, complete challan was put in Court against the accused. Initially, the accused was summoned, who appeared before the Court but later on, disappeared. In this respect, statement of Muhammad Sabeel No. 537 was recorded as CW.1 and in light of statement of the above named CW, proceedings u/s 512 Cr.P.C. were initiated against the accused Nawab Khan.

The prosecution produced and examined Umar Khaliq, ASI as PW.1, Mizaj Hussain, LHC as PW.2, Azmar Gul, LHC as PW.3, Ayat Ullah, SHO as PW.4, Qismat Khan, SHO as PW.5, Muhammad Sajjad No. 441/LHC as PW.6 and Arshad Iqbal No. 1271/LHC, SI as PW.7; and closed its evidence.

In the light of statements of SW and PWs recorded so far, it transpired that the accused Nawab Khan is avoiding his lawful arrest and

A. B. 24
29.03.2019
ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

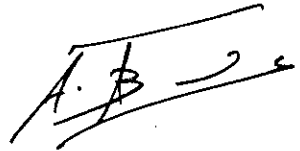
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there is no prospect of his arrest in the near future, while, a prima facie case exists, therefore, he is hereby declared as proclaimed offender. Perpetual warrant of arrest be issued against him and his name be entered in the register of proclaimed offenders. In this respect, DPO, Kohat be informed accordingly.

File be consigned to record room after its necessary completion and compilation.


ANNOUNCED
March 29, 2019



(ARBAB AZIZ AHMAD)
Judge Special Court/ASJ-II,

Kohat
ARBAB AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat

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محکمہ عدالت

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صفحہ نمبر ۱

۴	۵	۶	۳	۲	۱
فہرست کاروں کے صفحات	نام و پتہ	تفصیل ماں	قیمت	تاریخ	نوٹس
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JAVED IQBAL ZUL BELA
Pauzai Law Chamber
Atriyate Hight Court Peshawar
Mob: 9345-9105501

11/3/17

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منا ب کال!

مذکورہ حوالہ منقذہ عدت 861 سرفہ 23/8 23/8
تھانہ قنصل خیل میں غیرم اشتیاری ہے۔ رپورٹ

302/324 pp
39

Execut 1

عرفی ہے
24-1-014

ASV II Khat

رپورٹ ہے کہ وہاں قنصل ہے 24/01/2014
عدا ارسال فرمات ہے۔

SHS JK
24-1-019

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وکالت نامہ

بعدالت
 نام
 تاریخ A.C.

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی بمقام

جاوید اقبال گل بیلہ ایڈوکیٹ ہائی کورٹ + اسرار احمد ایڈووکیٹ

کو بدین شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود باذریعہ اختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور یوقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا اگر پیشی پر من مظهر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر من مظهر کو کوئی نقصان پہنچنے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا اختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرداختہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ہائی اپیل و گرانہ ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کاروبار پیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپرد ثالثی و راضی نامہ کو فیصلہ برخلاف کرنے، اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا طرز درخواست حکم امتناعی یا ترقی یا گرفتاری قبل اجراء ڈگری بھی موصوف کو بشرط ادا ہنگی علیحدہ اختیار نامہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے کسی دوسرے وکیل یا پیر مشر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو ہر امر میں وہی اور ویسے ہی اختیارات حاصل ہوں گے۔ جیسے کہ صاحب موصوف کو حاصل ہیں اور پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ اختیار نامہ لکھ دیا تاکہ سند رہے مورخہ

ATTESTED & ACCEPTED

جاوید اقبال گل بیلہ ایڈوکیٹ پشاور ہائی کورٹ پشاور

اسرار احمد
 بیلہ ایڈوکیٹ

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

Service Appeal No. 1110/2019
Umar Hayat, Ex-LHC

.....Appellant

VERSUS

Regional Police Officer, Kohat & others

..... Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS

Respectively Sheweth:-

Parawise comments on behalf of Respondent are submitted as under:-

Preliminary Objections:-

- a) That the appellant has got no cause of action.
- b) That the appellant has got no locus standi.
- c) That the appeal is not maintainable in the present form.
- d) That the appeal is not maintainable for misjoinder and non-joinder of parties.
- e) That the appellant is estopped to file the instant appeal for his own act.
- f) That the appellant has not come with clean hands to this Honorable Tribunal.

FACTS:-

1. This para is irrelevant, hence no comments.
2. This para pertains to record, hence no comments.
3. Incorrect, the appellant has earned in different service record with numerous bad entries, found ill-reputed as charged in case FIR No. 705 dated 01.05.2019 u/s 371-A B Police station MRS Kohat.
4. The appellant was posted as Detective Foot Constable (DFC) Police station Jungle Khel.
5. The appellant was directed by the honorable court of Additional Session Judge-II Kohat for execution of non-bailable warrants against PWs in case FIR No. 101 dated 07.03.2017 u/s 9c CNSA PS Jungle Khel, but the appellant willfully disobeyed the lawful order of the competent court. The act of appellant caused delay in conclusion of prosecution case. Therefore, the Honorable court vide order No. 9 dated 22.02.2019 has directed the respondents for necessary action against the appellant.

6. Incompliance with the order of the Honorable Court and willful disobedience of the appellant, a show cause notice was served upon him. On completion of proceedings the appellant was awarded punishment on the above ground and his previous conduct as involvement / charged in a moral turpitude offence and earned bad name to Police department.
7. The departmental appeal of the appellant was rejected by respondent No. 1 on merit.
8. The appellant is estopped to file the instant appeal on his own act.

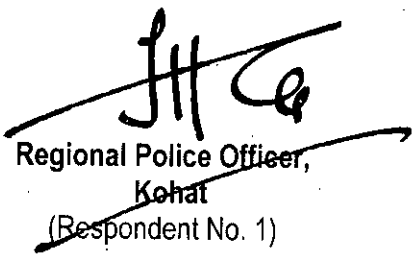
Grounds:-

- A. Incorrect, the impugned orders were passed in accordance with law & rules by the respondents.
- B. The appellant was served with show cause notice under the relevant provision of KP Police Rules 1975 (Amended 2014), in which the appellant submitted reply but found unsatisfactory by the respondent No. 2. Furthermore, the appellant was heard in person by the respondents but failed to advance any plausible explanation.
- C. Besides above, the appellant was also served with charge sheet alongwith statement of allegations regarding involvement in case FIR No. 705 /2019 U/S 371 AB PPC PS MRS and SDPO HQrs was appointed as inquiry officer, who held him guilty of the charge. Copy is **annexure A**.
- D. Reply is submitted in above paras.
- E. On the directions of Honorable Court the appellant was proceeded with departmentally and order of the court was an authentic evidence, therefore, there was no need of any further examination.
- F. Incorrect, the warrants were entrusted to the appellant and the Honorable Court vide order dated 22.02.2019 specifically held responsible the appellant for non-compliance of the orders.
- G. Incorrect, reply is submitted in para F.
- H. The Honorable Court has directed for necessary action against the appellant, upon which legal proceedings were initiated and in view of conduct of the appellant and his involvement in moral turpitude offence, the respondent No. 2 passed in order as deemed appropriate.
- I. Incorrect, the order dated 22.03.2019 passed by the learned Additional Sessions Judge-II Kohat is self-explanatory and worth perusal.
- J. Incorrect, the appellant neither executed the warrants, nor attended the court, which caused an embarrassment.

- K. Incompliance with the order of Honorable Court, the respondents No. 2 had initiated proceedings and passed orders as deemed appropriate.
- L. Incorrect, attachment of salary of the appellant does not fall under the ambit of punishment.
- M. The appellant had earned about 18 bad entries in his credit. Furthermore, the appellant indulged himself in illegal/ immoral activities as submitted above.
- N. Incorrect, no malafide is involved in the instant case.
- O. Incorrect, legal and speaking order were passed by the respondents.
- P. The respondent may also be allowed to advance other grounds at the time of hearing.

In view of the above, it is prayed that the appeal may graciously be dismissed.


District Police Officer,
Kohat
(Respondent No. 2)


Regional Police Officer,
Kohat
(Respondent No. 1)



Office of the
District Police Officer,
Kohat

No 6105-06/PA

Dated 15-5/2019

CHARGE SHEET.

I, **CAPT @ WAHID MEHMOOD, DISTRICT POLICE OFFICER, KOHAT**, as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you **LHC Umar Hayat No. 516 (DFC PS Jungle Khel)** rendered yourself liable to be proceeded against, as you have committed the following act/omissions within the meaning of Rule 3 of the Police Rules 1975.

Being involved in Criminal Case vide FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS, which is a gross misconduct on your part.

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

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

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

4. A statement of allegation is enclosed.

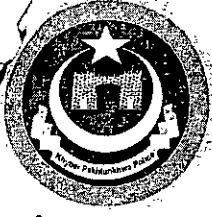
DISTRICT POLICE OFFICER,
KOHAT

Received on

17/5/19

Signature.

0333-9020260



No 6105-06/PA

Office of the
District Police Officer,
Kohat

Dated 15-5-2019

DISCIPLINARY ACTION

I, **CAPT @ WAHID MEHMOOD, DISTRICT POLICE OFFICER, KOHAT** as competent authority, am of the opinion that you **LHC Umar Hayat No. 516 (DFC PS Jungle Khel)** have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) as you have committed the following acts/omissions.

STATEMENT OF ALLEGATIONS

Being involved in Criminal Case vide FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS, which is a gross misconduct on your part.

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations 5000/4023: Kohat is appointed as enquiry officer. The enquiry officer shall in accordance with provision of the Police Rule-1975, provide reasonable opportunity of hearing to the accused official, record his findings and make, within twenty five days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

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

**DISTRICT POLICE OFFICER,
KOHAT 15/5/19.**

No. 6105-06/PA, dated 15-5-/2019.

Copy of above to:-

1. 1071 MRS! Kohat :- The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.
2. The **Accused Official:-** with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1110/2019
Umar Hayat, Ex-LHC

.....Appellant

VERSUS

Regional Police Officer, Kohat & others

..... Respondents

COUNTER AFFIDAVIT

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


District Police Officer,
Kohat
(Respondent No. 2)


Regional Police Officer,
Kohat
(Respondent No. 1)

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In S.A# 1110/2019

Umer Hayat Ex-LHC

Versus

Regional Police Officer Kohat and Others

INDEX

S#	Description of documents	Page No
1.	Rejoinder with Affidavit	1-7
2.	Copy of DFC directions issued	8-36

Dated: 20/11/2020


Appellant

Through


JAVED IQBAL GULBELA,

&

SAGHIR IQBAL GULBELA
Advocates High Court
Peshawar

D

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In S.A# 1110/2019

Umer Hayat Ex-LHC

Versus

Regional Police Officer Kohat and Others

REJOINDER ON BEHALF OF THE
APPELLANT TO THE COMMENTS
FILED BY THE RESPONDENTS
NO:1-2

Respectfully Sheweth,

Reply to Preliminary objection;

- A. Incorrect and Denied. The appellant has got a good cause of action.
- B. Incorrect, wrong & fallacious, hence denied.
- C. Misleading & hypocritical, therefore sternly denied. Moreover, the appeal of the appellant is maintainable in the eyes of law.
- D. Incorrect, and denied.

E. Incorrect, malicious & misleading, therefore sternly denied.

F. Incorrect and denied. Moreover the appellant came to this Hon'ble Tribunal for recognition and re enforcement of his due rights in shape of reinstatement into service with all back benefits.

On Facts:-

1. Para 1 of the comments is incorrect & misleading hence denied.
2. Para No.2 of the comments is hypocritically replied with, hence denied.
3. Incorrect, Misleading, malicious, therefore sternly denied. The respondents are trying to portrayed a different picture before this Hon'ble Tribunal.
4. No comments. But there were two DFC's at PS. Jungle Khel and details were given in main appeal.
5. Incorrect, misleading, hypocritical, hence denied. True picture is portrayed in the main

③

appeal. Moreover, even in relevant data, the summon had been directed to DFC Atif & not to the Appellant.

6. Para No.6 of the comments is wrong, incorrect, misleading & Hippocratic, therefore sternly denied. While that of the main appeal is true and correct. Moreover, the appellant always performed his duties with full zest & devotion, and the Hon'ble Court never issued any direction for the Appellant but for DFC and that was Atif DFC and not the appellant. **(Copies are attached as Annexure "A")**

7. That departmental appeal was dismissed, unwarrantedly and in cursory illegal manner.

8. Incorrect, malicious, false, fabricated hence denied.

On Grounds:-

A. Incorrect & misleading, hence sternly Denied. True and detailed picture is portrayed in the main appeal.

(4)

B. Incorrect, and Denied. True and detailed picture is mentioned in the main appeal.

C. Incorrect & misleading hence Denied.

D. Incorrect, and Denied. True and detailed picture has been portrayed in corresponding para's of main appeal.

E. Hippocratic and misleading, hence denied. Moreover the impugned dismissal order is against the basic and fundamental rights as enshrined by services loss and law of the Land.

F. Incorrect, false, fallacious, hence denied. True and detailed picture has been portrayed in corresponding para's of main appeal.

G. Incorrect, and Denied.

H. Hypocratic, misleading, malicious & incorrect, hence denied. While that of the main appeal is correct.

5

I. Incorrect & misleading hence Denied. True picture is detailed above.

J. Incorrect while that of the main appeal is correct.

K. Incorrect, malicious & misleading, hence Denied. True picture is detailed above.

L. Incorrect, Hypocratic, misleading, hence sternly denied.

M. Incorrect, misleading, hyprocratic, malicious, and is sternly denied. While that the main appeal is true and correct.

N. Incorrect, and Denied.

O. Incorrect, and Denied.

P. No comments.

6

It is, therefore, most humbly prayed that on acceptance of instant rejoinder, the appeal of the appellant may graciously be allowed, as prayed for therein.

Dated: 20/11/2020

Wayat

Appellant

Through

Javed Iqbal Gulbela
**JAVED IQBAL GULBELA,
SAGHIR IQBAL GULBELA
&**

AHSAN SARDAR
Advocates High Court
Peshawar

7

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In S.A# 1110/2019

Umer Hayat Ex-LHC

Versus

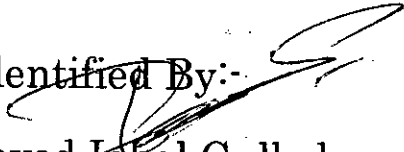
Regional Police Officer Kohat and Others

AFFIDAVIT

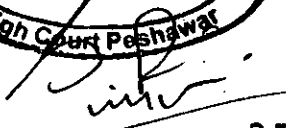
I, **Umer Hayat Ex-LHC**, do hereby solemnly affirm and declare on oath that contents of the Rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble court.


Deponent

Identified By:-


Javed Iqbal Gulbela
Advocate High Court
Peshawar




20-11-020.

(8)

Amir

بدرالت جناب ایڈیشنل کمیشن صاحب کوہاٹ

10/8/17 آئندہ پیشی

مقدمہ نمبر SPL 155

سرکار بنام :- لڑا خان

مات نمبر 101 مورثی 7 $\frac{3}{17}$ جم 9CCNSA. حقانہ صنفیل علی

وارنٹ گرفتاری بنام :- 0332.5223124

— لڑا خان وارنٹس خان B.W

سکتہ امتحان صاحبہ کیس نمبر 3 ملزم

10/8/17 واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیدہ و دانستہ طور پر حاضر عدالت نہیں ہوتا۔ لہذا حکم

ہوا کہ مذکورہ بالا کو گرفتار کر کے حاضر عدالت کریں۔

آج تاریخ 30 $\frac{6}{17}$ کو احکام جاری شد

(Handwritten signature)

ASJ-II Kohat

1857

مہر عدالت

CS

ATTESTED TO BE TRUE COPY
19 SEP 2020
EXAMINED COPING BRANCH KOHAT

ت. جناب ایڈیشنل سیشن جج - صاحب، کوہاٹ
 9
 SPL

بجائزیت جناب ایڈیشنل سیشن جج - صاحب، کوہاٹ

349
 55-K
 DFC

15/3/18 تاریخ SPL 155

لواب 50

101 تاریخ 7/3/17 9CCNSTA قانہ منٹل فیصل

46

1. انجینئر مرزا علی 1133 قانہ منٹل فیصل

2. نوش ایمن کیم 1011

3. ذابیر حسین LHC

4. عرفان آسی

5. مزاج حسین ZHC

6. انیس الہی

7. سمیت خان SHO

8. ازمنٹل 9

منٹل فیصل
 LHC محمد سجاد محمد

15/3/18 تاریخ

9/2/18

Supdt., Kohat

3481
 CB



ATTESTED TO BE TRUE COPY
 19 SEP 2020
 EXAMINED COPING RANCH KOHAT

حیدرآباد

تفصیل حسب مندرجہ تفصیل راجستری

AB

رضی ہے


DFC-14

12-3-18

حیدرآباد

راجستری با N DFC تفصیل کے اجراء

فہرست کے تفصیل کے اجراء اور ارسال فہرست کے


S.H.O.
12-3-18

ATTESTED TO BE TRUE COPY
19 SEP 2018
EXAMINED COPING BRANCH KOHAT

24/18

بعدالت جناب ایڈیشنل سیشن جج صاحب ۱۱ کوہاٹ
آئندہ پیشی

مقدمہ نمبر SPL 155

الیا سٹیٹ

سرکار بنام: فریضہ

علت نمبر ۱۵۱ مورثہ 3/7/77 ج. 7/77 C.N.S.A. قحانہ

دارت گرفتاری بنام: ~~BLU A R 2~~ قحانہ

1/87

(47)

3/10/77

4/10/77

5/10/77

6/10/77

7/10/77

8/10/77

9/10/77

10/10/77

11/10/77

12/10/77

13/10/77

14/10/77

15/10/77

واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیدہ و دانستہ طور پر حاضر عدالت نہیں ہوتا۔ لہذا حکم

ہوا کہ مذکورہ بالا کو گرفتار کر کے حاضر عدالت کریں۔

آج تاریخ 3/15 کو احکام جاری شد

ASJ-II Kohat

5667

CS



ATTESTED TO BE TRUE COPY
19 SEP 2011
EXAMINED COPY BRANCH KOHAT

حزب عاکی

تعمیل حسب ضابطہ گیلانی


اپورٹس ڈیویژن سے
AP
DFC-JK

24-4-18

حزب عاکی

اپورٹس ڈیویژن سے اہل حذا

بعد تعمیل کے وائس ارسال خدمت سے


SHO-JK
24-4-18

ATTESTED TO BE TRUE COPY
19 SEP 2020
EXAMINED COPIES BRANCH KOHAT

بعدالت جناب ایڈیشنل سیشن جج صاحب ۱۱ کوہاٹ

آئندہ پیشی ۲۸/۵/۲۰

مقدمہ نمبر SP ۲۵۵۳

سرکار بنام:- نواب خان
علت نمبر ۱۵۱ مورخہ ۷/۳/۲۰۲۰

وارنٹ گرفتاری بنام:- ملازم
NAB-A نواب خان ولد رئیس خان مکینہ نقمان صاحب

نواب صاحبان
۱) محمد داد وند صاحب مکینہ بنارہ سلطان پور
۲) محمد مبارز ولد محمد اکبر مکینہ بنارہ سلطان پور

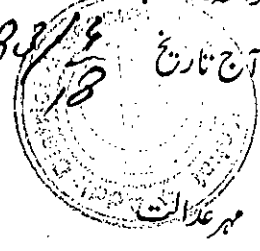
واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیدہ و دانستہ طور پر حاضر عدالت نہیں ہوتا۔ لہذا تمام

ہوا کہ مذکورہ بالا کو گرفتار کر کے حاضر عدالت کریں۔

آج تاریخ ۲۸/۵/۲۰ کو احکام جاری شد

ASJ- II Kohat

۱۵۵۶۹
۷/۵



ATTESTED TO BE TRUE COPY
19 SEP 2020
EXAMINED COPING BRANCH KOHAT

1015-38-365

صا علی

صافن محمد یازده صد اکبر میرا
و ادنیٰ ہا از عوالن

DR. P. S. J. K.
28-5-18

ATTESTED TO BE TRUE COPY
19 SEP 2020
EXAMINED COPING BRANCH KOHAT

1169
55K

بعد از این حساب ایڈیشن پیشین حساب ال کوہاٹ

19/7/18

SPL 155

لوآب خان

صنعتی

CCNSA 9 جیم 7 3
17

101 مورث

بارت گرفتاری بنام

لوآب خان ولد رئیس خان مکینہ انصاف صاحب

NBWA

تصیب لبر 3 کوہاٹ

ملزم

اللہ داد ولد تاج محمد مکینہ باندہ بیلوان کوہاٹ

نویس
ضامن

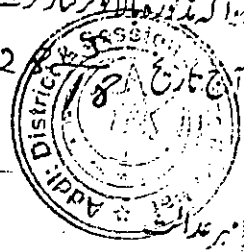
واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیدہ و دانستہ طور پر فرعونت میں دانا لہذا تم

بیا کہ مذکورہ بالا گرفتار کر کے حاضر عدالت کریں۔

2 کو احکام جاری شد

ASJ- Kohat

12/9/18
5-12



ATTESTED TO BE TRUE COPY
19 SEP 2018
EXAMINED COPING BRANCH KOHAT

سہی ملزم نواب خان ولد رائیس خان ملکنہ افغان حال پکبپ
افغانستان چلا گیا ہے۔ جسکی میں لقمہ ہی کر رہا ہوں

مہذو ولد رسول خان ملکنہ افغان نیشنل حال پکبپ قمر 3

mob: 0336-5158060

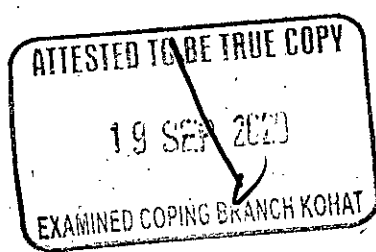
Nic. ID: 10594613381

wp

حنا - عالا

ملزم نواب خان بارہ میں پکبپ قمر 3 جا کر علیحدہ پستخان سے ملتی
ہو کر رہا ہے۔ ملزم کو ملزم بابا افغان نیشنل چلا گیا ہے۔ لقمہ ہی کر
بارہ میں سے ملزم سے دستخط میں ملتا ہے۔ اور وہاں
الٹر دوڈ ولو 2 قمر ملکنہ ملکنہ پستخان سے بارہ میں ملزم سے ملوان
ہا نڈہ جا کر قمر ملزم ملکنہ ملکنہ پستخان سے بارہ میں ملزم سے ملوان
دور آگے ملکنہ وزیرستان میں ڈیوڈا کر رہا ہے۔ اور وہاں سے ملوان
کا میں سے ڈیوڈا کر رہا ہے۔ اور وہاں سے ملوان
میں سے ڈیوڈا کر رہا ہے۔ اور وہاں سے ملوان

DR. PS. AK
7-7-18



150

27/9/18
آئندہ پیش
SPL 155
نواب خان

نمبر 101
7 ³/₁₇ قلم
CCNSA قلم
صنعتی
دارت گرفتاری نام۔

نواب خان ولد رئیس خان سکند افغان صاحب
NBW-A.

50
مدرس ضامن۔
والدہ داد ولد صاحب محمد سکند بانڈہ بیلوان

راج بونگہ سندھ بالا میں ڈاکو اور بالادیر دروازہ کھولنے پر حاضر عدالت نہیں ہوا تاہم لہذا تم
تیار کر ڈکوریہ والا قلم قلم کا نمبر اور تاریخ

ASJ- II Kohat

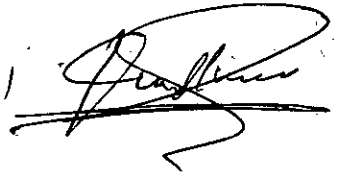
15263
5.21
19-7
18



ATTESTED TO BE TRUE COPY
19 SEP 2018
EXAMINED COPING BRANCH KOHAT

جناب ذیل۔ منظر نواب خان دلم رئیس خان کوہستان لڑائی لڑا ہوا خانہ
اس وقت افغانستان میں ہے۔ آئی ایم ڈائری میں مندرجہ
کردہ تھا۔

الہ اول خان دلم محمد علی خان صاحب
CO = 1018765551
Mob = 0331-0235971



جناب عالی!

منظر نواب خان دلم رئیس خان افغانستان میں لڑا ہے۔
جس کی تفصیل مندرجہ اول خان سے کی گئی۔ بیان کیا کہ لایق
ہوئے یہ مطلع کرو تھا کہ جبکہ ضامن اشرف دلم نواب محمد
عزیز کو لنگر ہسپتال بائرنڈہ خالد محمد سے بنزیر ایف ڈی
بان کی گئی۔ بیان کیا کہ ضامن اشرف سے 0333-9615920
پر رابطہ میران شاہ میں ڈی یو سی سرانجام دیا گیا۔ دیا گیا وہاں
مگر میں کرنا کھرا نہ یہ مطلع کرو تھا کہ یہ ہرگز نہیں ہے۔

Handwritten signature
11-8-18

~~0333-9615920~~

ATTESTED TO BE TRUE COPY
19 SEP 2021
EXAMINED COPING BRANCH KOHAT

امدادت جناب ایڈیشنل سیشن جج صاحب الاکوات

آئندہ نشہ 25/7/20

SP/155

1809
5-12
عاطف شاہ

نوابخان
مقامی نام
نمبر 101
7/3
Geensha
قلمی منتقلی خلیل

دارت گرفتاری بنام: 0332-5223124
17
86 مورخ 8/15
302-324
36

NBW-A
نوابخان ولد ریس خان مکین افغان صاحب
0333-9615920
وکیل خاور پور

ضمانت
محمد امان ولد راج محمد مکین بازرگانی پلووان (5)
محمد امان ولد محمد اکبر مکین ٹرسٹ مورخان

نوٹس تصدیق کفہہ نیماز علی ولد احمد خان مکین کولج

داخ ہو کہ مقدمہ بالا میں مذکور بالا لایہ اور دانستہ طور پر حاضر عدالت نہیں ہوتا۔ لہذا یہ حکم
نہا کہ مذکور بالا اگر گرفتار کر کے حاضر عدالت کریں Dfہ مطلع کر دینا کہ وہ اس کی تعمیل کا امور خاص
نہا کہ وہ عدالت میں حاضر ہو۔

27/9
18

ASJ-II Kohat

177012



ATTESTED TO BE TRUE COPY
19 SEP 2020
EXAMINED COPING BRANCH KOHAT

صنایع الی۔

ملزم مذکورہ جو الہ صفحہ ملک اکا 8 فورڈ $\frac{23}{18}$ 324-302
 34
 فقہانہ قبیل خیل میں PO ہے جبکہ ضامن سلسلہ نمبر 1 نمبر دارنت
 حاضر عدالت ہے اور سلسلہ نمبر 2 کی کافی معلومات ہیں گنگنی جو خانہ
 خرد میں عدم موجودگی کے عیاقی سراہ کو فعل میں حوالہ دینی ہے
 نقدی کتبہ کی کافی معلومات ہیں برائے گنگنی قدر میں نہ ہر سفا انتالہ
 آئندہ تاریخ میں کو حد ضابطہ نقل کیا گیا، رپورٹ عرض ہے

DFC JK
 25-10-018

صنایع الی۔

رپورٹ 25-10-018 ماہ معقول ہے اصل عدالت نقل ارسال

فہم ہے
 SHD JK
 25-10-018

ATTESTED TO BE TRUE COPY
 19 SEP 2018
 EXAMINED COPYING BRANCH KOHAT

بجالت جناب ایڈیشنل سیشن جج-ا صاحب، کوہاٹ ڈیپارٹمنٹ

مقدمہ نمبر SPL 155 تاریخ پیش 22/11/18

لٹواب قاضی

سرکار بنام

ملک 101 مورث 7³/₁₇ جم. GUNSA قاضی

(52)

نوٹس اسمن بنام

DFC عاطف کوہاٹ سید

عدالت ہذا میں حاضر ہو کر ایسا بیان قلمبند کروں

واضح ہو کہ عنوان بالا میں تاریخ پیش 22/11/18 متروکے بلڈ ٹیسٹ ہونے کے گواہان امتحان حاضرین تاریخ مقررہ پر عدالت ہذا میں حاضر ہوں۔

آج مورث 25/10/18 کو یہ احکام جاری شد۔

[Signature]

Supdt., Kohat

19836
S.W



بجالت

ATTESTED TO BE TRUE COPY
19 SEP 2018
EXAMINED COPING BRANCH KOHAT

جناب عالی! گورہ عارفہ ڈی ایف کو بذریعہ موبائل فون ذاتی طور پر تاریخ پیشگی سے مطلع کیا گیا۔ رپورٹ نمبر 22-11-2018

[Signature]
DFC-P3-J-K
22-11-2018

جناب عالی! رپورٹ ڈی ایف بالا مفصل ہے۔ پس ارسال کیا بعد از تھیل کے واپس ارسال فرماتا ہے۔

[Signature]
SHO-P4-J-K
22-11-2018

ATTESTED TO BE TRUE COPY
19 SEP 2018
EXAMINED COPING BRANCH KOHAT

DEC 11/18

22/11/18

مذمت بنجاب ایجنسی میں شریک حساب 11 کوہاٹ

SPUSS

20/11/18

نورستان

قائد جنگل جنگل

7/3/17

101

محمد ایاز دردم محمد اکرم

NBW-A

(53)

مذمت بنجاب ایجنسی میں شریک حساب 11 کوہاٹ

مذمت بنجاب ایجنسی میں شریک حساب 11 کوہاٹ

25/10/18

ASJ-II Kohat

19835 J

ATTESTED TO BE TRUE COPY
19 SEP 2019
EXAMINED COPING BRANCH KOHAT

جناب عالی
 مذکورہ کے متعلق کافی معلومات، پتہ براری کتب
 مذکورہ کے والد صاحب نے ظاہر کیا کہ ڈسٹرکٹ جیل
 کوہاٹ میں ہے۔ مقدمہ کی کافی کاپیاں کتب خانہ
 مل سکتی ہیں۔ اللہ تعالیٰ آئندہ تاریخ میں اس پر مقدمہ کی
 معلومات یوحا تکلی، رپورٹ عرض ہے۔

JK-540
 22-11-018

جناب عالی
 رپورٹ کے بارے میں معلومات ہے۔ اصل ہذا

ارسال فرماتا ہے۔

JK-540
 22-11-018

ATTESTED TO BE TRUE COPY
 19 SEP 2018
 EXAMINED COPING BRANCH KOHAT

بجالات جناب ایڈیشنل سیشن جج صاحب الی کوہاٹ

آئندہ پیشی 21/1/19

مقدمہ نمبر SPC/15

54

ASJ-K

نور پنهان

سرکار بنام -

خانہ منتقل فیصل

مورثہ 7/3/77 Gen BA

نمبر 101

0336-4469530

ارزٹ گرفتاری بنام -

03 ذاکر اللہ ولد نجیب اللہ خان مکلفہ قلم البرہانہ

BW-A

جناب

شہان

531

واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیدہ و دانستہ طور پر حاضر تہ امت نہیں ہوتا۔ لہذا حکم
ہوا کہ مذکورہ بالا گرفتار کر کے حاضر تہ امت کریں۔

7/1/19 کو حکام جاری شد

[Signature]

3650

ASJ- II Kohat



ATTESTED TO BE TRUE COPY
19 SEP 2023
EXAMINED COPING BRANCH KOHAT

3-1-19

جناب عالی،
مذکورہ پیمانہ وارنٹ فاضل عدالت عالیہ

پورٹ کراچی ہے۔

DR-52
21-1-09

جناب عالی،
پورٹ کراچی ہائیڈرو پاور فضل عدالت عالیہ

ارٹیکل 22

SHO J K
21-1-19

ATTESTED TO BE TRUE COPY
19 SEP 2009
EXAMINED COPING BRANCH KOHAT

200
K
15/2/19

بعدالت جناب ایڈیشنل سیشن جج صاحب ای کوہاٹ

SPL 155
لوہاب خان

مختل میل

9CCNSA قتانہ
0316-9544575

3
7/17 مورخہ 101

(55)

1- کانٹینر مرید علی 1133 تحفانہ فضل من

BW
مبلغ 20000 روپے
گواہان

- 0332-5962610 2 ارشد اقبال 1011
- 0333-9665153 3- زاہد حسین LHC
- 0335-9644710 4- عمر خالق ASI
- 0333-7898078 5- سراج حسین LHC
- 0333-9634125 6- ایب الہر آو
- 0346-9291382 7- شعیب خان SHO
- 0333-9631209 8- ازسرنگل LHC
- 0343-7499511 9- محمد سجاد LHC

واضح ہو کہ منظور شدہ گواہان میں مذکور بالا دیہہ دروازہ تلور پر حاضر عدالت نہیں ہوا۔ لہذا انہیں
دوا کہ مذکورہ بالا گواہان کو عدالت کے حاضر عدالت کریں۔

ASJ-II Kohat
5506
5506



ATTESTED TO BE TRUE COPY
19 SEP 2019
EXAMINED COPING BRANCH KOHAT

صدا ب عالی!

تو دیان سز کور، کو جا اے لقصاں سیر عدم سو طور

با کس بندرہ، سو با سئل سوز عدالت، میں سارخ

پیشی سے صلح کیا گیا ہے۔ دہورہ کد لہ ہے۔

ⓔ
Kohat
DFC-JK

ATTESTED TO BE TRUE COPY
19 SEP 2010
EXAMINED COPING BRANCH KOHAT

بمدالت جناب ایڈیشنل سیشن جج صاحب الہ آباد
مقدمہ نمبر 155 SPJ خواجہ خان
22/2/19 آئندہ پیش

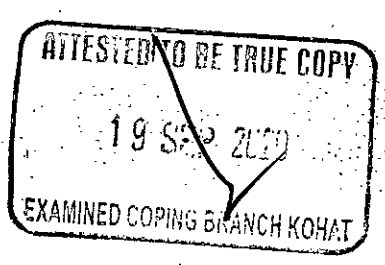
مہر کار بنام :-
تلف نمبر 101 پورہ 777 جیم ایل سی سی جی قنادہ
وارنٹ گرفتاری بنام :-
0316-9544575

- 1) مائیکل مدیو علی 1133 نمبرہ منسل منسل
0332-5962610
- 2) ایشور انصان 101
- 3) محمد سردار خٹور 144 0343-7499511
- 4) عاتق اللہ تہا 0333-9634125
- 5) مسکت خان شاہ 0346-9291382
- 6) از سرگل 39 0333-9631209

واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیدہ و دانستہ طور پر حاضر عدالت نہیں ہوتا۔ لہذا حکم
ہوا کہ مذکورہ بالا کو گرفتار کریں۔ کہ حاضر عدالت کریں۔
آج تاریخ 15/2/19 کو احکام جاری شد

ASJ-II Kohat

مہر عدالت
625
34



دینا ہے کہ
 گواہانہ سند میں عبادت گاہ کی خصوصیات پورے پورا ہی
 پورے طور پر بیان کی گئی ہیں اور اس میں جو جو بات لکھی
 ہے وہ سب سچ اور درست ہے اور اس میں کوئی شک و شبہ نہیں
 ہے۔
 دینا ہے کہ
 22-2-019

دینا ہے کہ
 دہلی کے ایف ڈی کے ذریعے
 ارسال فرماتے ہیں
 22-2-019

ATTESTED TO BE TRUE COPY
 19 SEP 2020
 EXAMINED COPING BRANCH KOHAT

بعدالت جناب ایڈیشنل سیشن جج صاحب ۱۱ کوہاٹ
آئندہ پیشی SPL-155

8/3/19 لوات خان
نمبر کار بنام:-
صنل میل ۱۰۱ مورخ 7/3/17

۱۱۳۳ ۱۱۳۳
مائنسبل عدید علی
وارنٹ گرفتاری بنام:-
NBW.A.

(57) ۱۰۱۱ ارشد اقبال گواناں
۵۳۳۲-۵۹۶۲۶۱۰

محمد سجاد محدر ۵۳۴۳-۷۴۹۹۵۱۱

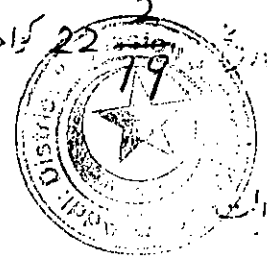
۵ سمت خان ۵۳۴۰-۹۲۹۱۳۸۲

واضح ہے کہ مقدمہ بناٹیس مذکورہ بالا دیدہ و دانستہ طور پر حاضر عدالت نہیں ہوتا۔ لہذا حکم
ہوا کہ مذکورہ بالا گرفتار کر کے حاضر عدالت کریں۔

تاریخ 22 کو ادا کام جاری شد

ASJ, Kohat

6712
3/17



ATTESTED TO BE TRUE COPY
19 SEP 2019
EXAMINED COPING BRANCH KOHAT

جناب عالی! گواہان مذکورہ کو حوالے دینا کی درخواست موجود ہے

نہ ریسورسز سوشل سروسز، ڈیپارٹمنٹ، ایف ڈی سی

W
Hayat
DFC-JK

سے حوالے کیا گیا ہے۔ ریسورسز سوشل سروسز

ATTESTED TO BE TRUE COPY
19 SEP 2019
EXAMINED COPING BRANCH KOHAT

بعدالت جناب ایڈیشن سیشن صاحب اکوہاٹ

377

آئندہ پیشی 19/3/19

SP 4155

5-5
شخصیات

نواب خان

101 مورث 7/3/19 Queen SA قتانہ سنٹرل جیل
0316-9544575

17 وارنٹ گرفتاری بنام - گوانان
NBW-A

(58)

1133 شاہز جیل سنٹرل جیل

0332-5962610

2 اورڈ اقبال 1081

343-7499511 سجاد محمد

4 شامش خان SHO

0346-9291382

واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیہہ روزانہ طور پر حاضر عدالت نہیں ہوتا۔ لہذا حکم
دادا کہ مذکورہ بالا گرفتار کر کے حاضر عدالت کریں۔

8/3/19 کو احکام جاری شد

ASJ-II Kohat

7459



ATTESTED TO BE TRUE COPY
19 SEP 2020
EXAMINED COPIES BRANCH KOHAT

جناح عالی
 گواہان سلسلہ نمبر 4 کی معلومات، پتہ براری ہے
 کہ در عزم و حجت وینائی ہے یا نہ ہے، جنم نمبر 10
 سوانح ذہنی، عمرانی پر تاریخ سنہ سے معلوم کیا گیا
 ریسرچ کٹر نا 10
 DF-3
 22-3-019

ATTESTED TO BE TRUE COPY
 19 SEP 2000
 EXAMINED COPING BRANCH KOHAT

بدرالت جناب ڈیڑیشنل سیشن جج صاحب ۱۱ کوہاٹ
آئندہ پیشی

29/3/19

439

5-54

بنگلہ سٹیٹ

SPL 155

لواب خان

9CCNSA خانہ

101 مورخہ 7/3/17

0316-9544575

1
حصانہ بنگلہ سٹیٹ

1133 مائیکل سرمد علی

NBW.A

0332-5962610

(59)

4

1011 ارشد امین

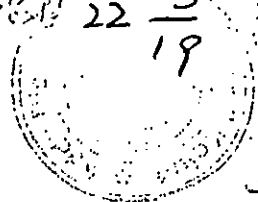
گورنمنٹ

واضح ہو کہ مقدمہ بالا میں مذکورہ بالا دیئے گئے طور پر حاضر عدالت میں ہونا۔ لہذا حکم
دیا کہ مذکورہ بالا ڈیڑیشنل سیشن جج صاحب عدالت کریں۔

22 ³/₁₉ کوہاٹ کام پاری شد


ASJ-11 Kohat

8281
34



ATTESTED TO BE TRUE COPY
19 SEP 2019
EXAMINED COPIES BRANCH KOHAT

جناب عالی!
 گواہان صد گورہ کو جانے لےنا ہی پر دم موجود
 پاکر بندہ بعد سوبانگلی خون عارض کے متعلق کراچی
 سپریم کورٹ میں مطلع کیا گیا۔ رپورٹ

عرفی ہے
 Hayat
 DFC-JK

ATTESTED TO BE TRUE COPY
 19 SEP 2003
 EXAMINED OFFICE JAMNACH KOHAT

No. 2927
Date of Payment 19.8.2012
Date of Application 19.8.2012
Date of Birth 28.8.1988
Name U
U U
I U
C U
Date 19.8.2012



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 905 /ST

Dated: 13-4- /2022

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

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

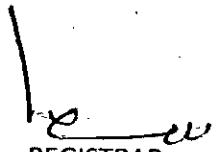
To

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

Subject: JUDGMENT IN APPEAL NO. 1110/2019, MR. UMAR HAYAT.

I am directed to forward herewith a certified copy of Judgement dated 05.04.2022 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR



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

No. 11008 /PA dated Kohat the 20 /08/2019

Subject: - DEPARTMENTAL ENQUIRY AGAINST

Memo: -

The departmental enquiry against LHC Umar Hayat No. 516 the then DFC PS Jungle Khel containing 19 pages is sent herewith for placing on his fauji missal. You are directed to produce the enquiry before the sitting DPO if he (LHC Umar Hayat) is reinstated in previous allegations.

OHC


DISTRICT POLICE OFFICER,

KOHAT 20/8/19

**DEPARTMENTAL ENQUIRY AGAINST LHC UMAR HAYAT NO. 516
(THE THEN DFC PS JUNGLE KHEL)**

①

<u>DATE OF ENLISTMENT</u>			
<u>DETAIL OF GOOD & BAD ENTRIES</u>	Good Entries		
	Bad Entries	Minor	Major
<u>ALLEGATIONS (PUC Flag A)</u>	Being involved in Criminal Case vide FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS, which is a gross misconduct on your part.		
<u>CHARGE SHEET / STATEMENT OF ALLEGATIONS (Flag B) AND WRITTEN REPLY (Flag C)</u>	Issued and served upon the defaulter official and SDPO HQrs Kohat was appointed as Enquiry Officer.		
<u>FINDING / RECOMMENDATION OF ENQUIRY OFFICER (Flag D)</u>	The Enquiry Officer conducted departmental enquiry and submit his finding report and found him guilty of the charges leveled against him.		
<u>FINAL SHOW CAUSE NOTICE</u>	Nil		

Submitted for favour of perusal and order please.

W/DPO, KOHAT

Sir, He is already dismissed from service vide this office OB. No. 628 dt: 24-5-19 pl:

[Signature]
PA
9/8

[Signature]
9/8

*OR
if reinstated?
any time!*

*SDPO Kohat
16/6/19*

DEPARTMENTAL INQUIRY AGAINST LHC UMAR HAYAT ZUBAIR NO.
516 DISTRICT KOHAT

No. 535 /Hqrs Circle Kohat, the dated 06 /08-2018

(3)

FINDINGS

This is in response of your office Charge Sheet No.6105-~~66~~/ PA dated 15.05.2019 to Constable Zubair No. 942 office Kohat.

LHC Umar Hayat No. 516 Kohat was charge sheeted with the allegations that he involved in criminal case vide FIR No. 705 dated 01.05.2019 u/s 371-AB PS MRS. His act shows gross misconduct on his part and rendered himself liable to be proceeded under Rule 3 of the police Rules 1975 thus the instant departmental inquiry in hand was entrusted to the undersigned.

For scrutinizing the conduct of LHC Umar Hayat No. 516, he was summoned for personal hearing, recorded his statement. While he was also handed over charge sheet on 17.05.2019 through the local police but he did not submitted his reply against the allegation till to date. The defaulter LHC Umar Hayat when contacted his cell no. 0333-9020260 he replied that there is no need of appearance and reply of charge sheet due to dismissal from the service.

During the inquiry further process, to determine facts and validity of the statement of the defaulter LHC Umar Hayat No. 516, was summoned again for cross examination, personal hearing, recorded his statement but the said LHC did not appeared. His service record requisitioned from SRC/OHC. And they have submitted his dismissal order issued from concern branch vide 6537-39/PA dated 27.05.2019 (copy enclosed for ready reference)

Keeping in view the and inquiry process till to date, the undersigned reached to conclusion that the allegations leveled against him seems to be true and because he did not submit charged sheet reply / appeared before the undersigned, therefore he is recommended for appropriated punishment / ex- party action please.

Inquiry report is enclosed with all relevant documents submitted for favor of perusal please.



(Sanober Shah)
Sub-Divisional Police, officer
(Enquiry officer)



Office of the
District Police Officer,
Kohat

No 6105-06/PA

Dated 15-5-2019

CHARGE SHEET.

I, **CAPT ® WAHID MEHMOOD, DISTRICT POLICE OFFICER, KOHAT**, as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you **LHC Umar Hayat No. 516 (DFC PS Jungle Khel)** rendered yourself liable to be proceeded against, as you have committed the following act/omissions within the meaning of Rule 3 of the Police Rules 1975.

Being involved in Criminal Case vide FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS, which is a gross misconduct on your part.

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

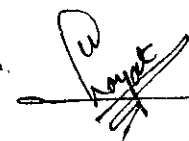
3. You are, therefore, required to submit your written statement within 07 days of the receipt of this Charge Sheet to the enquiry officer.

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

4. A statement of allegation is enclosed.

DISTRICT POLICE OFFICER,
KOHAT 15/5

Received on 17/5/19

Signature. 
0333-9020260



No 6105-06/PA

Office of the
District Police Officer,
Kohat

Dated 15-5-2019

DISCIPLINARY ACTION

I, **CAPT ® WAHID MEHMOOD, DISTRICT POLICE OFFICER, KOHAT** as competent authority, am of the opinion that you **LHC Umar Hayat No. 516 (DFC PS Jungle Khel)** have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) as you have committed the following acts/omissions.

STATEMENT OF ALLEGATIONS

Being involved in Criminal Case vide FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS, which is a gross misconduct on your part.

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations SDDO/4023, Kohat is appointed as enquiry officer. The enquiry officer shall in accordance with provision of the Police Rule-1975, provide reasonable opportunity of hearing to the accused official, record his findings and make, within twenty five days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

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

**DISTRICT POLICE OFFICER,
KOHAT** 15/5

No. 6105-06/PA, dated 15-5-2019.

Copy of above to:-

1. SDDO/4023, Kohat :- The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.
2. The **Accused Official**:- with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings.

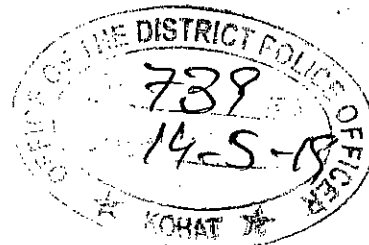
9

Phone No: 0922-9260274
Fax No: 0922-9260275

From: The Superintendent of Police,
Investigation Wing, Kohat.

To: The District Police Officer, Kohat.

No. 1454/GC, Dated Kohat the 13-05/2019.



Subject: CASE FIR NO. 705 DATED 01.05.2019 U/S 371-A-B PPC PS MRS.

Memo:

LHC 5/6

It is submitted that accused Umar Hayat s/o Syed Badshah r/o Tor Chapri has been charged in the above cited case. Reportedly, he is serving as DFC posted at PS Jungle Khel under your kind command and obtained BBA from the Honorable court of ASJ-I Kohat.

Submitted for information and departmental action please.

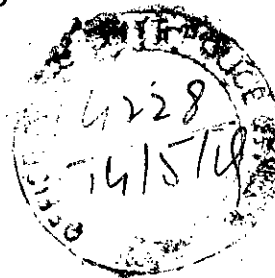
Copy of FIR is attached herewith.

No. 1455/GC,

~~Superintendent of Police,
Investigation Wing, Kohat~~

OII PS MRS for information and necessary action.

DA
To process reportments
action proceeding please



District Police Officer,
Kohat

15/5/19

ابتدائی اطلاعی رپورٹ

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

(۱۷)

MR5	محلہ	کوہاٹ
705	تاریخ	۱۹/۵/۱۹۵۵
وقت رپورٹ ۱۹/۵/۱۹۵۵ ۱۶:۳۰ بجے	جائیدگی پر جب	۱۹/۵/۱۹۵۵ ۱۷:۳۰ بجے
دفعہ اطلاع دہندہ مستثنیٰ ۹-۱۱۱۵۱-۱۴۹۹۷۷۳	امف محمد انبیلہ ۵۱۱۵	۵۳۳۳۹۷۲۲۶۱۵
نیت جرم (معدومہ) حال اگر کچھ لیا گیا ہو۔	371AB تپ	
تقریباً فاصلہ تھانہ سے اور سمت	خمیر آباد نمرہ پیمادی سلسلہ واقع چار ٹری	
نیت طرم	۵۳۱۶-۴۵۴۰۵۸۱	۵۳۳۶-۹۶۱۶۵۸۱
جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو	۱ فرقا نو عرف سونیا ۲ سعدیہ عرف عائشہ ۳ دل ویر ولد یاد چرملہ چائٹری	
	سر سید علی محمد اسلہ پر جمع دیا جاتا ہے۔	

با سبیل ذاک

نئی اطلاع منجے درج کرو۔ ایک ٹریسری کمر اسلہ بنجاب امف محمد انبیلہ ۵۱۱۵ سلسلہ
 سبیل آباد ۷۰۱ موصول ہو کر خود دل سے ۱۰ نمبر اخبار قاعدہ MR5 صاحبتر ذاک
 سے اطلاع موصول ہوئی فرقا نو عرف سونیا زہتر عباس خان سکنہ قمر پور
 شہو پورہ فرقا نو ماری کھیل بنجاب سے پڑ گیاں کپڑے آئی ہے اور چکرے گا انبیلہ
 آیا ہے اور بد رسد کتنے سرمدیہ عرف عائشہ دفتر نادہ سکنہ کوٹ مہدالہ کسلا پورہ
 کو پکڑا گیا ہے۔ پادک شاہ پورہ ڈاکٹر ۳ اشخاص سے ڈالہ گیا ہے۔ جو لڑکی
 کو فرقا نو کا لہر کائے وقوعہ بالا لہر سے ہے ہیں۔ اطلاع کو مرقہ قاعدہ کا لہر کائے
 وقوعہ بالا لہر کائے جہاں سے ۲ اشخاص چلائے ہیں کامیاب جبکہ ایک شخص کو
 قابو کر کے جس نے دریافت لہر کائے محل ویر ولد یاد محمد سکنہ چار ٹری
 بتلایا۔ سابق میں موجود ایک لڑکی نے اپنا نام سعدیہ عرف عائشہ تہذیر
 بالا بتلایا۔ جیو ٹرم بالا میں حسب سابقہ تہذیر کے نام لہر کائے اشخاص
 مقدمہ بدست کابیل بازار ۷۰۱ ارسال قاعدہ ہے۔ مقدمہ قائم کر کے اشخاص
 کو موقع لہر کائے ہیں۔ مقدمہ ہڈا کے برائے فتاد و لہر کائے کمر فتادری درخیں
 ہے۔ دنیو اشرف لہری امف محمد انبیلہ ۵۱۱۵ وقوعہ ۱۹/۵/۱۹۵۵ اسلہ
 لہر عرف درج بالا ہو کر لہر کائے بالا گیا ہے۔ نقل FIR مندرجہ
 کمر اسلہ دفتر تفتیش ذوال KBI کٹاف بنا جاتا ہے۔ لہر کائے اس ہے۔

AS110-PS MR5
 4-5-19



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

Tel: 0922-9260116 Fax 9260125

15

ORDER

LHC Umar Hayat No. 516 of this district Police is hereby suspended due to his involvement in case FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS with immediate effect.

OB No. 543
Date 15-5- /2019

DISTRICT POLICE OFFICER,
KOHAT 15/5

No 6117-18 /PA dated Kohat the 16-5- 2019.

Copy of above is forwarded to Reader/SRC/OHC for necessary action.

POLICE DEPTT:

KOHAT REGION

ORDER.

316. This order will dispose of a departmental appeal, moved by Ex-LHC Umer Hayat No. 917 of Operation Kohat against the punishment order, passed by DPO Kohat vide OB No. 628, dated 24.05.2019 whereby he was awarded major punishment of dismissal from service.


Facts are that evidence of the appellant was required as PW by the Court of ASJ-II Kohat in case vide FIR No. 101, dated 07.03.2017 U/Ss 9-CCNSA PS Jungle Khel, but despite of repeated summons / warrants, he deliberately did not appear before the Court concerned. The Court vide order dated 22.03.2019 directed to take serious action against him. Besides this, he has also 28 bad entries in his service record and previously charged in FIR No. 705, dated 01.05.2019 U/S 371-AB, PS MRS as accused No. 01 for running brothel house.

He preferred an appeal to the undersigned, upon which comments were obtained from DPO Kohat and his service record was perused. He was also heard in person in Orderly Room, held in this office on 07.08.2019. During hearing, the appellant did not advance any plausible explanation in his defense.

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

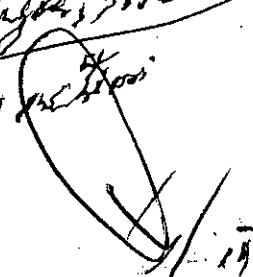
Order Announced
07.08.2019


6860
20/8/19


(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region

No. 7329 /EC, dated Kohat the 17/08 /2019.

Copy for information and necessary action to the DPO Kohat w/r to his office Memo: No. 12268/LB, dated 05.07.2019. His service roll and Fauji missal/enquiry file is returned herewith.

DSP/legals, SBC
for 22/8/19

19/8/2019


(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region



**OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT**

Tel: 0922-9260116 Fax 9260125

ORDER

This order is passed on the departmental enquiry (summary proceedings) against LHC Umar Hayat No. 516 the then DFC/PS Jungle Khel under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

Brief facts of the case are that his evidence as PW was required by court of ASJ-II Kohat in case FIR No. 101 dated 07.03.2017 U/Ss 9 CCNSA PS J/Khel, but despite repeated summons / warrants he deliberately did not appear before the court.

The court vide order dated 22.03.2019, took serious action against him. Thus he willfully disobeyed the order of the court and also amounts to misconduct.

The defaulter official was served with Show Cause Notice, to which he submitted reply and found un-satisfactory. Hence, he was called in O.R on 17.05.2019 and heard in person, but he failed to advance any plausible explanation.

I have gone through record, which is found indifferent. The accused official earned 28 bad entries in his whole service. He was charged in case FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS as accused No. 1 for running Brothel House or supporting the same hence in this show cause notice and above referred case, he is hereby the declared the black mole on the image of Khyber Pakhtunkhwa Police.

Therefore, in exercise of power conferred upon me under section 5 (2) of KP Police Rules (amendment 2014) 1975, the general proceedings are dispensed with and a punishment of **dismissal from service is imposed on accused official LHC Umar Hayat No. 916 with immediate effect.**

Announced

17.05.2019

**DISTRICT POLICE OFFICER,
KOHAT** 22/5.

OB No. 628
Date 24-5-2019

No 6537-39/PA dated Kohat the 27-5-2019.

Copy of above to the:-

1. R.I Police Lines is hereby directed to collect kit etc from accused official and report.
2. Reader/SRC/OHC/Pay Officer for necessary action.

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جملہ ایسے

شمارہ نوٹس نمبر 3649/PA
02.4.19
ڈی ایچ ڈی

سرمایہ کاروں کے ناموں کی فہرست
میں درج کی گئی ہے۔ اس میں درج ناموں کے
علاقہ ترقیاتی کارڈ نمبر 133 کے تحت
نہ علاقہ میں شہداء ملنے والے۔ اور اس کی
کاپی کے ساتھ ہے۔ ایک باوجود اس کے کہ نوٹس
میں درج ناموں کے لیے اس علاقہ اور اس کے
علاقہ کے لیے اس میں درج ناموں کے لیے
شمارہ نوٹس نمبر کے ناموں کے لیے ہے۔

10
D.F.E. PS JK
10-4-2019

IN THE COURT OF ARBAB AZIZ AHMAD,
JUDGE SPECIAL COURT/ADDITIONAL SESSIONS JUDGE-II,
KOHAT

SPL No. 155/2017
State Versus Nawab Khan

ORDER
29.03.2019

Azhar Ali, Dy: PP for the State present. Accused Nawab Khan absconding. PWs. Muhammad Sajjad No. 441/LHC and Arshad Iqbal No. 1271 present and examined as PW.6 and PW.7, respectively and the prosecution closed its evidence.

Accused Nawab Khan s/o Raees Khan r/o Afghan Refugees Camp No. 3 has been charged in case FIR No. 101 dated 07.03.2017 u/s 9c CNSA of Police Station Jungle Khel, Kohat.

After completion of investigation, complete challan was put in Court against the accused. Initially, the accused was summoned, who appeared before the Court but later on, disappeared. In this respect, statement of Muhammad Sabeel No. 537 was recorded as CW.1 and in light of statement of the above named CW, proceedings u/s 512 C.P.C. were initiated against the accused Nawab Khan.

The prosecution produced and examined Umar Khaliq, ASI as PW.1, Mizaj Hussain, LHC as PW.2, Azmar Gul, LHC as PW.3, Ayat Ullah, SHO as PW.4, Qismat Khan, SHO as PW.5, Muhammad Sajjad No. 441/LHC as PW.6 and Arshad Iqbal No. 1271/LHC, SI as PW.7; and closed its evidence.

In the light of statements of SW and PWs recorded so far, it transpired that the accused Nawab Khan is avoiding his lawful arrest and

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there is no prospect of his arrest in the near future, while, a prima facie case exists, therefore, he is hereby declared as proclaimed offender. Perpetual warrant of arrest be issued against him and his name be entered in the register of proclaimed offenders. In this respect, DPO, Kohat be informed accordingly.

File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
March 29, 2019

Sd/xxxxxx
(ARBAB AZIZ AHMAD)
Judge Special Court/A-SJ-II,
Kohat

بجوات جناب ایڈیشنل سیشن جج صاحب ۱۱ کوہاٹ

29/3/19

آئندہ پیشی

SPL 155

439

لواب خان

5-54

بٹنگل صیل

9CCNSA خانہ

101 سوزی 7/3/17 برقم

0316-9544575

بازت گرفتاری

بٹنگل صیل

کمیٹیبل صدر علی 1133

NBW.A

0332-5962610

گورنمنٹ

(59)

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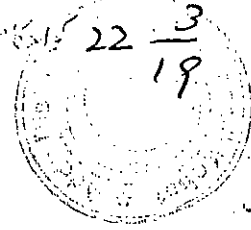
ارنڈر امبال 1011

واضح ہو کہ مقدمہ بائیس مذکور بالا اور درج ذیل طور پر درج ذیل سیشن جج صاحب کوہاٹ کے پاس
ہوا کہ مذکورہ بالا نوٹس کار کے حاضر عدالت کریں۔

آج تاریخ 22/3/19 کو کام پوری شد

ASJ-11 Kohat

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بجوات

معلومات برقی ہدایت
صوبہ
مطالعہ
مطالعہ

جناب عالی!

پروایان صد گورہ کو جائے رہنمائی پر ہم موجود
پاکر بند رہا سو بائیل فون وارنٹ کے متعلق کہہ
صبر تارخ پیشی سے مطلع نہ ہو رہا ہے

عرفن ہے
Nayat
DFC-JK

فصل اول - 101 (73/17) 17

م/د	کتابخانه	تعداد	تاریخ
1	کتابخانه خرد	02	18-1-15
2	کتابخانه خرد	06	18-7-15
3	کتابخانه خرد	05	19-7-15
4	کتابخانه خرد	05	19-7-15
5	کتابخانه خرد	05	19-7-15
6	کتابخانه خرد	02	26-4-18
7	کتابخانه خرد	01	28-5-18
8	کتابخانه خرد	01	27-9-18
9	کتابخانه خرد	01	25-10-18
10	کتابخانه خرد	02	22-11-18

کتابخانه خرد
تاریخ 26-4-18
تاریخ 28-5-18
تاریخ 27-9-18
تاریخ 25-10-18
تاریخ 22-11-18

کتابخانه خرد
تاریخ 29-3-18
تاریخ 29-3-18

No. 221/2019

OFFICE OF THE DISTRICT POLICE OFFICER KOHAT

SHOW CAUSE NOTICE

(Under Rule 5(3) KPK Police Rules, 1975)

1. That You **LHC Umar Hayat DFC/PS Jungle Khel** have rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa, Police Rules 1975 (Amendment 2014) for following misconduct;
 - i. *Your evidence as PW was required by court of ASJ-II Kohat in case FIR No. 101 dated 07.03.2017 U/Ss 9 CCNSA PS J/Khel, but despite repeated summons / warrants you deliberately did not appear before the court.*
 - ii. *The court vide order dated 22.03.2019, took serious action against you. Thus you willfully disobey order of the court and also amounts to misconduct.*
2. That by reason of above, as sufficient material is placed before the undersigned, therefore it is decided to proceed against you in general Police proceeding without aid of enquiry officer:
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
4. That your retention in the Police force will amount to encourage in efficient and unbecoming of good Police officers.
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 (Amendment 2014) for the misconduct referred to above.
7. You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

No. 3649/PA

Dated 02-4-2019

DISTRICT POLICE OFFICER,
KOHAT 2/4

NO = 368 (457)
26-03-19

PA

Order-19
22.02.2019

Azhar Ali, Dy: PP for the State present. Accused absconding. Pw, Ayat Ullah, SHO present and examined as PW.4. NBW-A be issued against the remaining PWs and the prosecution is directed to produce its evidence by next date of hearing. Put up for prosecution evidence, for 8-3-19

DPO_KT
For n/action

DSP / 1/2 P-cell / P=1/PA
Pl. For Comm. Prosecution

457
05-4-19

District Police Officer,
Kohat

Order-20
08.03.2019

Azhar Ali, Dy: PP for the State present. Accused absconding. PWs absent. Fresh NBW-A be issued against the PWs and the prosecution is directed to produce its evidence by next date of hearing. Put up for prosecution evidence, for 22-3-19.

ASTD
010-14 16 SPL 155
9ccasa 7/7 101 CAC
29/3

ARBAB AZE AHMAD
Addl Dist & Session Judge-II
Kohat

Order-09
22.03.2019

Azhar Ali, Dy: PP for the State present. Accused absconding. PW, Qismat Khan, SHO present and examined as PW.5. Remaining PWs absent. Against them, even the process not properly served by the processing agency. In the circumstances, salary of DFC, Umar Hayat is hereby attached. Copy of this order sheet again be sent to the offices of the worthy DIG, Kohat Range, Kohat and the DPO, Kohat for necessary action against the DFC concerned. Fresh NBW-A be issued against the remaining PWs and the prosecution is directed to produce its evidence

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28/3/19

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NO = 368/cell
26-3-19

P = (02)

by next date of hearing. Put up for prosecution evidence, for
29-3-19.

گواہان

کانشیل کانسٹیبل ۱۱۳۳ کانسٹیبل

۴ اسٹیشنر ۱۰۱۱

۶ محمد سجاد کانسٹیبل ۱۱۴۰

ARBAZ AZIZ AHMAD
Addl. Distt. & Session Judge-II
Kohat



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

ORDER

LHC Umar Hayat No. 516 of this district Police is hereby suspended due to his involvement in case FIR No. 705 dated 01.05.2019 U/S 371-AB PS MRS with immediate effect.

OB No. 543
Date 15-5- /2019

DISTRICT POLICE OFFICER,
KOHAT 15/5/19

No. 6117-18 /PA dated Kohat the 16-5- 2019.

Copy of above is forwarded to Reader/SRC/OHC for necessary action.

سیک
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مہل

16/5/19



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

ORDER

This order is passed on the departmental enquiry against LHC Umar Hayat No. 516 under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

Brief facts of the case are that on 15.08.2018, vide Police Lines Kohat daily diary No. 38, LHC Umar Hayat No. 516 alongwith 17 other official was deputed to produce the prisoners from Central Prison Kohat to District Courts Kohat.

On the above date an under trial accused named Muhammiad Abid s/o Aitbar Gul r/o Sumari Payan Lachi, who was involved in case FIR No. 09 dated 20.05.2017 U/Ss 302,324,353,427,148,149,15-AA PPC, 7 ATA PS Lachi good escaped from his custody and case FIR No.268 dated 15.08.2018 U/Ss 223, 224 PPC PS Jarma has been registered against him and others.

He was served with Charge Sheet & Statement of Allegations SP Investigation Wing Kohat was appointed as enquiry officer to proceed against him departmentally. Enquiry officer submitted his finding report and found him guilty of the charges leveled against him. He was called in OR and heard in person on 05.11.2018, but failed to explain his position.

In view of above I, Capt ® Wahid Mehmood, District Police Officer, Kohat in exercise of the powers conferred upon me, a minor punishment of **forfeiture of two years approved service** is hereby imposed upon LHC Umar Hayat No. 516 with immediate effect.

Announced
05.11.2018

**DISTRICT POLICE OFFICER,
KOHAT**

OB No. 1151
Date 07-11-2018

No 10657-58 PA dated Kohat the 07-11-2018.

Copy of above to the Reader / Pay officer/SRC/OHC for necessary action.

حساب عالی!

تہذیب کی جاتی ہے۔ کہہ دیجئے فائنل شوکار نوٹس

حساب DPo کے دفتر سے موصول ہو کر معروض خدمت ہوں۔

سورہ 15-8-18 کو حسب معمول جمع نوپس لائن میں گنسی ہوئی۔ جس میں بھاری ڈیوٹی
ضلع جالندہ نگاری تھی۔ جیل سے قید بان معہ وارنٹ سیرت علی خان نے وصول
کی۔ عدالت میں پیش کرنے کے بعد انجارج معہ کی لکھی کچھری سے گھروں کو چلے
گئے۔ 4 ایکار قید ہونے کے گاڑی میں سوار ہوئے۔ باقی ایکار شاہ زور وین
میں سوار ہوئے۔ جیل پہنچ کر شاہ زور وین جیل کے باہر کھڑی ہوئی۔ جیل ہون
میں سوار ہوئے۔ اس میں سے جی ایکار واپس جیل کے باہر
کی گاڑی میں جو ایکار اندر رہے تھے۔ اس میں سے جی ایکار واپس جیل کے باہر
آئے۔ اندر جیل کے صرف وارنٹ اور پتھر کی والا ایکار رہ گیا۔ چونکہ
میں بذات خود جیل کے باہر تھا۔ اندر کے صورت حال سے واقف نہیں ہوں۔
جو گاڑی اس سامنے ہوئی تھی۔ اسٹران بان کی خدمت سے عرض ہے۔

آپ کا مہتمم اندر کنٹیل محمد حسابات $\frac{LHC}{516}$ حال مسقہ لہر

Rayat
16-10-18

Mob: 0333-9020260



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

Tel: 0922-9260116 Fax 9260125

No 9306 /PA dated Kohat the 08/10/2018

FINAL SHOW CAUSE NOTICE

1. I, **Sohail Khalid, District Police Officer, Kohat** as competent authority, under the Khyber Pakhtunkhwa Police Rules 1975, (amended 2014) is hereby serve you, **LHC Umar Hayat No. 516** as follow:-

- i. That consequent upon the completion of inquiry conducted against you by the inquiry officer for which you were given opportunity of hearing vide office No. 7806-07/PA dated 20.08.2018.
- ii. On going, through the finding and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the inquiry officer.

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

- a. On 15.08.2018, vide Police Lines Kohat daily diary No. 38, you LHC Umar Hayat No. 516 alongwith 17 other official was deputed to produce the prisoners from Central Prison Kohat to District Courts Kohat.
- b. On the above date an under trial accused named Muhammad Abid s/o Aitbar Gul r/o Sumari Payan Lachi, who was involved in case FIR No. 09 dated 20.05.2017 U/Ss 302,324,353,427,148,149,15-AA PPC, 7 ATA PS Lachi good escaped from your custody and case FIR No.268 dated 15.08.2018 U/Ss 223, 224 PPC PS Jarma has been registered against you and others.

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

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

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

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


DISTRICT POLICE OFFICER,
KOHAT 08/10/2018