

# FORM OF ORDER SHEET

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

Case No.- 535/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
2	10/03/2023	<p>The appeal of Mr: Misal Khan presented today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____.</p> <p>Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p>REGISTRAR</p> <p>The appeal of Mr: Misal Khan presented today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____.</p> <p>Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p>REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 535 /2023

Misal Khan..... Appellant

Versus

The PPO and others.....Respondents

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Through

Appellant

*Khaled Rahman*  
Advocate,  
Supreme Court of Pakistan

&

*Muhammad Amin Ayub*  
Advocate, High Court

&

*Muhammad Ghazanfar Ali*  
Advocate, High Court

4-B, Haroon Mansion  
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Dated: 9 /03/2023

## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 535 /2023Mr. Misal KhanEx-Inspector, Police Lines Peshawar..... Appellant

VERSUS

1. The Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.
2. The Capital City Police Officer Peshawar.
3. The Senior Superintendent of Police (Operations),  
Peshawar..... Respondents

4216  
10/3/2023

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SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORIGINAL IMPUGNED ORDER DATED 16.11.2022 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED UPON THE APPELLANT AGAINST WHICH HE PREFERRED DEPARTMENTAL APPEAL TO RESPONDENT NO.2 ON 21.11.2022 BUT THE SAME WAS UNLAWFULLY REJECTED/FILED VIDE IMPUGNED APPELLATE ORDER DATED 27.02.2023.

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PRAYER:

On acceptance of the instant appeal, the Original impugned order dated 16.11.2022 passed by Respondent No.3 and the Impugned Appellate Order dated 27.02.2023 passed by Respondent No.2 may graciously be brushed aside and appellant be re-instated into service with all back benefits.

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Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. **That** appellant was a senior most officer of the Respondents Force and was performing his duties against the rank of Inspector. It is pertinent to aver here that the appellant has never been proceeded against departmentally and rendered more than 31 unblemished service.
2. **That** an F.I.R No.583 (*Annex:-A*) dated 26.06.2022 U/S 364/302/ & 7ATA, Police Station Shah Pur was chalked out by the Complainant namely Muhammad Tariq S/o Salamat against culprits namely Ramzan Ali, Jan Sher, Lal Sher Ss/o

Shamsher (brothers) and Abbas Alias Mohmanday, the motive was shown to be blood feud/enmity. Later on, the accused were arrested and behind the bars.

3. **That** appellant while performing his duties against the post of Inspector was subjected to office order dated 29.07.2022 (*Annex:-B*) whereby he alongwith 21 Police officials were suspended from service and closed to Police Lines Peshawar, on the basis of so called link with accused ibid. Later on, appellant was issued Charge Sheet and Statement of Allegations (*Annex:-C*) based on ill-founded allegations. Since the charges were baseless and ill-founded, appellant submitted a detailed Reply (*Annex:-D*) wherein he explained his position each and every aspect of the matter but the same was not taken into consideration.
4. **That** under the law, Authorities were supposed to comply with the requirements as embodied in Rule-6 of the Khyber Pakhtunkhwa Police Rules-1975 by conducting a regular inquiry but at the back of the appellant a Fact Finding Inquiry was conducted on 28.10.2022 (*Annex:-E*). The Committee jumped to the wrong conclusion and appellant was illegally found to be guilty. It is further elucidated that the Fact Finding Inquiry Report was not provided to appellant rather appellant moved an application but to no avail, however, the appellant obtained the report through his own efforts.
5. **That** Respondent Department without conducting a detail regular inquiry as envisaged in the Khyber Pakhtunkhwa Police Rules, 1975, issued a Final Show Cause Notice dated 02.11.2022 (*Annex:-F*) which too was instantly replied (*Annex:-G*) but the very averments as incorporated in the same were not taken into consideration and appellant was handed down the original impugned office order dated 16.11.2022 (*Annex:-H*) whereby he was inflicted upon the major penalty of removal from service without any meaningful opportunity of personal hearing.
6. **That** appellant being aggrieved of the impugned original order preferred Departmental Appeal under Rule-3 of the Khyber Pakhtunkhwa Appeal Rules, 1986 on 21.11.2022 (*Annex:-I*) but same was unlawfully rejected/filed vide impugned appellate order dated 27.02.2023 (*Annex:-J*).
7. **That** appellant, being aggrieved of the original impugned office order dated 16.11.2022 and impugned appellate order dated 27.02.2023, files this appeal, inter-alia, on the following grounds:-

**Grounds:**

- A. **That** Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 & 10A of the Constitution of Islamic Republic of Pakistan, 1973 and the Authorities unlawfully issued the impugned orders, which are unjust, unfair and hence not sustainable in the eye of law.
- B. **That** as a matter of fact the son of the appellant namely Asim Iqbal before two years of the occurrence had purchased a Plot measuring 50 Marla from Ghani-ur-Rahman and Faheem vide Sale Deed (**Annex:-K**) which was situated opposite the house of appellant. Upon mutual consent of the parties Rs. 2000000/- were paid on 16.07.2021 and consequently the possession of the Plot was handed over to the son of the appellant. It was further decided that remaining payment i.e. Rs.1575000/- had to be paid on 18.10.2021. The son of the appellant after elapse of the period of one year contacted them for remaining payment of Rs.1575000/- as per agreement. It is averred that a problem arose between Ghani-ur-Rahman and Faheem due to which the property could not be transferred in favor of son of the appellant.
- C. **That** in this scenario, the appellant and his son told Ghani-ur-Rahman and Faheem etc. either to transfer the Plot in their favor or return already paid up amount. In absence of the appellant and his son the matter was brought by Ghani-ur-Rahman and Faheem for settlement to Ramzan Ali accused in his Hujra. Needless to mention that appellant, Ramzan Ali, Ghani-ur-Rahman and Faheem are co-villagers. The brother of the accused namely Lal Sher who is still the Chairman of Village Council Muhammadzai which falls within the precincts of Police Station Shah Pur, Peshawar. The matter was decided in a strange way that 10 Marla out of 50 Marlas would be given to accused Ramzan Ali vide Jirga Deed (**Annex:-L**). When appellant and his son came to know about the decision, they refused to accept it because they were not present in so called jirga. On the day of occurrence a Jirga was scheduled wherein the Jirga Members, witnesses and parties had to settle the issue. Thus appellant contacted Ramzan Ali accused that the Jirga Members witnesses and parties were coming to his Hujra but he replied that he was not free and that the Jirga should be postponed. The appellant swears in the name of Almighty Allah that he was not in the know of occurrence and that he contacted the accused in connection with the Jirga proceedings.
- D. **That** had the appellant any link or connivance with accused Ramzan Ali, then the complainant party must have made complaint against the appellant in the criminal proceedings but no such complaint has so far been made against the appellant by

the complainant party. Similarly, no such statement has been recorded or acquired from accused in connection with the involvement of the appellant in the criminal case. Appellant has been awarded major punishment on the basis of surmises and conjunctures. Reference is made to 2019 PLC (CS) 224 and 2022 PLC (CS) 474:-

2019 PLC (CS) 224

*"Major penalty, imposition of-- Requirements--Any disciplinary proceedings relating to misconduct of an employee/officer of any department which entails major penalty of removal/dismissal from service must be inquired through regular inquiry which cannot be dispensed with in matter where controversial facts and ticklish questions are involved."*

2022 SCMR 745

*"---Departmental inquiry---Purpose---Foremost aspiration of conducting departmental inquiry was to find out whether a prima facie case of misconduct was made out against the delinquent officer for proceeding further---Guilt or innocence could only be thrashed out from the outcome of inquiry and at the same time it was also required to be seen by the Service Tribunal as to whether due process of law or right to fair trial was followed or ignored which was a fundamental right.*

*---"Regular inquiry" and "preliminary/fact finding inquiry"--- Distinction---Regular inquiry was triggered after issuing show cause notice with statement of allegations and if the reply was not found suitable then inquiry officer was appointed and regular inquiry was commenced (unless dispensed with for some reasons in writing) in which it was obligatory for the inquiry officer to allow evenhanded and fair opportunity to the accused to place his defence and if any witness was examined against him then a fair opportunity should also be afforded to cross-examine the witnesses--- Whereas a discrete or fact finding inquiry was conducted at initial stage but internally to find out whether in the facts and circumstances reported, a proper case of misconduct was made out to initiate disciplinary proceedings.*

Likewise, it has been held in series of verdicts that preliminary inquiry is conducted just to collect material against the delinquent civil servant and if the charges are found to be proved then only regular inquiry is conducted where ticklish and delicate facts and questions are involved. Reliance is placed on **2007 SCMR 1673, PLJ 2016 Trc Service 321, PLJ 2011 Trc Service 12 and PLJ 2016 Trc Service 1353.**

- E.** That the Inquiry Officer has conducted inquiry through Questionnaire which has been deprecated by the Hon'ble Supreme Court of Pakistan. The mode of Questionnaire is neither provided in the Rules nor a valid mode of conducting inquiry. Thus the impugned order based upon such defective inquiry is illegal, without lawful authority and thus not sustainable.
- F.** That Article-25 of the Constitution of Islamic Republic of Pakistan, 1973 envisages that every citizen of the country has to be treated equally. As has been alleged herein above that by means of office order dated 29.07.2022 as many as 22 officials were suspended and closed to Police Line Peshawar on the same set

of allegation. Later on, they were exonerated and appellant held to be committed misconduct. Therefore, the acts and omissions of the Respondents and impugned orders are not only against the principle of natural justice but also malafide. Wisdom can be drawn from 1984 PLC (CS) 560, 1991 SCMR 1040 and 2003 PLC Peshawar 27 wherein it was held that:-

*"Disciplinary action---Action not bona fide in character cannot be said to be in public interest and would not qualify for being upheld-Allegation against accused preceded-No action taken against others having committed same irregularities-Accused singled out-Action in circumstances, held, not bona fide."*

1991 SCMR 1040

*--Art. 25(1)---All citizens are equal before law and entitled to equal protection of law---State, however, is not prohibited to treat its citizens on the basis of a reasonable classification ---Reasonable classification---Basis or criterion for classification as to avert violation of Art. 25(1).*

2003 PLD Peshawar 27

*-----"Discrimination" ---Connotation---Discrimination occurs only when two or more persons, who are similarly placed, in similar situation and in similar ambient circumstances, are treated differently.*

- G. **That** it is steadfast scheme of service law that whenever an accused is subjected to departmental proceedings, a charge is framed in the shape of Charge Sheet and Statement of Allegations. The basic aim of the same is to inform the delinquent civil servant of the charges without any ambiguity and he has to be informed that what kind of misconduct has been committed by him. The charges as inflicted upon the appellant are very serious in nature, therefore, the Authorities were supposed to clearly mention the charges without any doubt because mentioning mere *you have been indulged in illegal activities and misconduct as you have maintained links with notorious criminals* does not exempt the authority from his legal duties. Thus the charges are not covered under Rule-3 of the Khyber Pakhtunkhwa Police Rules-1975 and thereon the impugned orders are liable to be set aside.
- H. **That** neither regular inquiry was conducted into the case in hand nor any documentary or oral evidence was recorded in presence of the appellant nor was he provided opportunity of cross-examination. The entire action was taken at the back of the appellant and thus he was condemned unheard. It is a settled law that where a major penalty is to be imposed then regular inquiry is necessary which has not been done in the case in hand. Even the copy of the second Enquiry Report was not provided to appellant, which was mandatory in law.
- I. **That** Article-10A of the Constitution of the Islamic Republic of Pakistan, 1973 read with Section-16 of the Khyber Pakhtunkhwa Civil Servants Act, 1973

provides for the right of fair trial as per prescribed law and Rules. Even the Enquiry Report was not provided to the appellant which was the mandatory requirement of law and also appellant was condemned unheard, thus the impugned orders are void, ab-initio as well as against the principle of natural justice.

J. **That** no opportunity of personal hearing was afforded to the appellant neither by the competent authority, nor by the Enquiry Officer nor even by the appellate authority which are the mandatory requirements of law. Reliance is placed on **2003 SCMR 1126** which states that:-

*"where the civil servant was not afforded a chance of personal hearing before passing of termination order, such order would be void ab-initio."*

Further reliance is placed on **PLD 2008 SC 412** which states as under:-

*"Natural Justice, principles of --- Opportunity of hearing --- Scope --- order adverse to interest of a person cannot be passed without providing him an opportunity of hearing --- Departure from such rule may render such order illegal."*

**2022 PLD SC 119**

*"---Fair hearing, right of---Essential constituents of a fair hearing---To ensure the principle of fairness embedded in the right of hearing, the person sought to be affected must at least be made aware of the allegations made against him, upon which basis the decision is to follow, (i.e., notice of the case to be met) and, second, be given a fair opportunity to make any relevant statement putting forward his own case, and to correct or controvert any relevant statement brought forward to his prejudice (i.e., opportunity to explain)---In order to act justly and to reach at just ends by just means, a deciding authority is to comply with and implement, in all circumstances, these elementary and essential requirements of principle of fairness and right of hearing."*

**2019 PLD SC 745**

*"---Art. 10 A---Fair trial and due process of law---Right of hearing---Scope---Right of hearing of a party to a lis is one of the fundamental principles of jurisprudence which is guaranteed by Art.10-A of the Constitution in its assurance of a "fair trial and due process of law" to a litigant."*

Thus appellant was condemned unheard as the action has been taken at the back of the appellant which is against the principle of natural justice.

K. **That** the impugned appellate order dated 27.02.2022 does not qualify the condition of Section-24A of the General Clauses Act, 1897 read with Rule-5 of the Khyber Pakhtunkhwa (Appeal) Rules, 1986 as the same has not been decided by the appellate authority by applying his judicial mind. Reliance is placed on **2010 SCMR 511, 2010 SCMR 1475, 2010 SCMR 1778, 2015 SCMR 630:-**

*"---S. 24-A---Speaking order---Scope---Public functionaries are obliged to redress grievances of citizens/their subordinates with reasons."*

*"---S. 24-A---Speaking order---Scope---Under S.24-A, General Clauses Act, 1897, even public functionaries are duty bound to decide the case after application of mind."*



*“---S. 24A---Executive authority---Discretion, exercise of---Scope---When legislature conferred a wide ranging power, it must be deemed to have assumed that the power would be, firstly, exercised in good faith, secondly, for the advancement of the objects of the legislation, and, thirdly in a reasonable manner---Where the authorities failed to regulate their discretion by the framing of rules, or policy statements or precedents, it became mandatory for the courts to intervene in order to maintain the requisite balance for the exercise of statutory power.”*

- L. That appellate authority was required to keep in consideration the reply of the appellant wherein he outright denied the charges as leveled but the competent authority completely failed to apply its judicial mind and relied upon the recommendation of the Inquiry Officer which is against the norms of justice. Reliance is placed on 2020 PLC CS 1291 (Supreme Court), the relevant citation is reproduced herein below for ease to reference:-

*“Reinstatement in service--- No specific allegation proved through evidence---Orders of the competent authority as well as departmental appeal were on the basis of that they agreed with the recommendation of the inquiry officer, they had not scrutinized the evidence available on the file themselves; but awarded major penalty of dismissal from service by relying upon the recommendation of the inquiry officer and ignored the fact that no specific allegation through evidence was proved against the respondent---civil servant---prosecution was duty bound to prove the allegation for which the respondent was charge sheeted---Service Tribunal and rightly reinstated the respondent in service---appeal was dismissed”.*

- M. That appellant would like to offer some other grounds during the course of arguments.

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

Appellant

**Khaled Rahman,**  
Advocate,  
Supreme Court of Pakistan

&

**Muhammad Amin Ayub**  
Advocate, High Court

&

**Muhammad Ghazanfar Ali**  
Advocate, High Court

Dated: 9/03/2023

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. \_\_\_\_\_/2023


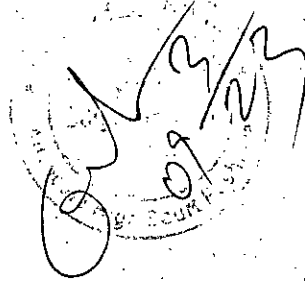
Misal Khan..... Appellant

Versus

The PPO and others..... Respondents

**AFFIDAVIT**

I, Mr. Misal Khan, Ex-Inspector, Police Lines Peshawar, do hereby solemnly affirm and declare on oath that the contents of this writ petition are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.

  
Deponent

09-12-2022  
 17301-3761934-9  
 0313-09404555  
 0342-2476089  
 قلم نمبر (053)

31-9-40-0-0-0  
 حضرت یوسف ریسٹ ہسپتال میں  
 9862  
 10848  
 0342-2476089

### ابتدائی اطلاعی رپورٹ

ابتدائی اطلاع بہت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 153 مجموعہ ضابطہ نوہداری  
 ضلع پشاور شاہ پورہ

تاریخ وقت تا حصول 26/07/2022 583

تاریخ وقت رپورٹ	26/07/2022
نام و سکونت اطلاع دہندہ و مشنٹ ادراس کا کیس نمائندگی نمبر	محمد طارق ولد سلامت خان خلیل پورہ 26 سال سکونت نزد والد
مختصر کیفیت جرم (موردہ) حال اگر کوئی کیا گیا ہو۔	355, 327, 202, 201
جائے وقوعہ یا اصل جگہ سے اور سمت	1119-1448-149
نام و سکونت ملزم	ڈاکٹر رمضان علیا ڈی، خان شیر علی
کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا تو وجوہ بیان کرو	محل وقوعہ والا رہنمائی بند 1271R اور 541271R
حادثے رواں کی تاریخ و وقت	26/07/2022

**ابتدائی اطلاع نیچے درج کرو۔** جو الہ چینی نمبری 1271R پر درج شدہ کیس میں دو حملے 26/07/2022 کو 302-109-34 خانہ آئبر پورہ پنجاب شہرہ جو سلامت اندران ایلا ہے نہ ہو سکا کہ سب نومولہ CDR اذان مقبول احسان اللہ سم نمبری 05443253571 CNIC نمبری 3110-1363-17301-1363-110-03 اور 13:03 بجے 26/07/2022 کو راکٹین شینواری ٹاؤن اور تانہ 7 کالونی رشتہ پشاور آیا ہے 3:40 بجے اس لوکیشن پر موجود ہے کہ مقدمہ بھائی پولیس بولڈز باب منہ مقدمہ نمبر 7 کی رو سے قاتل آئبر پورہ سے خارج ہو کر جیلہ ریکارڈ مقدمہ نمبر 7 کا رولٹی وا = قاتل ہذا اور بدل ہو کر جیلہ سے مقدمہ ہذا جرم بالا بہر خلاف ملزمان مندرجہ خانہ نمبر 5 یا ہر سنیٹا مندرجہ خانہ نمبر 2 کے دروازے پر گرنے سے درج شدہ کیس میں مقدمہ کو مقدمہ ہذا کا مقدمہ کرنے کے بشمول قبول پرچہ جات کے بغیر ضمن تفتیش عقب انسپکٹر میناء اللہ اذ قاتل ہجائی بہ کیشنل تجزیہ 2756 نمبر جے پرچہ مگر ایش ہے۔

302/109  
 26/07/2022  
 خانہ آئبر پورہ ذیل ہے: تفتیش کی گئی اور خانہ آئبر پورہ سے 2  
 طارق ولد سلامت خان قلم خلیل پورہ 26 سال سکونت نزد والد نے 26/07/2022 سال سکونت نزد والد  
 سول ہسپتال پجیا آکر پچاس مقبول احسان اللہ ولد اسلام خان پشاور قریب 55 سال سکونت نزد  
 کی نسبت یوں رپورٹ کیا ہے کہ پچاس احسان اللہ خان 26/07/2022 کو وقت 11:00 بجے وہاں پر  
 کرنیاض کی گاڑی کو ٹکر مارا زخم اقوا میں ڈال دیا اور ہاٹھ لگائے گئے جس سے مقدمہ  
 روانہ ہوا تھا بوقت قریباً 15:00 بجے ہمارے برخلاف کہان خان پشاور پورہ سے اپنی ذاتی سر  
 میں بڈریو لائیڈ اسپیکر اعلان کیا کہ ہم نے احسان اللہ کو قتل کیا ہے جس کا سر اور ہاتھ ہما  
 قریب میں ہے۔ اور بخش کے لئے علاقہ ڈھنڈی میں لے گیا اس کے بعد اس کا سر ہاتھ لے کر پشاور

20662-998-315 ہیرو پائلز بر 9077591-9319 سے رمضان علمائے کمال کر کے  
 مکہ ماہ انعام اللہ ولد جمال چاڈا کے نام سے بات کر کے ریڈیو اسپیکر والا اعلان  
 دے دیا اور مزید کہا کہ جس سے کا بھی استفادہ کرو اسکے بعد استاد و بلہ میں اطلاع  
 ملی کہ چچا ام کی نصیحت کو پیال پیا لایا گیا ہے اطلاع پر پیال پیا آ کر و آتی چا  
 ام احسان اللہ کو قتل شدہ سے دیدہ اور دعوت کا حق کلائی سے کاٹے ہوئے شہادت  
 کر کے یہ میں پوری تسلی و یقین ہو گیا ہے کہ چچا ام احسان اللہ کے ملزمان رمضان  
 علی سلطان شولہ ان مشیر عباس عرف ہمنہ سے ولد جو نے بہ ایماء ملزم لعل  
 شہر ولد مشیر سائمان محمد زئی نے دیدہ تیز دار آلہ اور اسلحہ آئین قتل کیا  
 ہے جو عناد ملزمان کے ساتھ سابقہ قتل کے معاملے کی دشمنی ہے۔ راجہ محمد اسد کی  
 نے دیکھا ہے جو سندھت چچا ام کے قتل کا خلاف پر چار ملزمان تذکرہ بالا دعویہ اور  
 راجہ سلطان گڑھی انعام اللہ ولد جمال بھرتہ سال سکے محمد زئی کے مدد کے لوٹے بالائی نائید کی  
 اور مزید بتلایا کہ ملزمان نے بعد اعلان سجد چچا ام کے قتل کی خوشی میں سوانی جامہ نڈنگی کی  
 ہے۔ اللہ کے کاروں کی ویسی سے گفتہ سائش رورٹ ۲۰۰۷ میں سوکر شہر کے سنا اور پیا  
 گیا درست یہ کہ زیر الریٹ و درستی کے درستی کی نائید کنندہ نے نائید کی دست  
 ثبت کی نقول احسان اللہ کے کا مذات حرب تیار کر کے بھرن پوسٹ مارٹم زمر خان  
 کینٹیل حیدر 24 والہ والا کے ماہر پولیس بیان کردہ حالات واقعات سے ہوتے جرم بالا  
 کا بار لی جا کر مران بطور سیشن اورٹ دست کینٹیل شاہ سن 1969 ارسال ہوا ہے  
 26/22  
 26/22  
 کاروانی خان امہ کی پری مران حرب بھرتہ در ان ہور سوکر حیدر جراثم ۲۰۰۷ درم راجہ  
 کر کے قول FIR ج مران بھرن نقول والہ میر جان کے ہاتھ ہے افغان  
 والا ماہیان کے بطور سیشن اورٹ اللہ دعا جاتی ہے درم بطور سیشن اورٹ  
 26/22  
 26/22

حاجہ عالی  
 نقل مطابق اصل ہے  
 si ps Shahpur  
 02-07-022

اطلاع کے لیے اطلاع دہندہ کا دستخط ہوگا یا اس کی ہر یا نشان لگا جائے گا۔ اور اس پر تحریر کنندہ ابتدائی اطلاع کا دستخط بطور تصدیق ہوگا۔ حروف الف با ب سرخ و شمال  
 ایک لومہ یا مشتمل علی الترتیب واسطے باشندگان علاقہ میر یار علیہ اشیا یا افغانستان جہاں موزوں ہوں لکھنا چاہئے۔

*(Handwritten signature)*



10  
Amir B

OFFICE OF THE  
SENIOR SUPERINTENDENT OF POLICE  
(OPERATIONS)  
PESHAWAR

**ORDER**

It has allegedly been reported that the following police officials have been indulged in illegal activities and misconduct as they have linked with notorious criminals as well as Proclaimed Offender (PO) of case vide FIR No. 583 dated 03.06.2022 u/s 365/302/109/7-ATA PS Shahpur.

Therefore, the following police officials are placed under suspension and closed to Police Lines Peshawar with immediate effect. Subsequently, proper charge sheet and summary of allegations being issued separately.

S.No	Name	Posting
1	Missal Khan P/54	Inspector/OII E.Cantt
2	Rashid Ali Belt No. 1070	GD PS Daud Zai
3	Wisal Khan Belt No.4655	PS Mathra
4	Muhammad Riaz No.22/P	Gulbahar
5	Shoukat Khan Belt No. 1190	Gunner MPA Arbab Jandad
6	Qazi Muhammad Hassan Belt No 1058	IO PS Shahpur
7	Mohsin Khan 2853	PS Shahqabool
8	Syed Sajawal Shah 4/40	ASI PS Shahpur
9	Izhar Hussain Belt No.1959	Ordaly SP Tariq Habib
10	Muhammad Irshad No. 191	IC PP Jala Bela
11	Syed Waqar Ali Shah Belt No. 1873	GD PS Hayat Abad
12	Irfan Khan Belt No. 2988	Muharrir Inv PS East Cantt
13	(Inspector) Yousaf Jan No: P/324	SHO PS Urmer
14	Asfandyar Belt No.4607	Nakbandi Dalazak road Shahpur
15	Bashir Khan Belt No.5221	PS Shahpur
16	Amjad Khan Belt No.5564	PS Chamkani
17	HC Tahir Ali 911	ATS Sqard
18	HC Mohsin Khan , Belt No.2853	PS Shahqabool
19	FC Fakhre Alam 4/9	DFC PS Chamkani
20	Arif Ullah Belt No. 2864	DFC PS Phandu
21	Zarshad Khan Belt No. 362P	OII PS RMT
22	Mukhtiar Ullah Belt No 1201	Muharrir Inv PS Chamkani

29/7/22

(Lt Cdr © KASHIF AFTAB AHMAD ABBASI)PSP  
Senior Superintendent of Police  
Operations) Peshawar

No. 2362-65/PA

dated Peshawar the 29/07/2022

Copy for information and necessary action:-

1. The Capital City Police Officer, Peshawar.
  2. SSP Investigation CCP Peshawar
  3. OASI, EC-II, AS, CRC, FMC
- CEL-044
- B

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Ahmad C

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CHARGE SHEET

1. Whereas I, Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP/Operations Peshawar, am satisfied that a Formal Enquiry as contemplated by Police Rules 1975 is necessary & expedient in the subject case against **Inspector Misal Khan No. P/54 of CCP Peshawar.**

2. And whereas, I am of the view that the allegations if established would call for major/minor penalty, as defined in Rule 3 of the aforesaid Rules.

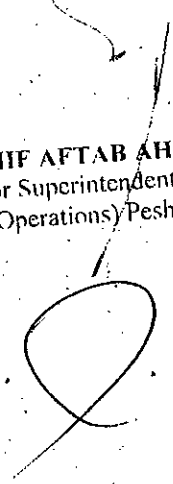
3. Now therefore, as required by Rule 6 (1) (a) & (b) of the said Rules, I, Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP Operations, Peshawar hereby charge **Inspector Misal Khan No. P/54 of CCP Peshawar** under Rule 5 (4) of the Police Rules 1975.

- i) It has allegedly been reported that you have been indulged in illegal activities and misconduct as you have maintained links with notorious criminals as well as Proclaimed Offenders (POs) of case vide FIR No. 583 dated 03.06.2022 u/s 365/302/109/7-ATA PS Shahpur.
- ii) It is further alleged that you have leaked secret information in arrest of P.Os in above mentioned FIR and allied with criminals.
- iii) He has tarnished the image of police department in the eyes of general public.
- iv) All this amounts to gross misconduct on your part and rendered you liable for punishment under Police (E&D) Rules, 1975.

4. I hereby direct you further under Rule 6 (1) (b) of the said Rules to put forth written defence within 7 days of the receipt of this Charge Sheet to the Enquiry Officer, as to why action should not be taken against you and also stating at the same time whether you desire to be heard in person.

5. In case your reply is not received within the specific period to the Enquiry Officer, it shall be presumed that you have no defence to offer and ex-parte action will be taken against you.

Lt Cdr @ KASHIF AFTAB AHMAD ABBASI PSP  
Senior Superintendent of Police  
(Operations) Peshawar



105/124/13/2022

**STATEMENT OF ALLEGATIONS**

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I, Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP/Operations Peshawar as competent authority, of the opinion that **Inspector Misal Khan No. P/54 of CCP Peshawar** has rendered himself liable to be proceeded against departmentally as he has committed the following acts/omission within the meaning of section 03 of the Khyber Pakhtunkhwa Police Rules, 1975.

- i) It has allegedly been reported that he has been indulged in illegal activities and misconduct as he has maintained links with notorious criminals as well as Proclaimed Offenders (POs) of case vide FIR No. 583 dated 03.06.2022 u/s 365/302/109/7-ATA PS Shahpur.
- ii) It is further alleged that he has leaked secret information in arrest of P.Os in above mentioned FIR and allied with criminals.
- iii) He has tarnished the image of police department in the eyes of general public.
- ii) All this amounts to gross misconduct on his part and rendered him liable for punishment under Police (E&D) Rules, 1975.

2. For the purpose of scrutinizing the conduct of afore said police official in the said episode with reference to the above allegations **SP Rural** is appointed as Enquiry Officer under Rule 5 (4) of Police Rules 1975.

3. The Enquiry Officer shall in accordance with the provision of the Police Rules (1975), provide reasonable opportunity of hearing to the accused Official and make recommendations as to punish or other action to be taken against the accused official.

Lt Cdr @ KASHIF AFTAB AHMAD ABBASI)PSP  
Senior Superintendent of Police  
(Operations) Peshawar

No. 189 E/PA, dated Peshawar the  
Copy to:-

30 1 07 12022

1. The Inquiry Officer.
2. The Delinquent official through PA to the EO officer

02/02/022

- 13 Annex D

**Before the Hon'able Senior Superintendent of Police (Ops) Peshawar**

Through: Proper Channel

Subject: Reply to Charge Sheet / Summary of Allegations vide Endst No. Nil dated 2.08.2022

Respected Sir,

Kindly refer to the subject Charge Sheet, at the very outset I respectfully submit that the alleged charges at serial no 3(i)(ii), vocalized in the charge sheet are false, fabricated and based on mala-fide. It may be added here that on the face of contents of charge sheet, both alleged charges are unsubstantiated/ non-incriminated, hence **I am ready to swear upon oath that the alleged charges bear no authenticity or veracity.**

**PRELIMINARIES:**


- a. The charges are hearsay, based on surmises and conjectures and no substantiating direct evidence is available to implicate the undersigned in the charges.
- b. No specific evidence connecting the undersigned with any crime could be produced to implicate him in the charge.
- c. The charges have been cooked up by ill-wishers of the undersigned to stain his spotless career in service.
- d. The undersigned has performed his duties and functions strictly in accordance with the provisions of CrPc PPC and the Police Rules and no deviation, whatsoever, has been made. Therefore, without confronting the undersigned with any such irregularity, no charge can be framed.

**ON FACTS:**

On the face of charge sheet, the alleged charges seem to be anonymous, therefore hit by the following 03 considerations, hence not entertainable.

(a) It has become very common that when some differences between locals and local police are stirred up or relations between incharge and the subordinates become strained, complaints emerged in the shape of anonymous status with serious allegations against the incharge/police officer without any solid materials.

(b) The act of corrupt practices like links with criminals needs to be legally adjudged in accordance with police rules and there should be sufficient incriminating materials to





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substantiate the charges. Needless to say the corruption charge requires solid materials but here on record, nothing in support is available. Rules regarding proceedings against Police Officers reported to be corrupt or involved in corrupt practices (links with criminals), attract rules 16.39 r/w 16.16 PR 1934 wherein corruption record is required to be maintained on personal file, character role or fauji missal and attested copy thereof shall be furnished to the police officer concerned, but such record is not available against me hence the charges do not carry legal footings.

(c) On the face of charge sheet or summary of allegation, there is no any complainant or report lodger or other substantiating materials/evidence, even aggrieved party of the case FIR 583 dated 02-07-2022 has not complained me for any favour or support to accused party, therefore the charges, leveled against the undersigned are anonymous, proceedings whereof are barred by the Provincial Govt, under the following notifications as well other law provisions.

- S & GAD letter No SORII (S&GAD) 5 (29)/ 97-II dated 20.07.1998
- S & GAD letter No SORII (S&GAD) 5 (29)/ 97-II dated 15.11.1999
- Section 4 Federal Investigation rule 2002
- Section 4(5) SRO (1)/2015 dated 06.11.2015(Human Right Commission)

2. Worth mentioning that CDRs of the cell no 0316-0242424 of the undersigned, no doubt shows calls with the cell no 0311-5454223 of accused Jansher in case FIR 583 dated 02-07-2022 (date written in the charge sheet as 03-06-2022, either recorded inadvertently or deliberately to rope the undersigned in a concocted charge, for reason best known to Almighty Allah) FIR copy attached annexure "A" as ready reference for date confirmation, therefore the conversations as per CDRs were made before the occurrence/FIR in reference, when accused was not charged in the case at the very time. May be added here that undersigned and accused party/complainant party belong to same locality and accused party are known elders of the area, one of them is also Nazim local govt. Infact accused Ramzan b/o accused Jansher, mediated our land dispute to Abdur Rehman etc of the area with which I was not satisfied, repeatedly and telephonically I contacted accused Jansher (was not accused at that time) and nothing more else. (Photo copy of the mediation is enclosed as annexure "B")

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3. There is no any incriminating material to substantiate the alleged acts, either having been committed by myself or may involve my connivance.


4. I have been placed under suspension vide order no 2362-65/PA dated 29-07-2022 without any justification and on no good ground, violating **Rule 16.18 Police Rules 1934 r/w 43 FR** which clearly speaks that un-necessary suspension should be avoided because it not only suffers the assigned work but also **amounts to additional penalty**, the circumstances, therefore warrant and justify my release from suspension, as per above stated provision.

5. Since, I have joined this August force; I always performed honestly, dedicatedly and to the entire satisfaction of my superiors. I always acted beyond the call of duty at the risk of my life and never hesitated to culminate the menace of crime from the area of my jurisdiction. My clean service carrier can be verified from my ACRs and from the officers under home subordination, I remain posted.


I always worked for Govt writ as well department and am considering the alleged charge of support/favour or leakage information as worst one, bringing bad name for committer servant and department, so how I can think and associate myself with such acts of defamation. Being a responsible officer, with spotless previous record, how could I dare to stoop so low to leak information of arrest of a PO beforehand.

In circumstances, the alleged charges bear no authenticity, being without merit and substance, I request that the charge sheet may very kindly be filed without further proceedings.

Further requests for **personal hearing** to explain the circumstances, behind alleged charges.

  
Obediently Yours,

Inspector Misal Khan  
P/54 Police Lines Peshawar



16

Amir E

OFFICE OF THE  
SUPERINTENDENT OF POLICE,  
RURAL, PESHAWAR.

No. 4076/PA: dated Peshawar the 28/10/2022.

To:

The Senior Superintendent of Police,  
Operations, Peshawar.

Subject: DEPARTMENTAL ENQUIRY

Please refer to your office Endt. No. 189/E/PA, dated 30.07.2022; pertaining departmental enquiry against Inspector Misal Khan.

STATEMENT OF ALLEGATION:

- i. It has been reported that he has been indulged in illegal activities and misconduct as he has maintained links with notorious criminals as well as proclaimed offenders (POs) of case vide FIR No. 583 dated 03.06.2022 u/s 365, 302, 109, 7-ATA PS Shahpur.
- ii. It is further alleged that he has leaked secret information in arrest of POs in above mentioned FIR and allied with criminals.
- iii. He has tarnished the image of police department in the eyes of general public.
- iv. All this amounts to gross misconduct on his part and rendered him liable for punishment under Police (E&D) Rules, 1975.

PROCEEDING:

- Personal hearing.
- Recording of statement.
- Collection of CDR and posting record.
- Criminal record of Lal Sher group vide this office memo No. 2112/PA dated 02.08.2022.

Enquiry officer provided reasonable opportunity to Inspector Misal Khan. Statement of allegation was served upon him and his written reply was recorded and he was cross questioned too. His CDR was obtained from CFU vide this office letter No. 2113/PA dated 02.08.2022. His posting record was also sought from concerned office vide this office letter No. 2113/PA dated 02.08.2022.

SCOPE OF ENQUIRY:

The scope of the enquiry includes supporting these criminals (Lal Sher, Jan Sher, Ramzan and rest of the family) in criminal cases in particular and in normal circumstances in general. Giving information regarding the operations of the police. It also includes being in contact with them for last one year or more without justified reasons. Being in contact with the above mentioned group after the killing of Haji Ihsan Ullah.

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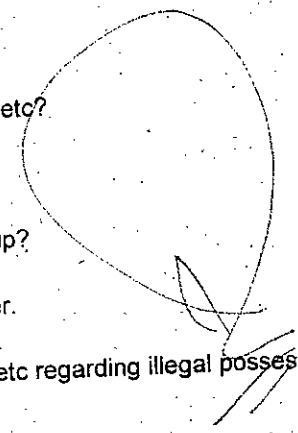
STATEMENT OF INSPECTOR MISAL KHAN:

Inspector Misal Khan was called to the office and his statement was recorded which is attached.

CROSS QUESTIONS:

- Q: - Why were you dismissed from service in 2008?
- Ans: - I was company hawaldar and collected mobiles etc from the recruits, but during the returning of said items, deficiencies were found. In which, departmental proceeding was initiated and I was dismissed from service.
- Q: - Do you know Jan Sher, Ramzan and Lal Sher etc?
- Ans: - Yes, since 20,25 years.
- Q: - What are their activities and reputation in the area?
- Ans: - Suspicious/ involved in illegal activities, killing of innocent people, land grabbing and extortion.
- Q: - Do you have any relationship with Javed, Asfandyar group?
- Ans: - Yes, I have relations with both the parties.
- Q: - Why Muhammad Hussain SI (police official) was killed by Lal Sher group?
- Ans: - He was killed by them without any good reason and he was killed innocently.
- Q: - Did you know about the illegal activities of Jan Sher etc and have information regarding killing of innocent people?
- Ans: - Yes.
- Q: - Do you know about the killing of innocent women by Jan Sher etc?
- Ans: - Yes.
- Q: - Do you know the said group is land mafia?
- Ans: - Yes.
- Q: - Were you in contact with Jan Sher, Ramzan etc and since when?
- Ans: - Yes, since long.
- Q: - The above mentioned accused is your blood relatives?
- Ans: - No
- Q: - On the day of occurrence, why you contacted Jan Sher?
- Ans: - My son purchased the land from him and I told Jan Sher to write the affidavit of the said land.

- Q: - On the day of occurrence at 17:24, why you contacted accused Ramzan?
- Ans: - To asked about the Jirga of the land dispute.
- Q: - Did you know by that time that they have abducted and killed Haji Ihsan Ullah?
- Ans: - No.
- Q: - Did you know about the Whatsapp message and video regarding abduction and killing of Haji Ihsan Ullah?
- Ans: - No.
- Q: - Do you know that Jan Sher is PO and wanted to different PSs?
- Ans: - Yes
- Q: - When you know everything about Jan Sher, Lal Sher etc, why you are in contact with them?
- Ans: - Again replied because of land dispute.
- Q: - Your contacts with Jan Sher show very longer duration of calls, can you explain?
- Ans: - Yes, it was all about the land dispute.
- Q: - Number of cases in which you supported Jan Sher etc?
- Ans: - None.
- Q: - How many cases you investigated of Lal Sher group?
- Ans: - None except one of PS East Cantt against Lal Sher.
- Q: - Why didn't you lodge complaint against Jan Sher etc regarding illegal possession of your land?
- Ans: - Because a Jirga was busy to sort out the issue.
- Q: - It was a cognizable offence?
- Ans: - Yes.
- Q: - Now, if it is cognizable offence, why didn't you lodge a complaint against them?
- Ans: - Because a Jirga was busy to sort out.
- Q: - If you being a police officer and Inspector went to the hujra of Jan Sher, Lal Sher etc to sort out your land dispute, what will the poor and common men do?
- Ans: - No answer.
- Q: - If you know about their activities, they have remained POs at various times and have killed innocent people including police officers and are are



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grabbers/extortionists, than what was the reason of sitting and meeting with them?

Ans: - I went to their hujra once and school near to his hujra in connection of inspection of a school where the polling/ election was to be held. However, I have been going to their house for functions and on demise of close relatives for Fateha.

Q: - Again questioned that being a police officer why you helped them?

Ans: - They are my relatives.

Q: - Are they your blood relatives?

Ans: - No.

Q: - As a police officer, knowing fully well that they are known criminals of the area and you are not even their blood relatives, can you justify your relationship with them?

Ans: - Silence (No answer).

Q: - Do you know that number 03160242424, 03199077591 and 03160901144 are being used by whom?

Ans: - Yes, Jan Sher, Ramzan and Lal Sher respectively.

#### FINDINGS:

1. That Lal Sher, Jan Sher, Ramzan etc are involved in land grabbing, extortion, killing of innocent people as well as killing of innocent women.
2. That they are also involved in the killing of police officers.
3. That they are involved in illegal activities since 20,25 years.
4. That entire family involved in criminal activities, (criminal record is attached).
5. That there are many police officers who are their friends and supporters.
6. That they also harass police officers by using many techniques i.e submitting false applications in courts and to superior officers just to stop them from performing their lawful duties.
7. That it is because of these police officers that they have been able to reach that much level of the criminality.
8. That the testimony to the fact above is that there is not a single FIR of Extortion and land grabbing against them in Peshawar contrary to the ground facts and realities.
9. That there are contradictions in the statement of Inspector Missal Khan and cross questioning.
10. That his statement is reflective of the fact that instead of replying to the allegation alleged, he tried to challenge the lawful right of superior officers to show cause him.
11. That he knew that the above mentioned group is wanted and are POs and have been POs all along as he confessed this fact during the cross questioning but he mentioned

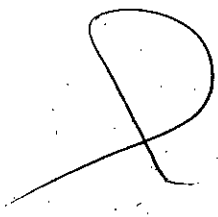
12. That Jan Sher, Lal Sher etc. helped him for possession of 10 marla land and carrying out Jirga for that.
13. That according to his statement, he has land dispute with Lal Sher and Jan Sher etc. however, as per evidence submitted by him (attached) accused Ramzan who is brother of Lal Sher and Jan Sher, acted as mediator in the said dispute. **This is reflective of the fact that he had been getting favors from this notorious group which can not be one sided.**
14. That he confessed that the above mentioned group is involved in land mafia, killing of innocent people as well as killing of police officials.
15. That he was in contact with the above mentioned group after the killing of Haji Ihsan Ullah who was killed by Jan Sher etc.
16. That he also confessed that he is in relationship with Javed, Asfandyar group, who is also involved in land mafia and killing of people.
17. That he had been in contact with them since 20/25 years without any justified reason.
18. That being a close friend and being in contact with them how it is possible that till 6:00 PM he was unaware regarding the incident? The news was also shared on the day of incident at 2:30 PM in different social media groups.
19. That he admitted that he has been coming to their family functions all along since 20-25 years without any blood relation.
20. That being a police officer it is necessary to avoid contacts with criminals and other people having illegal activities, but, Inspector Misal Khan failed to do this.
21. That he had been hands and gloves with Lal Sher group etc. throughout their criminal history.
22. That if Lal Sher group has gone very high up the ladder of criminality, police officers like Inspector Misal Khan have contributed to this. As, it is a universal and recognized fact that a criminal/ a criminal gang/ a mafia/ a cuts cannot move up the ladder of criminality without the assistance of police officer.
23. That in his reply submitted in response to SCN, instead of submitting or clearing around his allegation, he states that "accused family in known elders of the area", as per facts, they are criminals of the area.
24. That he admits criminals as elders of the area which shows his connivance with them and his tolerance towards criminals which is unacceptable and unjustifiable as police officer.
25. That as far as, being Nazim of area is concerned, that doesn't give any person a reason to justify crimes of a criminal or a criminal group.
26. That it is established that as and when he was contacting accused Jan Sher/ Lal Sher/ Ramzan, they were outlaws and wanted in different police stations as their criminal record shows which is attached.
27. That this officer has 32 contacts with the above mentioned group. Calls details are as under, which is tip of the iceberg as most of the people now contact on Whatsapp and different social media applications:
- 32 calls in total before and after the incident.
28. That he was in contact with them till their number went switched off.

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**CONCLUSION:**

In view of above, analyzing of the statement of Inspector Misal Khan, cross questioning, intelligence sources and other available material the " ***all allegations against him are proved.***

Capt (R) Saleem Abbas Kulachi (PSP)  
Enquiry Officer,  
Superintendent of Police,  
Rural, Division,  
Peshawar.







OFFICE OF THE  
SENIOR: SUPERINTENDENT OF POLICE,  
(OPERATIONS),  
PESHAWAR  
Phone. 091-9213054

No. 2891 /PA

Dated Peshawar the 02/11, 2022

**FINAL SHOW CAUSE NOTICE**  
**(Under Police Disciplinary Rules, 1975)**

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Am a F

1. I, Senior Superintendent of Police, Operations, Peshawar as competent authority, under the Police disciplinary Rules 1975, do hereby serve you **Inspector Misal Khan** No. P/54 as follows:-
2. (i) That consequent upon the completion of enquiry committee conducted against you by SP Rural Peshawar, who found you guilty of the charges for which you were given the opportunity of personal hearing.  
(ii) Ongoing through the findings and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the said officers; I am satisfied that you have committed the follow misconducts:  
You have been **found guilty** of the charges already communicated to you vide this office bearing No. 189/PA dated 30.07.2022.
3. As a result thereof I, as Competent Authority decided to impose upon you major/minor penalty including dismissal from service under the said Rules.
4. You are, therefore, require to Show Cause as to why the aforesaid penalty should not be imposed upon you.
5. If no reply to this notice is received within 7-days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.
6. You are at liberty to be heard in person, if so wished.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBAS)PSP  
Senior Superintendent of Police  
(Operations) Peshawar

7/11/22

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بجوالہ فائل شوکار نوٹس دفتر جناب ایس ایس پی آپریشنز صاحب نمبری PA/289 مورخہ 02.11.2022 معروض  
خدمت ہوں۔ سائل محکمہ پولیس میں بطور کنسٹیبل سال 1989 میں بھرتی ہو کر اپنی ڈیوٹی نہایت ایمانداری سے سرانجام دے رہا  
ہے سائل نے اپنی قابلیت سے لوئر کورس، انٹرمیڈیٹ کورس اور اپر کورس PTC ہنگو سے پاس کئے۔

جہاں تک مقدمہ 583 مورخہ 26.06.2022 جرم ATA-7/109/302/364 تھانہ شاہ پور میں نامزد ملزمان  
رمضان وغیرہ سے رابطے کا تعلق ہے تو جناب تقریباً 2 سال پہلے میرے بیٹے عاصم اقبال نے فریقین غنی الرحمان اور فہیم وغیرہ سے  
ایک عدد پلاٹ 50 مرلہ اپنے گھر کے سامنے خریدہ تھا جس کا انتقال اور کچھ پیسے بقایا تھے۔ ایک سال بعد فریقین کے مابین آپس میں  
گھریلو ناچاقی کی وجہ سے جھگڑا ہو گیا اور پلاٹ کا انتقال ادھورہ رہ گیا۔

تو ہم لوگوں نے فریقین کو کہا یا تو ہمارے پیسے واپس کر دو یا انتقال کا مسئلہ حل کر دو۔ تو ان دونوں فریقین نے میرے عدم  
موجودگی میں یہ مسئلہ رمضان علی کے حجرے میں اُن لوگوں کے پاس لے گیا۔ تو رمضان علی نے پلاٹ میں سے 10 مرلے اپنے لئے  
کال دیے کہ یہ میرے ہوئے۔ تو میں نے اُن لوگوں کا یہ فیصلہ نہیں مانا کہ یہ کونسا فیصلہ ہے کہ اس میں سے آپ نے اپنے لئے  
10 مرلے کا فیصلہ کیا۔ جناب ابھی تک وہ فیصلہ بھی رہ چکا ہے۔

وقوع کے روز اسی دن جرگہ مشران گوہان اور فریقین یہ فیصلہ کرنے والا تھا کہ میں نے رمضان علی کو موبائل پر کال کر  
کے کہا کہ جرگہ مشران اور گوہان وغیرہ آپ کے حجرے میں آ رہے ہیں تو رمضان علی نے جواب کہا کہ میں ابھی فارغ نہیں ہو اور  
بعد میں جرگہ کریں گے۔

جناب میں اللہ کی قسم کھاتا ہوں کہ مجھے اور میرے فریقین میں کسی کو بھی وقوع کا علم نہیں تھا اور من سائل نے صرف اور  
صرف اپنی پلاٹ زمین کی خاطر رابطہ کیا تھا۔

لہذا آپ صاحبان سے التجاء کی جاتی ہے کہ سائل کا فائل شوکار نوٹس بغیر کسی کارروائی داخل دفتر کرنے کا حکم صادر فرمائی  
جاوے۔

نوٹ: (پلاٹ کا سٹاپ پیپر زمرہ لف ہیں)

Removal  
Service

انسپکٹر مشل خان نمبر P/34 متعینہ PBI/HQrs پشاور

0311-5454223



24  
Ame "H"  
OFFICE OF THE  
SR: SUPERINTENDENT OF POLICE,  
(OPERATIONS) PESHAWAR  
Phone. 091-9210508

ORDER

This office order will dispose-off the departmental proceedings against Inspector Misal Khan No. P/34 while posted at CCP Peshawar was placed under suspension and proceeded against departmentally on the allegations/charges that he has been indulged in illegal activities and misconduct as he has maintained links with notorious criminals as well as proclaimed offenders (POs) of case vide FIR No. 583 dated 03.06.2022 u/s 365/302/109/7-ATA PS Shahpur and he has leaked secret information in arrest of POs in above mentioned FIR and allied with criminals.

2. Under Police Rules 1975 (amended 2014) proper charge sheet alongwith summary of allegations was issued against him and SP Rural was appointed as Enquiry Officer who submitted his findings wherein he concluded that statement of Inspector Misal Khan No. P/34, cross questioning, intelligence sources and other available materials the "all allegations against him are proved.

3. On receipt of the findings, Final Show Cause Notice was issued to him vide No. 2891/PA dated 02.11.2022 to which he replied while providing him ample opportunity of self-defence in orderly room on 15.11.2022. He however, failed to advance any plausible explanation in rebuttal of the charges. Thus, the allegations against him stand proved. The undersigned being competent under (Efficiency & Disciplinary) Rules, 1975, have decided to impose major penalty of removal from service on the accused official. It is, therefore, removed from service with immediate effect.

Order announced.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBAS)PSP  
Senior Superintendent of Police  
(Operations) Peshawar

No. 3010-13 PA dated Peshawar, the 16/11/2022.

Copy for information and necessary action to:-

1. The Capital City Police Officer, Peshawar.
2. EC-I, EC-II, AS PO.
3. FMC along with complete enquiry file for record ( 24 ).

"I Am a" - 25

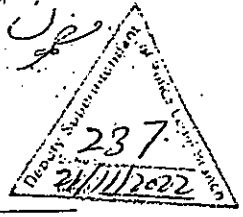
18/11/2022  
1008  
سہ ماہی

مصور جہا کہیں سٹی پولیس افسر صاحب

میں۔ حکیمانہ اسٹیل برغلاف آرڈر مہری 30/10-13/PA

مورخہ 16/11/2022 جنکی بنا پر جہا۔ SSP صاحب افسر فنی FMC

سائل کو ملازمت سے برخواست کیا گیا ہے۔ - (S) (M)



جہا عالی سائل صاحب عرض رسالہ ہے۔

(1) یہ کہ سائل نے جملہ پولیس میں تقریباً 30 سال ملازمت انجام دیکر اچھی کارکردگی اور منہیت نامی کی بنا پر بطورہ اسٹیل برغلاف پر اجازت ہے۔

(2) سائل دوران سروس میں بہت اہم خدمات کو پیش لگی حساب سے تمام حالت میں بطور SMO اور 50 تقیبات پر مگر مصیبت کارکردگی انجام دیکر افسران بالا کے اعتماد کو برقرار رکھا ہے۔

(3) دوران سروس ہر قسم کے شہر سباز اور جہا کے خلاف سخت قانونی کارروائی کرنے ان کے خلاف گھبراہٹ کر کنویرڈ کرتے پہچایا ہے۔

(4) یہ کہ سائل کے خلاف بنیاد الزامات پر سٹی انوائٹری شہر کے حسین سائل نے خلاف الزام لگایا ہے۔ کے میں قدامت عد 583 مورخہ 03/06/2022 365-302 109-7-ATA

(5) یہ کہ میں سائل نے قبل ازیں دوران انوائٹری مفصل بیانات دیکر الزامات فریو کو مطلقاً ثابت کر دیا ہے مگر کوئی شہوائی نہ ہو کر سائل کو بحال آرڈر عنوان ملا ملازمت سے برخواست کیا ہے۔

(6) یہ کہ دوران انوائٹری سائل کو جرح کرنے یا کراس سوالات کرنے کا موقع نہیں دیا گیا ہے۔

DSP/L for comments PL

JPA cop

Cont. Next Page

۱۷۔ یہ کہ سائل نے مثبت حقائق دیکر بیان کیا ہے۔ سائل دیکھ خود میں ملوث کا تنازعہ بہرا ہو کر جو کہ ملزمان کو ملوث و مقدم کے طور میں لگے ہو کر جو کہ بعض تصدیق اور طوالت کے طور پر جس کے سلسلہ میں مسلسل ان افراد کے ساتھ "Contact" ہوتا رہا ہے۔

۱۸۔ یہ کہ سائل کا ریکارڈ موجود ہے "Voice Recording" نکال کر سیم جیل ہاؤسنگ کے جس کو موصول کیا گیا ہے۔

۱۹۔ یہ کہ سائل کے خاندان کے افراد کا پولیس میں قریبی اور شہداء کا متعلقہ جن میں بہرا چھوٹا بھائی بھی پولیس تقاضے میں شہداء ہو چکا ہے۔ جبکہ سائل نے فی کسی قسم کی قریبی سے درپیش نہیں کیا ہے۔ جو ریکارڈ موجود ہے جس کا تعلق دوران زندگی بیان کرونگا۔

۲۰۔ یہ کہ بہرا درخواستگی سے سائل کی نیک نامی اور اچھی شہرت کی طرف متاثر ہوئی ہے۔ جبکہ موجود سمونٹ مہنگائی کے دور میں تنگدستی اور مصائب کی بد حالی کا شکار بھی ہوا ہے۔ کیونکہ سائل نے ساری زندگی پولیس ملازمت میں لگا کر منگلیہ الہی میں داخل ہوا ہے۔

اس لئے درخواست ہے کہ درج بالا حقیقت کو پیش نظر رکھ کر سائل کو "Back benefit" کے ساتھ ملازمت پر دوبارہ بحال فرما کر مشکور فرمائیں۔ لہذا بہرا گورنمنٹ کو لکھا

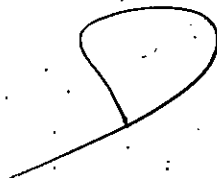
دفعہ

دعا گوا مشر خان

سابقہ انسپکٹر C.C.P. شماره

P/54

Contact no. 0311-5454923





21, House J

**OFFICE OF THE  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR**

**ORDER.**

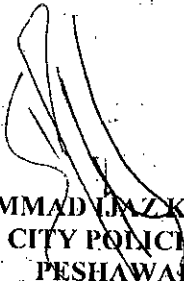
This order will dispose of the departmental appeal preferred by **Ex-Inspector Missal Khan No. P/54**, who was awarded the major punishment of "**Dismissal from service**" under KP PR-1975 by SSP/Operations Peshawar vide order No. 3010-13/PA, dated 16.11.2022.

2- Short facts leading to the instant appeal are that the delinquent Inspector while posted at PBI HQr: Peshawar was proceeded against departmentally on the following charges:-

- i. That that he has been indulged in illegal activities and misconduct as he has maintained links with notorious criminals as well as proclaimed offenders (POs) of case vide FIR No. 583, dated 03.06.2022 u/s 365/302/109/7-ATA-PS Shahpur.
- ii. That he has leaked secret information in arrest of POs in above mentioned FIR and allied with criminals.
- iii. He has tarnished the image of police department in the eyes of general public.

3- He was issued proper Charge Sheet and Summary of Allegations by SSP/Operations Peshawar. The SP/Rural Peshawar was appointed as inquiry officer to scrutinize the conduct of the accused official. The inquiry officer after conducting proper inquiry submitted his findings in which he was found guilty of the charges levelled against him. The competent authority in light of the findings of the enquiry officer issued him Final Show Cause Notice to which he replied, but the same was found unsatisfactory, hence awarded the above major punishment.

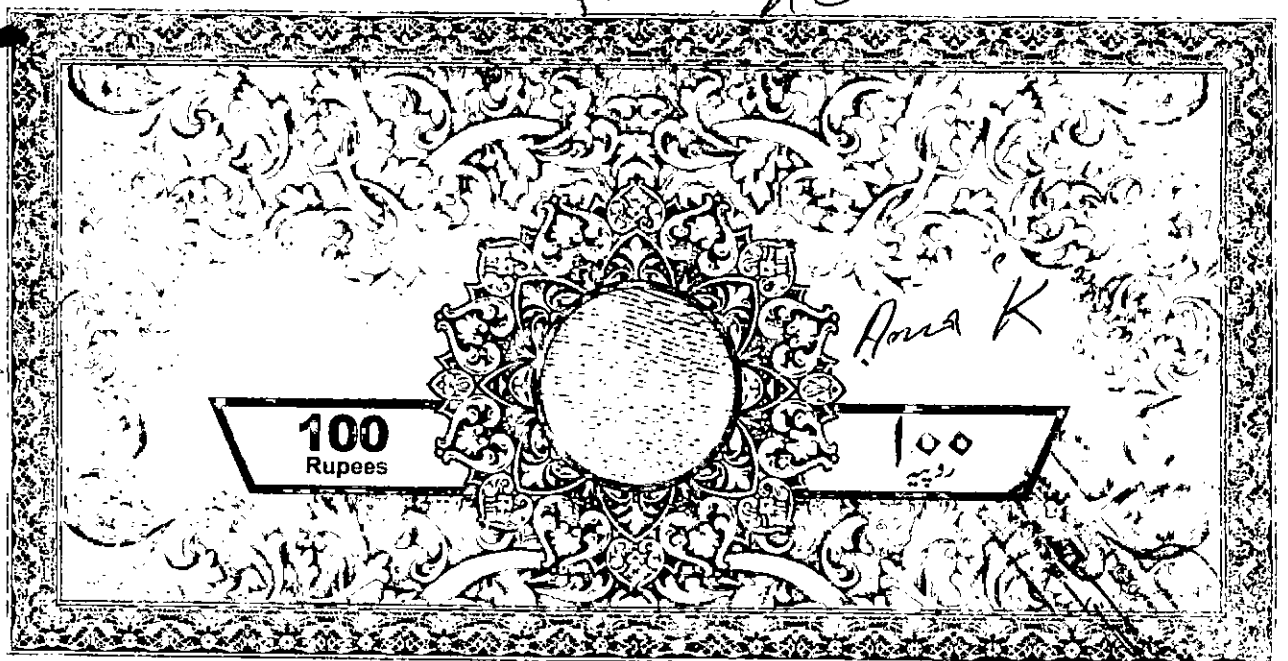
4- He was heard in person in O.R and the relevant record along with his explanation perused. During personal hearing the appellant failed to submit any plausible explanation in his defence. He was given ample opportunity to prove his innocence but he could not defend himself. Therefore, his appeal for setting aside the punishment awarded to him by SSP/Operations Peshawar is hereby **rejected/filed**.

  
(MUHAMMAD IMAZ KHAN) PSP  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR

No. 864-70/PA dated Peshawar the 27 / 02 / 2023

Copies for information and necessary action to the:-

1. SSP/Operations Peshawar.
  2. SP/Rural Peshawar.
  3. AD/IT CCP Peshawar.
  4. EC-II & Pay Officer
  5. FMC along with Fouji Missal.
  6. Official Concerned.
- J



ای صحت دہانہ وفادہ سبب لائے اس میں۔

محمد علی محمد خان۔ عبدالرحمان خان۔ انوار اللہ گیسو خان۔ محمد یوسف صاحب خان۔ دینور خان  
 محمد تقی۔ دینور خان۔ انوار اللہ گیسو خان۔ محمد یوسف صاحب خان۔ دینور خان۔ محمد تقی۔  
 دینور خان۔ انوار اللہ گیسو خان۔ محمد یوسف صاحب خان۔ دینور خان۔ محمد تقی۔  
 محمد علی محمد خان۔ عبدالرحمان خان۔ انوار اللہ گیسو خان۔ محمد یوسف صاحب خان۔ دینور خان۔  
 محمد تقی۔ دینور خان۔ انوار اللہ گیسو خان۔ محمد یوسف صاحب خان۔ دینور خان۔ محمد تقی۔  
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محمد علی محمد خان۔ عبدالرحمان خان۔ انوار اللہ گیسو خان۔ محمد یوسف صاحب خان۔ دینور خان۔ محمد تقی۔

محمد علی محمد خان۔ عبدالرحمان خان۔ انوار اللہ گیسو خان۔ محمد یوسف صاحب خان۔ دینور خان۔ محمد تقی۔

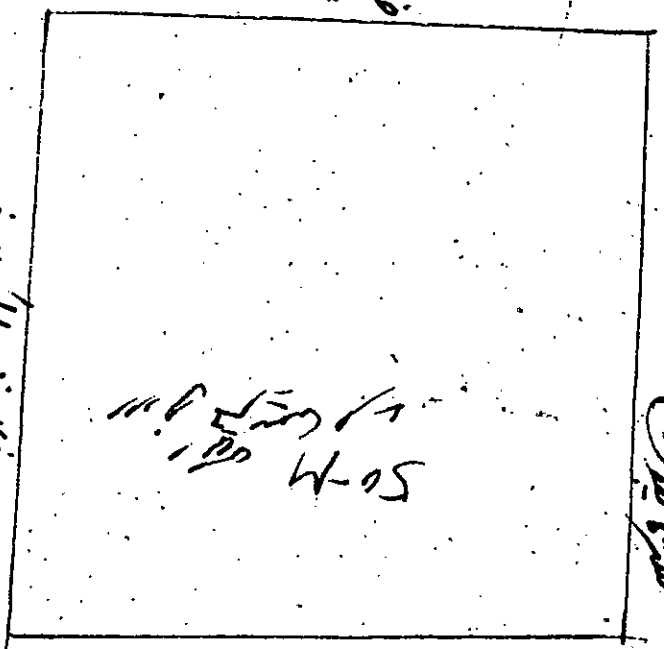
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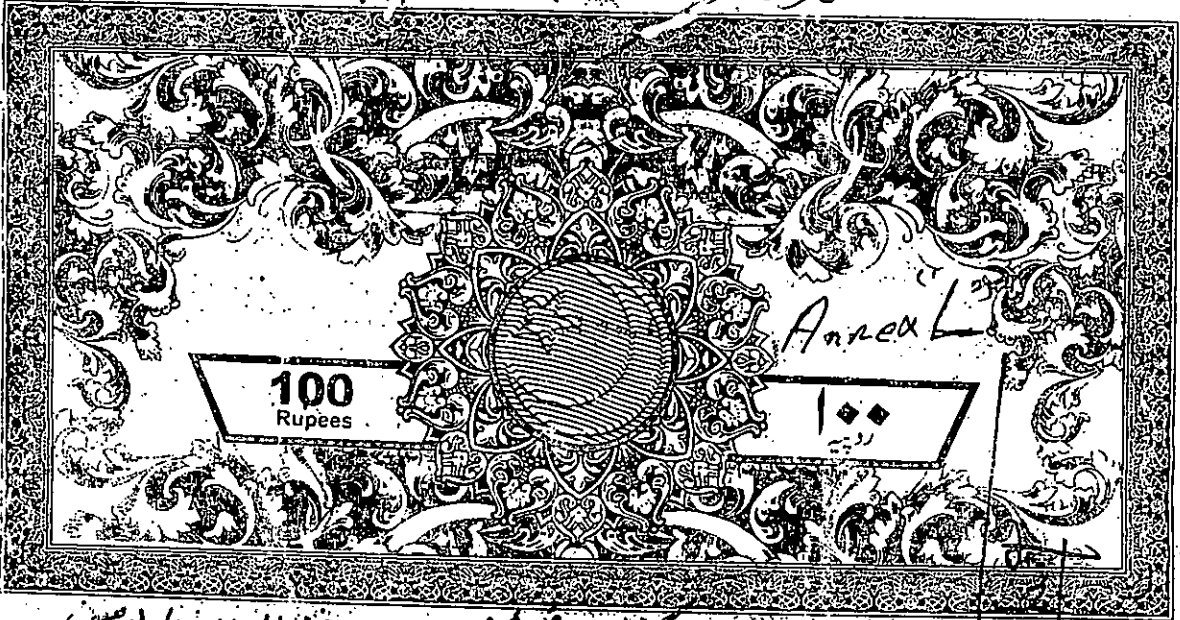


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تحت التربة





مایہ فیض خانہ یا انعام اللہ علیہ دلہان پیران محمد یوسف سنان و گور  
 نیاورد زبیر علی صاحب ۱۰۰ روپے سے ان کے مطابق سنان کا مذکور  
 زبیر علی صاحب اور ان کے بعد ۱۷-۱۸ سال ہجرت واقع صف اولیٰ زبیر  
 و گلوزہ نیاورد سے جو کہ زبیر اول کا داد اور زبیر دوم و دلہان  
 صاحبہ محمد ظفر صاحب سے تھا اور ان کے بعد صف اولیٰ محمد ظفر صاحب  
 سے کیا گیا تھا اور صف اولیٰ کی صف اولیٰ ۱۵-۱۶ سال ہجرت  
 سے صاحب محمد ظفر صاحب سے ۱۷-۱۸ سال سے اپنے بڑے بیٹے محمد یوسف  
 جو کہ زبیر اول کا والد ہے کو ۱۵-۱۶ سال اراضی دے گیا ہے صاحب  
 ۱۷-۱۸ سال سے محمد یوسف کو دے گیا ہے۔ سنان اور صف اولیٰ  
 اور صف اولیٰ جو کہ زبیر علی سے ہیں کو محمد ظفر صاحب نے داد سنان  
 سے دے گیا ہے۔ اب سنان اراضی سے صف اولیٰ اور صف اولیٰ سے  
 صف اولیٰ کے بعد صف اولیٰ کو ۱۲-۱۳ سال سے دیا گیا ہے جو کہ صف اولیٰ  
 ۱-۹۰۰۰۶-۱۶۷۱ اس سنان کے مال کا نام ہے۔ ان اراضی یا لہجہ زبیر اولیٰ کے  
 دنیہ کے بعد صف اولیٰ سے لے کر صف اولیٰ کے مطابق صف اولیٰ سے  
 مایہ خانہ نوزاد شاد و بی بی سے لے کر صف اولیٰ کے مطابق صف اولیٰ سے  
 صف اولیٰ سے لے کر صف اولیٰ سے صف اولیٰ سے صف اولیٰ سے صف اولیٰ سے  
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ZULFIQAR KHAN  
 M.A. M.Ed.  
 Deed Writer  
 Galazak Road, Peshawar  
 Regd No. 3314  
 Dated 09/25/18  
 ۵۵  
 ۰۳۰۰-۵۳۶۸۱۵

محمد یوسف سنان اور صف اولیٰ  
 صف اولیٰ  
 ۱۷۳۵۱-۵۸۵۳۸۶+  
 ۱۷۳۵۱-۹۶۶۳۶۲۹-۳

مستردان کا نام لکھ کر مندرجہ ذیل  
مستردان

مستردان کا نام لکھ کر

پروانہ نمبر 1-557755-2012  
مستردان کا نام لکھ کر

مستردان کا نام لکھ کر  
1-441226-1301

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TREASURY PESHAWAR  
ADONS JAVED  
STAMP VENDOR  
L:1050 DC/PTW. Date 22-5-17

مستردان کا نام لکھ کر

مستردان کا نام لکھ کر  
مستردان کا نام لکھ کر

2012-04-09

WAKALAT NAMA

IN THE COURT OF KPK Service Tribunal Peshawar

Misal Khan

Appellant(s)/Petitioner(s)

VERSUS

the PPO and others

Respondent(s)

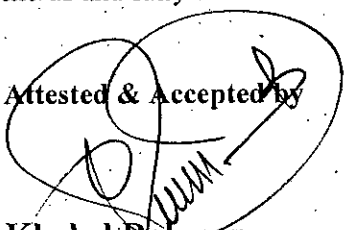
I/We Appellant do hereby appoint **Mr. Khaled Rehman**, Advocate, Supreme Court, **Mr. Muhammad Amin Ayub & Muhammad Ghazanfar Ali**, Advocates in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

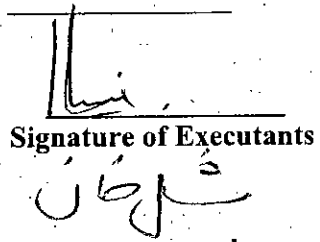
AND hereby agree:-


- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.


In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this \_\_\_\_\_

Attested & Accepted by  


**Khaled Rahman,**  
Advocate,  
Supreme Court of Pakistan

  
Signature of Executants

&  
  
**Muhammad Amin Ayub**  
Advocate, High Court

&  
  
**Muhammad Ghazanfar Ali**  
Advocate, High Court

4-B, Haroon Mansion  
Khyber Bazar, Peshawar  
Off: Tel: 091-2592458