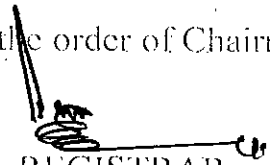


FORM OF ORDER SHEET

Court of _____

Case No.- 904 /2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/05/2023	<p>The appeal of Mr. Imran Khan resubmitted today by Mr. Abid Ayub Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

The appeal of Mr. Imran Khan son of Momin han r/o Lateef Abad Peshawar received today i.e. on 19.04.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Annexures- B & C of the appeal are illegible which may be replaced placed by legible/better one.
- 3- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1244 /S.T,


Dt. 20-04 /2023.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Abid Ayub Adv.
High Court Peshawar.

note!

Resubmission after necessary completion.


2/5/2023

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

Service Appeal# 904 of 2023

Imran Khan

...VS...

Govt of Khyber Pakhtunkhwa etc

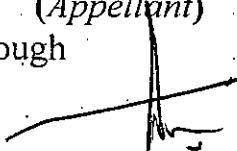
INDEX


S#	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE #
1.	Grounds of Appeal		1-7
2.	Affidavit		8
3.	Address of the parties		9
4.	Copy of enlistment order dated 11/09/2013	A	10
3.	Copy of regularization order dated 20/05/2020	B	11
4.	Copy of Dismissal order dated 02/11/2022	C	12
5.	Copies of bail order in different FIR's	D, E & F	13-32
6.	Copies of Departmental Appeal and order dated 27/03/2023	G & H	33-35
7.	Copy of order dated 08/12/2022		36
8.	Wakalat Nama		37

Dated: - 18th April, 2023


Imran Khan
(Appellant)

Through


Abid Ayub
Advocate, High Court,
Peshawar


Saad Ul Mabood Khattak
Advocate, High Court,
Peshawar

Office add: 1st Floor, Zaib Plaza, Tehkal Payan, University Road,
Peshawar Mob: 0300-8590910 gmail: saadulmabood@gmail.com

①

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

Service Appeal# 904 of 2023

Imran Khan s/o Momin Khan r/o Lateef Abad, District
Peshawar.
(Constable, Police Department, KPK, No. 6944)

Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa *through* Inspector General of Police.
2. Capital City Police Officer, Peshawar.
3. Senior Superintendent of Police (Operations), Peshawar.
4. Account Officer; Police Department, Peshawar.

Respondents

APPEAL under section 4 of the Khyber Pakhtunkhwa Services Tribunal Act-1974 against order dated 02/11/2022 issued by the respondents whereby the appellant has been wrongly dismissed from service.

Prayer:

To set-aside the impugned order dated 02/11/2022 & order 27/03/2023 and to reinstate the appellant with all back benefits and also absent period from 21/06/2022 to 29/08/2022 be granted in favour of appellant.

Any other consequential relief/ remedy which this Honorable Tribunal may deem fit and proper under the circumstance of the instant appeal may also be awarded in favour of the appellant.

Facts of the Case

1. That the appellant was initially appointed as Special Police Officer dated 11/09/2013 on a fixed pay of rupees 10,000/- per month and the appellant had accordingly joined duty. *(Copy of enlistment order is Annexure-A)*
2. That since joining his service the appellant worked for the department continuously and meanwhile the appellant joined different sort of courses whereby appreciation certificate were handed over to the appellant.
3. That till 2020 continuously remained in department and from nowhere any compliant was received to the respondents against the appellant.
4. That in year 2020, the SPO were regularized through regularization of Service Act, 2019 and the present appellant was placed in serial no. 15 in regularization in BPS-07 by the competent authority. *(Copy of regularization order dated 20/05/2020 is Annexure-B)*
5. That the appellant since his appointment worked hard and also played vital role in maintaining law and order situation specially in Peshawar and the appellant while performing his

duty was appreciated by his high ups for the duty diligently performed by the appellant and from nowhere any sort of complaint was received to the high ups against the appellant.

- 6. That astonishing the appellant was surprised to hear regarding the FIR's three in number of one police station Khazana though the appellant was later on implicated in the false cases by the prosecution with mala fide intention and on the basis of those FIR's, the appellant was dismissed from service.

(Copy of Dismissal order dated 02/11/2022 is Annexure-C)

- 7. That the appellant being innocent moved bail application before the competent forum wherein the appellant was granted bail in all the fake cases. *(Copies of bail order in different FIR's are Annexure-D, E & F)*

- 8. That when the appellant came to know regarding his dismissal from service, filed an departmental appeal before competent Forum on 06/02/2023 but that too was dismissed on 27/03/2023. *(Copies of Departmental Appeal and order dated 27/03/2023 are Annexure-G, H)*

- 9. That the impugned dismissal order dated 02/11/2023 & order dated 27/03/2023 are illegal, unlawful based on malafide, therefore, is liable to be set aside on the following grounds:

GROUNDS:

- A. That the impugned order dated 02/11/2022 & order 27/03/2023 is against the law, facts norms of natural justice

and material on record, hence not tenable in the eye of law, therefore liable to be set aside.

- B. That the appellant has not been treated in accordance with law and rules and as such the respondents have violated Article 4 & 25 of the Constitution of Islamic of Pakistan, 1973, hence is liable to be set aside.
- C. That the impugned order has been passed in utter violation of rules, because the appellant has not been informed about the constitution of any Inquiry Officer/ Inquiry Committee and no proper proceeding of inquiry as provided under the rules has been conducted.
- D. That the impugned order of the respondents is cursory in nature and warrants interference of this Honorable Tribunal.
- E. That the show cause notice or charge sheet has not been communicated by the respondents personally to the appellant and the whole proceedings were finalized Ex-parte without conducting any inquiry, therefore, the impugned dismissal order on this sole point is liable to be set aside.
- F. That before passing of the impugned order dated 02/11/2022 & order 27/03/2023, the respondent has failed to issue show cause notice/ statement of allegation and even no final show cause notice has been issued to the appellant.
- G. That the reason for the removal from service has not been conveyed to the appellant in black & white which is against the norms of justice nor any opportunity of personal hearing

provided to the appellant hence, orders of the respondents are not maintainable.

- H. That the alleged allegation leveled against the appellant has not been proved but the respondents on flimsy grounds dismissed the appellant from service, furthermore, the appellant also provided attested copies of bail orders but that aspect is totally ignored by the respondents and passed the impugned orders.
- I. That the appellant being a regular government servant cannot be dismissed from service in such a harsh manner.
- J. That the order dated 02/11/2022 & order 27/03/2023 is against the Section 24-A of the General Clauses Act and against the spirit of the various judgments of the apex Supreme Court of Pakistan in which it is held that the authority must give reasons while passing orders adversely affected any official. Therefore, the impugned order is liable to be set aside.
- K. That the appellant was condemned unheard and while passing the impugned order dated 02/11/2022 no chance of personal hearing was provided to the appellant nor any notice was served on the appellant in this respect. Moreover, the impugned order though has been passed by the respondents in routine, however, the same is amounted to be an order of reversion for which the codal formalities have also not been fulfilled by him.

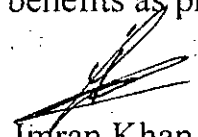
- L. That the order dated 08/04/2014 is against the norm of justice and based on malafide because the appellant remained employee for the long period without any complaint against him.
- M. That without any complaint, the order dated 02/11/2022 was passed against the appellant while passing the impugned order dated 02/11/2022 neither any legal procedure was adopted nor any explanation was called from the appellant, which is above the law and seems to be a result of personal grudges with the appellant.
- N. That the impugned order 02/11/2022 & order 27/03/2023 is totally illegal, without jurisdiction, against the settled rules and appellant having provided with no proper opportunity of being heard has been condemned unheard and hence the impugned order is also against the natural justice and equity, therefore, calls for interference by this Honorable Tribunal.
- O. That at any rate, the order dated 02/11/2022 & order 27/03/2023 is not tenable in the eye of law, hence, the appellant seek extra ordinary jurisdiction of this Honorable Tribunal.

PRAYER

Keeping in view the above submissions, facts and circumstances of the case, it is most humbly prayed that the impugned dismissal order dated 02/11/2022 & order 27/03/2023 being unlawful, illegal based on malafide, and un

justice, may graciously be set-aside and the appellant be reinstated in service with all back benefits as prayed for.

Dated:- 18th April, 2023

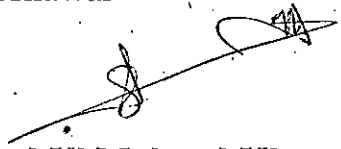


Imran Khan
(Appellant)

Through



Abid Ayub
Advocate, High Court,
Peshawar



Saad Ul Mabood Khattak
Advocate, High Court,
Peshawar

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

Service Appeal# _____ of 2023

Imran Khan

...VS...

Govt of Khyber Pakhtunkhwa *etc*

AFFIDAVIT

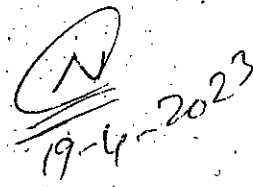
I, Imran Khan son of Momin Khan (Appellant), do hereby solemnly affirm and declare on Oath that the contents of appeal are true and correct to the best of my knowledge & belief and nothing has been kept secret from this Hon'ble Court.

Dated: 18th April, 2023



DEPONENT

17301-4714866-7


19-4-2023

9

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

Service Appeal# _____ of 2023

Imran Khan

...VS...

Govt of Khyber Pakhtunkhwa etc

ADDRESSES OF THE PARTIES

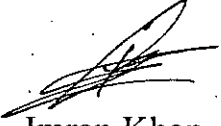
Address Of The Appellant

Imran Khan s/o Momin Khan r/o Lateef Abad, District
Peshawar.

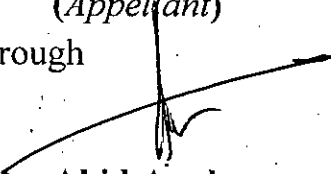
Addresses Of The Respondents

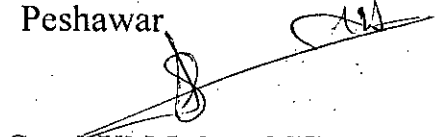
1. Government of Khyber Pakhtunkhwa *through* Inspector
General of Police, Peshawar.
2. Capital City Police Officer, Peshawar.
3. Senior Superintendent of Police (Operations), Peshawar.
4. Account Officer, Police Department, Peshawar.

Dated: - 18th April, 2023


Imran Khan
(Appellant)

Through


Abid Ayub
Advocate, High Court,
Peshawar


Saad Ul Mabood Khattak
Advocate, High Court,
Peshawar

9

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

Service Appeal# _____ of 2023

Imran Khan

...VS...

Govt of Khyber Pakhtunkhwa etc

ADDRESSES OF THE PARTIES

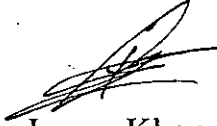
Address Of The Appellant

Imran Khan s/o Momin Khan r/o Lateef Abad, District
Peshawar.

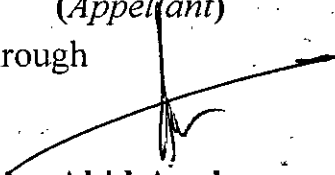
Addresses Of The Respondents

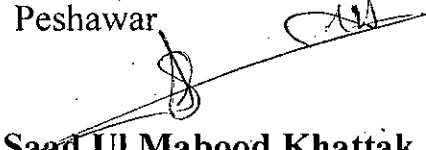
1. Government of Khyber Pakhtunkhwa *through* Inspector
General of Police, Peshawar..
2. Capital City Police Officer, Peshawar.
3. Senior Superintendent of Police (Operations), Peshawar.
4. Account Officer, Police Department, Peshawar.

Dated: - 18th April, 2023


Imran Khan
(Appellant)

Through


Abid Ayub
Advocate, High Court,
Peshawar


Saad Ul Mabood Khattak
Advocate, High Court,
Peshawar

10

Appendix "A"

1056

ENLISTMENT ORDER

In the light of Govt: of NWFP Home & TAS Department Peshawar order No.SO (P-II)HD/5-8/KC-09 dated 12.02.2010 & Finance Department letter No.7/1/BO-III/FD/2009-2010 dated 04.02.2010, Mr. Imran Khan s/o Momin Khan r/o Latif Abad PS Faqirabad, is hereby appointed in Special Police Officer, on fixed pay of Rs.10000/-Per month for subject to the medical fitness and local verification. The post shall automatically stand abolished on expiry of the said post. His Service can be terminated any time without assigning any reason.

[Signature]

**SUPERINTENDENT OF POLICE,
HQRS: PESHAWAR.**

DB NO. 3162

DATED. 11-9-2013.

NO. 1790 / OSI, dated Peshawar the 13/16 2013.

Copy to the:-

1. Superintendent of Police, City Peshawar.
2. DSP/Faqirabad/SHO Faqirabad.
2. Pay Officer
3. CRC/FMC
4. Incharge Clothing Godown.

ATTESTED

[Signature]

(11)

Annexure "B"



OFFICE OF THE CAPITAL CITY POLICE OFFICER,
PESHAWAR.

ORDER

No SO Budget 113 15-20-2016 Vol-II In Pursuance of the provisions contained in Section 3 read with Section 5 of the Khyber Pakhtunkhwa Special Police Officer (Regularization of Services) Act, 2019 (Khyber Pakhtunkhwa Act No XXVII of 2019) and on the recommendation of Provincial Police Officer, Khyber Pakhtunkhwa and approval of the Provincial Cabinet, the Home and Tribal Affairs Department is pleased to notify herewith regularization of the following Special Police Officers (SPOs) working in CCP, Peshawar under DFR Caste PR4903-Peshawar City Police as Constables (HPS-07) with effect from 01/07/2020

Therefore, in the light of above notification the following Special Police Officers are hereby allotted as Regular Constable (HPS-07) in Capital City Police, Peshawar. They are allotted Constabulary numbers noted against their names

S.NO	Name & SPO Belt No.	Father Name	Allotted No.
1	USMAN GHANI 912	FAZAL RAHI	
2	KHAN ZIB 913	ANWAR KHAN	
3	MUHAMMAD TARIQ 914	AWAL GUL	
4	AMJID SOHAIL 915	JEHANZAB	
5	MISBAH ULLAH 916	LATIF ULLAH	
6	FAZAL WAJID 917	DILHAR KHAN	
7	MUHAMMAD BILAL 918	MUHAMMAD LATIF	
8	JALAL KHAN 919	WARIS KHAN	
9	SOHRAB KHAN 920	ABDUL WAHAB	
10	ASGHAR 921	S. MA KHAN	
11	MUHAMMAD ZUHIR 922	MUHAMMAD ANWAR	
12	FEROZ SHAH 923	FAROOQ SHAH	
13	SAMI ULLAH 924	SAMIN KHAN	
14	GHUFTAN MUHAMMAD 925	FASHI ULLAH	
15	IMRAN KHAN 926	MOHIN KHAN	6999
16	MUHAMMAD AHMAD JAN 927	FAIZ ULLAH	
17	ARSHAD KHAN 928	FAZLE KHUDDA	
18	JANAI GUL 929	LAL MUHAMMAD	
19	SAJID ALI 930	PARVEZ KHAN	
20	SULIMAN YOUSAF 931	MUHAMMAD YOUSAF	

SIGNED:
FOR CAPITAL CITY POLICE OFFICER,
PESHAWAR.

OH No. 1186
Dated 20-07-2020

No _____ OSI, dated Peshawar the _____ 2020

Copy to all concerned.

ATTESTED
[Signature]

OFFICE OF THE CAPITAL CITY POLICE OFFICER PESHAWAR

ORDER

No. So/Budget/BD/15.29/216 Vol-11: In Pursuance of the provisions contained in Section 3 read with Section 5 of the Khyber Pakhtankhwa Special Police Officer (Regularization of Services) Act, 2019 (Khyber Pakhtankhwa Act No XXVII of 2019) and on the recommendation of Provincial Police Officer. Khyber Pakhtankhwa and approval of the Provincial cabinet, the Home and Tribal Affairs Department is placed to notify herewith regularization of the following Special Police Officers (SPOs) working in CCP. Peshawar under DDO Code PR4093-Peshawar City Police as Constables (BPS-03) with effect from 01-03-2020.

Therefore, in the light of above notification the following Special Police Officers are hereby enrobed as Regular Constable (HPS-07) in Capital City Police, Peshawar They are allotted Constabulary numbers noted against their names.

S.No	Name & SPO Belt No.	Father Name	Allotted No.
1.	USMAN GHANI 912	FAZAL RAHI	
2.	KHANZEB 913	ANWAR KHAN	
3.	MOHAMMAD TARIQ 914	AWAL GUL	
4.	AMJID SOHAIL 915	JEHANZAIB	
5.	MISBAH ULLAH 916	LATIF ULLAH	
6.	FAZAL WADOOD 917	DILBAR KHAN	
7.	MOHAMMAD BILAL 918	MOHAMMAD LATIF	
8.	JALAL KHAN 919	WARIS KHAN	
9.	SOHRAB KHAN 920	ABDUL WAHAB	
10.	ASGHAR 921	HUMA KHAN	
11.	MOHAMMAD ZUBAIR 922	MOHAMMAD ANWAR	
12.	FEROZ SHAH 923	FAROOQ SHAH	
13.	SAMI ULLAH 924	SAMIN KHAN	
14.	GHULAM MOHAMMAD 925	FASIH ULLAH	
15.	IMRAN KHAN 926	MOMIN KHAN	6944
16.	MOHAMMAD AHMAD JAN 927	FAIZULLAH	
17.	ARSHID KHAN 928	FAZL E KHUDA	
18.	JANAT GUL 929	LAL MOHAMMAD	
19.	SAJID ALI 930	PERVEZ KHAN	
20.	SULIMAN YOUSAF 931	MOHAMMAD YOUSAF	

SP/TIQRS:

FOR CAPITAL CITY POLICE OFFICER.

PESHAWAR

OB No. 1186

Dated: _____

No _____ OSI. Dated Peshawar the

2020

Copy to all concerned.

ATTESTED

(12)

Amendment "C"



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

ORDER

1. This office order will dispose of the departmental proceedings against Constable Faran 6944 while posted at CCP Peshawar was placed under suspension and proceeded against departmentally on the allegations/charges that that he involved in the following criminal cases of S's Khazana

- FIR No. 464 dt: 09.06.2022 u/s 392 PPC
- FIR No. 488 dt: 16.06.2022 u/s 394 PPC
- FIR No. 155 dt: 28.02.2022 u/s 392 PPC

2. Under Police Rules 1975 (amended 2014) proper charge sheet alongwith summary of allegation was issued against him and SP Cault was appointed as Enquiry Officer who submitted his finding wherein he concluded that the alleged official an expert in changing the mobile phone (IMIs) and sends phones to Afghanistan by changing the IMIs of the snatched mobile phones. It appears that Constable Faran is a member of an organized mobile snatcher gang and misusing his position of being a member of the police force and bring a bad name for the department. The L.O further recommended for more punishment "Dismissal from service"

3. On receipt of the findings, Final Show Cause Notice was issued to him vide No. 2590 PA dated 16.09.2022 to which he replied while providing him ample opportunity of self-defence in orderly manner on 01.11.2022. 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 dismissal from service on the accused official. He is, therefore, dismissed from service with immediate effect

Order announced.

(Sd/-) KASHIF AFTAB AHMAD ABRASDI PSP
Senior Superintendent of Police
(Operations) Peshawar

No. 2774-77 PA dated Peshawar, the 21/11/2022
Copy for information and necessary action to:-

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

ATTESTED

Attest

**ORDER OF THE SR: SUPERINTENDENT OF POLICE
(OPPRATINOS PESHAWAR (Phone, 11**

ORDER

This officer __ will __ the departmental proceeding against __ 6941 __ while posted at CCP Peshawar was under suspension and __ departmentally on the allegiances charges that __ be invided in the following crimilan case __

- FIR No. 464 dt:09.06.202 11/s 392 PPC
- FIR No.188 dt: 16.06.2022 11/s 394 PPC
- FIR No. 155 dt: 28.02.2022 11/s 392 PPC

2. Under Police Rules 1975 concerned 2014 paper charge sheet along with summary of allegations was issued against him and SP Cantt was approached as inquiry officer who submitted his inquiry wherein he purchased that the alleged official. All expert in changing the mobile phone IMEIs and __ phone of Afghanistan by changing the IMI is of the snatched mobile phones. If appears that constable Imran is a member of an original mobile snatcher gang and missing his position of being a member of the police force and bringing a bad name for the department. The I.O further recommended __ punishment "Dismissal from service".

3. On receipt of the findings. Final showcase Notice was issued to him vide No __ dated:16.09.2022 in which he replied while providing him ample opportunity of self-defense __ orderly now on 01.11.2022. he however. Failed in advance any plainer explaining in __ of the charges. __ the allegations against him stand proved. The undersigned being __ under G __ disciplinary) Rules. 1975. Have decided is impose major penalty of dismissal from service on the accused official. He is therefore. Dismissed from service with immediate effect

Order announced.

Cdr KASHIF AFTAB AHMAD ABBASI) PST

Senior Superintendent of Police

(Operation) Peshawar

No.2774-72 PA dated Peshawar. Ire 02/11/2022

Copy for information and necessary action __

1. The Capital City Police Officer. Peshawar
2. BC.H. OASI, CRC.PO.
3. FMC along with complete inquiry file for record.

ATTESTED
A. H. A.

(13) Annexure 'D'

7

BEFORE THE COURT OF HONOURABLE SESSION JUDGE,
PESHAWAR

Post-Arrest Bail Petition No _____/2022 Institution Branch 18
No. 18/2022 Peshawar

- 1. Irshad S/O Habib UR Rehman R/O Faqir katy
- 2. Imran S/o Momin R/O Latif Abad Peshawar (presently confined at Central Prison, Peshawar)

Accused/Petitioners

VERSUS

- 1. The State
- 2. Ahmad Ali Khan S/O Wisal Khan R/O Khazana Payan Peshawar

..... Respondents

CRIMINAL CASE VIDE FIR NO 464

DATED 09-06-2022 U/S 392/412 PPC

AT P.S Khazana PESHAWAR

Petition under Section 497 Cr. P.C for the grant of Post-Arrest Bail to the Accused/Petitioners till the final disposal of the case in

Stamp: 09 DEC 2022
(Examiner)
District Court Peshawar

Respectfully Sheweth: -

The Accused/Petitioners humbly submits as under:-

- 1) That on the report of Complainant/Respondent No 2 a false and baseless criminal case was registered in connivance with Local Police. (Copy of the FIR is attached herewith).

14

8

- 2) That after remaining in sufficient police custody, the Accused/Petitioners was sent to judicial lockup and presently behind the bars.
- 3) That now the Accused/Petitioners approaches this Honourable Court for the grant of post-arrest bail on the following grounds inter-alia:-

GROUND:-

- A) That the Accused/Petitioners are absolutely innocent and have falsely been implicated in the above captioned case with mala-fide intention for some ulterior motives of the Complainant/ Respondent No 2 in connivance with the Local Police.
- B) That there is no independent witnesses present in the above noted case.
- C) That the accused/petitioner are neither charged in the FIR by name or by description.
- D) That no incrementing articles have been recovered from the personal possession of the abovementioned Accused/Petitioners.
- E) That the above noted case is not only doubtful, but false and requires further inquiry; and Accused/Petitioners is entitled for grant of post arrest bail as of right under Section 497 (2) Cr. P.C.

TESTED
3/02/2022
(Examiner)
District Court Peshawar

15

9

- F) That no direct or circumstantial evidence exists which connect the Accused/Petitioners with the commission of alleged offence.
- G) That Accused/Petitioners are neither previous convict nor hardened, dangerous or desperate criminal.
- H) That there is no identification parade conducted in the instant case.
- I) That the Accused/Petitioners are peaceful and law abiding citizen and in case of bail they are eager to furnish reliable sureties to the entire satisfaction of this Honourable Court.
- J) That any other grounds will be raised at the time of arguments with the permission of this Honourable Court.

It is, therefore, respectfully prayed that on acceptance of this Petition, Accused/Petitioners may graciously be released on post-arrest bail, till the final disposal of captioned case.

Accused/Petitioners

Through:

(MALIK MUSHTAQ AHMAD)
Advocate,
High Court, Peshawar

Dated: -01-07-2022

NOTE:-

As per information given by my client, no such bail petition has earlier been filed by the Accused/Petitioners before this Honourable Court.

Advocate

ATTESTED

05 DEC 2022

(Examiner)
District Court Peshawar

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

نمبر: 464/22 تھانہ: PS. KHAZANA ضلع: Peshawar ای ٹیک نمبر: KHZ-6/09/2022-507

تاریخ و وقت وقوع: 09-06-2022 09:30 PM

1	تاریخ و وقت رپورٹ	تھانہ سے روانگی کی تاریخ و وقت	6	تعداد رپٹ نمبر (39)	09-06-2022 10:00 PM
2	نام و سکونت اطلاع دہندہ مستغیث	جرم کی نوعیت	392 تپ	جرم:	اجمل علی خان ولد وصال خان، پتہ: ایٹنا، موجودہ پتہ: خزانہ پایان، شناختی کارڈ نمبر: 9-4125359-21103 فون نمبر: 03179517800 مرتبہ مرسلہ: بیانہ خان ASI
3	مختصر کیفیت جرم (معد دفعہ) و مال اگر کچھ کو گیا ہے	بجرم:	392 تپ	بجرم:	موبائل: 4- قیمت- 40000 روپیہ: - قیمت- 31500
4	جائے وقوعہ و فاصلہ تھانہ سے اور سمت	راستہ روٹ و خزانہ نزد	BHU		
5	کارروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہو تو اس کی وجہ بیان کی جاوے	پیش کردہ تحریری درخواست پر مقدمہ قائم کیا جاتا ہے۔			

03015962490

ٹیلی فون نمبر:

HC

عہدہ:

2461

پلٹ نمبر:

SIYANA KHAN

دستخط:

(ابتدائی اطلاع نیچے درج کریں)

بوقت صدر جج مستغیث مندرجہ خانہ نمبر 2 حاضری تھانہ اگر ایک تحریری درخواست پیش کی جو بہ مضمون ذیل ہے بخدمت جناب SHO صاحب تھانہ خزانہ جناب عالی گزارش ہے کہ میں خزانہ پایان کارہائے ہوں اپنے دوستوں سمیان فرحان احمد ولد ثار احمد سکندریہ ام 2، محمد یاسین ولد خیر گل سکندریہ ٹوب ویل کورونہ کے ساتھ چار سادہ روڈ کی طرف جا رہے تھے جب بمقام خزانہ BHU پہنچے تو سامنے سے موٹر سائیکل 70cc بلا نمبر پر 3 جوان العراش خاص اسانے و مسکن نامعلوم نے بوقت 21:30 بجے ہمیں کھڑا کر کے جنہوں نے ہم پر پستولیں تان کر مجھ سے ایک عدد موبائل از قسم Huawei 9 prime جس میں زیر استعمال سم نمبرات 03179517800 اور 03209331634 اور نقد 9 ہزار روپے جبکہ فرحان احمد سے ایک عدد موبائل از قسم سامسونگ سم نمبرات 03149498681 اور 03088750314 اور موبائل از قسم سادہ نو کیا جس میں زیر استعمال نمبر نمبر 03139764305 اور مبلغ 7500 روپے نقد جبکہ محمد یاسین سے موبائل از قسم سادہ جس میں زیر استعمال سم نمبر 03135678657 اور نقد رقم 15 ہزار روپے نقد بزدور چھین کر جانب چار سادہ روڈ فرار ہوئے۔ میں اپنے ساتھیوں سے متذکرہ بالا رقم موبائل فون اسلحہ کی نوک پر بزدور چھیننے کے 3 موٹر سائیکل سواروں کے خلاف تحریری درخواست پیش کرتے ہیں۔ کارروائی کی جائے العارض نشان انگوٹھا احمد علی خان ولد وصال خانہ سکندریہ خزانہ پایان کارروائی تھانہ پیش کردہ تحریری درخواست حرف بہ حرف درج بالا ہو کر مضمون درخواست سے صورت جرم بالا کاپائی جا کر پرچہ جرم بالا چاک کیا جا کر نقول پرچہ جات بغرض تفتیش حوالہ انوسٹی گیشن سٹاف کے جاتے ہیں۔ پرچہ گزارش ہے۔

Copying Agency (R.W.)
Legal Branch
Capital City Police Peshawar
HC SIYANA KHAN

09-06-2022

17

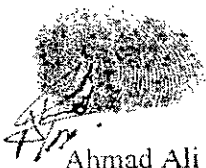
JOINT STATEMENT OF:

1. AHMAD ALI KHAN S/O WISAL KHAN (COMPLAINANT)
 2. FARHAN AHMAD S/O NISAR AHMAD (AGGRIEVED)
- BOTH R/O KHAZANA PAYAN, PESHAWAR ON OATH.

Stated that I, Ahmad Ali is complainant while Farhan Ahmad is the aggrieved person in case FIR No. 464 dated 09.06.2022 u/s 392/412 PPC registered in PS Khazana, Peshawar wherein the complainant had charged unknown accused. Later on the local police arrested the accused/petitioner Irshad and Imran and implicated them in the instant case.

We have not charge any person in the instant case and now have satisfied ourselves about the innocence of the accused/petitioners. The accused/petitioners namely Irshad and Imran are innocent and we have got no objection if this Hon'ble court release them on bail. Our statement is without any force and coercion. Our CNICs are stolen in the instant case and in this respect we have lodged a report in the concerned PS, the copy of the report is Ex.A (attested seen and returned). The copy of CNIC of identifier is Ex.B.

RO&AC
06/07/2022

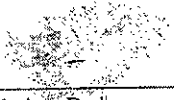


Ahmad Ali Khan
Complainant

Naveed ur Rahman
ASJ/MCTC, Peshawar

Farhan Ahmad
Aggrieved person

Identified by:



Abdur Rahman s/o Gul Said Khan
CNIC# 17101-4032110-3

ATTESTED

06 JUL 2022

(Examiner)
District Court Peshawar

Naveed ur Rahman
ASJ/MCTC, Peshawar

18

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IN THE COURT OF NAVEED UR RAHMAN
ADDITIONAL SESSIONS JUDGE-II/
MODEL CRIMINAL TRIAL COURT,
PESHAWAR.

No. 439/MC-BA of 2022
Irshad etc...vs... The State

ORDER
06/07/2022

Counsel for the Accused/petitioners present.

APP for the State present. Complainant is present in person.

Accused/petitioners Irshad S/o Habib ur Rahman and Imran s/o Momin are seeking post arrest bail in case FIR No. 464 dated 09.06.2022 u/s 394/412 PPC of Police Station Khazana, Peshawar, through which the complainant Ahmad Ali Khan charged three unknown young motorcycle riders for snatching three cell phones and a cash of Rs.15000/- from him and his two friends namely Farhan and Muhammad Yaseen near thoroughfare of BHU in a single occurrence. Today, the complainant along with one of the victims namely Farhan appeared before the Court and, while identified by one Abdur Rahman, recorded a statement of not charging the Accused/petitioners.

Arguments heard and record was perused.

Perusal of the record reveals that neither has the Complainant charged the Accused/petitioners nor has any recovery been effected from them. The Accused/Petitioners have not confessed to their guilt,

ATTESTED

05 DEC 2022

(Examiner)
District Court Peshawar

19

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while recovery has been effected at the pointation of another Accused namely Rabnawaz. Thus, recording of evidence is needed in order to establish the connection of the Accused/Petitioners with the commission of the offence.

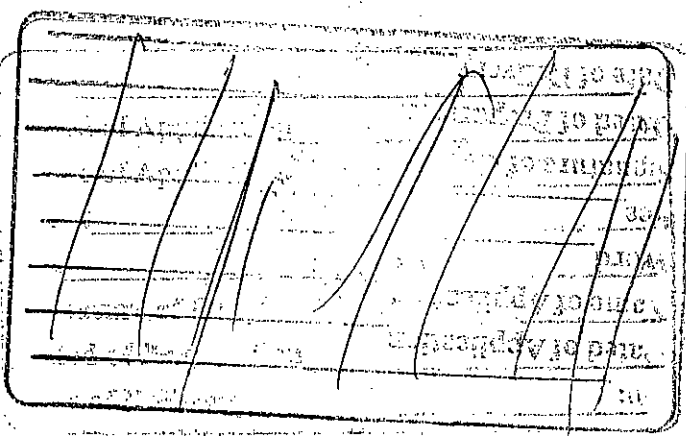
Hence, the bail petition is accepted and accused/petitioners are admitted to bail subject to furnishing bail bonds in the sum of Rs. 100,000/- (one lac) each with two local sureties each in the like amount to the satisfaction of this Court. The sureties must be local, reliable and men of means

Place a copy of this order on the record which be returned. Instant file be consigned to record room after necessary completion.

Announced
06/07/2022

Nayeed ur Rahman
Addl. Sessions Judge-II/
MCTC, Peshawar

65688
05-12-2022
P. 7
8
05-12-2022
05-12-2022

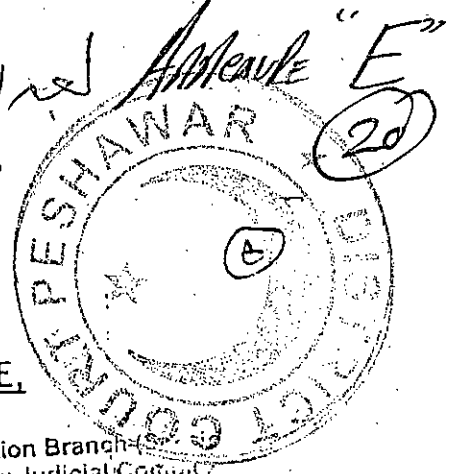


CERTIFIED TRUE COPY
(Examiner)
Copying Agency Civil
Peshawar

29/6/22

2022

392/13A



BEFORE THE COURT OF HONOURABLE SESSION JUDGE,
PESHAWAR

Institution Branch
New Judicial Complex
Peshawar

Post-Arrest Bail Petition No _____/2022

1. Irshad S/O Habib UR Rehman R/O Faqir kaly
2. Imran S/o Momin R/O Latif Abad Peshawar (presently confined at Central Prison, Peshawar)

Accused/Petitioners

VERSUS

1. The State
2. Fahad Ullah S/O Ikram Ullah R/O Ibrahim Abad Peshawar

.....Respondents

CRIMINAL CASE VIDE FIR NO 488

DATED 16-06-2022 U/S. 394/412 PPC

AT P.S Khazana PESHAWAR

Petition under Section 497 Cr. P.C for
the grant of Post-Arrest Bail to the
Accused/Petitioners till the final
disposal of the case in hand

Respectfully Sheweth: -

The Accused/Petitioners humbly submits as under:-

- 1) That on the report of Complainant/Respondent No 2 a false and baseless criminal case was registered in connivance with Local Police. (Copy of the FIR is attached herewith).

ATTESTED

05/06/2022

(Examiner)
District Court Peshawar

21

2

- 2) That after remaining in sufficient police custody, the Accused/Petitioners was sent to judicial lockup and presently behind the bars.
- 3) That now the Accused/Petitioners approaches this Honourable Court for the grant of post-arrest bail on the following grounds inter-alia:-

GROUNDS:-

- A) That the Accused/Petitioners are absolutely innocent and have falsely been implicated in the above captioned case with mala-fide intention for some ulterior motives of the Complainant/ Respondent No 2 in connivance with the Local Police.
- B) That there is no independent witnesses present in the above noted case.
- C) That the accused/petitioner are neither charged in the FIR by name or by description.
- D) That no incrementing articles have been recovered from the personal possession of the abovementioned Accused/Petitioners.
- E) That the above noted case is not only doubtful, but false and requires further inquiry; and Accused/Petitioners is entitled for grant of post arrest bail as of right under Section 497 (2) Cr. P.C.

ATTESTED

05/04/2022

(Examiner)
District Court Peshawar

22

8

- F) That no direct or circumstantial evidence exists which connect the Accused/Petitioners with the commission of alleged offence.
- G) That Accused/Petitioners are neither previous convict nor hardened, dangerous or desperate criminal.
- H) That there is no identification parade conducted in the instant case.
- I) That the Accused/Petitioners are peaceful and law abiding citizen and in case of bail they are eager to furnish reliable sureties to the entire satisfaction of this Honourable Court.
- J) That any other grounds will be raised at the time of arguments with the permission of this Honourable Court.

It is, therefore, respectfully prayed that on acceptance of this Petition, Accused/Petitioners may graciously be released on post-arrest bail, till the final disposal of captioned case.

Through:

Accused/Petitioners,



(MALIK MUSHTAQ AHMAD)
Advocate,
High Court, Peshawar

Dated: -01-07-2022

NOTE:-

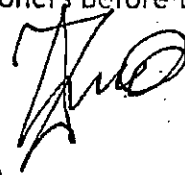
As per information given by my client, no such bail petition has earlier been filed by the Accused/Petitioners before this Honourable Court.

ATTESTED

05 DEC 2022

(Examiner)
District Court Peshawar

Advocate



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

نمبر: 488/22 تھانہ: PS. KHAZANA ضلع: Peshawar ای ٹیک نمبر: KHZ-6/16/2022-533 تاریخ و وقت وقوع: 16-06-2022 08:45 PM

1	تاریخ و وقت رپورٹ	حوالہ نمبر (24)	6	تھانہ سے رپورٹ کی تاریخ و وقت	سیریل نمبر عام
2	نام و سکونت اطلاع دہندہ مستفیض	16-06-2022 10:00PM			
3	مختصر کیفیت جرم (معدہ دفعہ) وہاں اگر کچھ کھو گیا ہے				
4	جائے وقوعہ و فاصلہ تھانہ سے اور سمت				
5	کاروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہوا ہو تو اس کی وجہ بیان کی جاوے				

03015962490

ٹیلی فون نمبر:

HC عہدہ:

2461

پلیٹ نمبر:

SIYANA KHAN

دستخط:

(ابتدائی اطلاع نیچے درج کریں)

بوقت صدر نیچے ایک تحریری مراسلہ منجانب امجد خان ASI سے بدست کانسٹیبل ولی 115 موصول ہو کر جوہر مضمون ذیل ہے۔ بخدمت جناب SHO صاحب تھانہ خزانہ حسب اطلاع اسپتال LRH آکر مجروح فہد اللہ ولد اکرام اللہ قوم مہمند سکند ابراہیم آباد درست ہوش و حواس میں یوں رپورٹ کرتا ہے کہ میں معدہ دوست ام عرفان ولد احمد خان سکند دیدہ ام بوقت وقوعہ بالا پر پیدل خانہ خود جا رہے تھے کہ اس دوران تین کسان اسمائے نامعلوم نے آکر ہم پر حملہ آور ہوئے۔ مجھ سے ایک عدد موبائل Vivo جس میں زیر استعمال نمبر 03189955522 اور میرا پرس جس میں شناختی کارڈ اور کچھ پیسے اسی طرح دوست ام عرفان سے بھی انفسکس موبائل اور پرس بزور چھین کر میرے مراحت پر ان میں سے ایک شخص نے مجھ پر پتول سے بارادہ قتل نفاذ کے نتیجے کے طور پر دائیں پاؤں کے موٹا انگوٹھا پر لگ کر زخمی ہوا ہوں۔ جبکہ عرفان بال بال بچ گیا۔ طرمان وقوعہ بالا سے فرار ہو چکے ہیں میں اپنی مجروریت اور موبائل اور پرس لے جانے کا برخلاف مذکورہ بالا تین کسان اسمائے مسکن نامعلوم دعویدار ہوں العبد نشان انگوٹھا حسب گفتہ سائل رپورٹ درج بالا ہو کر پڑھ کر سنایا سمجھایا گیا زریعاً خود درست تسلیم کر کے انگوٹھا جیت کی جسکی میں تصدیق کرتا ہوں مجروح کا نقشہ ضرور مرتب کیا گیا ہے جس پر ڈاکٹر صاحب نے Lo.Fai تحریر کر کے مضمون رپورٹ سے صورت جرم بالا کاپائی جا کر مراسلہ بدست کانسٹیبل ولی 115 ارسال تھانہ ہے۔ کسی تفتیشی آفیسر کو مامور تفتیش کیا جاوے۔ دستخط انگریزی امجد خان ASI مورخہ: 16/06/2022 آمدہ تحریری مراسلہ حرف بہ حرف درج بالا ہو کر پرچہ مجرم بالا چاک کیا جا کر نقول پرچہ جات بغرض تفتیش حوالہ وارث خان ASI انوسٹی گیشن سٹاف کئے گئے۔ پرچہ گزارش ہے۔

Copyling Agency (R.W)
Legal Branch
Capital City Police Peshawar

HC SIYANA KHAN

16-06-2022

14/4/23

24

3

IRSHAD & ANOTHER .. VS .. THE STATE

PAGE 1 OF 3

IN THE COURT OF MUHAMMAD AYAZ KHAN,
ADDITIONAL SESSIONS JUDGE-XII, PESHAWAR

IRSHAD & ANOTHER .. VS .. THE STATE

PETITION No. /BA of 2022

ORDER
04.07.2022

Instant petition requisitioned upon application, being Duty Judge. APP for the State Miss Fozia Durrani present. Petitioner through learned counsel present. Complainant in person present.

Accused/petitioners namely Irshad s/o Habib ur Rehman and Imran s/o Momin are seeking post-arrest bail in case FIR No.488, Dated 16.06.2022, U/S 394/412 PPC registered at the Police Station Khazana, Peshawar.

Arguments heard. Record tentatively perused.

At the very outset of proceedings, complainant appeared before the court and submitted that neither the accused/petitioners have been charged by him nor he want to pursue instant case against the accused/petitioners. The complainant further stated that he had got no objection if this Court release the accused/petitioners on bail. To this effect complainant also submitted Affidavit, placed on file.

Perusal of record reveals that the present accused/petitioners were not directly charged by the complainant in the captioned case. The present accused/petitioners have been charged by the statement of the co-accused. Furthermore, as none

ATTESTED

05 JUL 2022

(Examination)
District Court Peshawar

was charged in the captioned FIR therefore, process of Identification Parade was mandatory but no identification parade was conducted by the prosecution to point out whether the present accused/petitioners were the same persons or not who were charged by the complainant which is violation of the mandatory procedure laid down in the Code of Criminal Procedure and of the Qanun-E-Shahadat Order. This makes the instant case that of further inquiry within the meaning of sub section 2 of section 497 Cr.P.C. Above all, the present complainant do not charge the present accused/petitioners and have got no objection if the accused/petitioners are released on bail.

Investigation in the instant case is completed and the present accused/petitioner is no more required for the purpose of further probe and investigation and no useful purpose would be served to keep him behind the bar for an indefinite period of time.

In light of the above, instant bail petition is accepted and the petitioner is directed to be released on bail upon production of bail bonds worth Rs.100,000/- (One Lac Rupees) with two local, reliable and resourceful sureties each in the like amount to the satisfaction of this Court.

It is pertinent to mention that findings of this Court are of tentative in nature and shall have no binding effect upon trial of the accused, as a mistaken relief of bail can be cured by convicting the accused but liberty of a person cannot be curtailed if otherwise he makes his case good for release on bail.

ATTESTED

08 DEC 2022


(Examiner)
District Court Peshawar

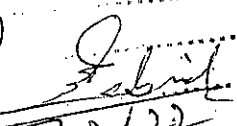
26

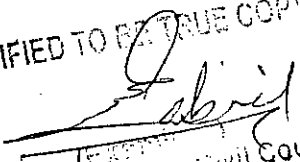
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Requisitioned record be sent back to quarter's concerned alongwith a copy of this order while file of this Court be consigned to record room after its necessary completion and compilation.

Announced in open Court:
04th Day of July, 2022

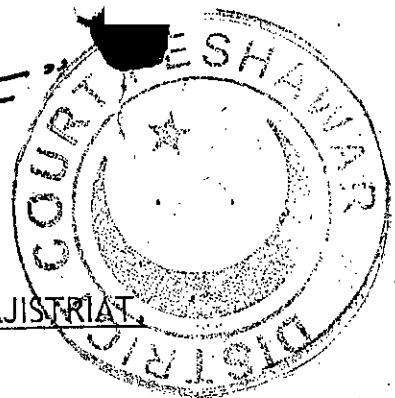

MUHAMMAD AYAZ KHAN,
ADDL: SESSIONS JUDGE-XII,
PESHAWAR

To.....	65485
Dated of Application.....	05/12/22
Name of Applicant.....	File
Word / Pages.....	
Fee.....	P-6
Signatures of Copyist.....	
Dated of Preparation.....	05/12/22
Dated of Delivery.....	05/12/22

CERTIFIED TO BE TRUE COPY

Copying Agency Civil Court
Peshawar

(27)

AMBAULI F



BEFORE THE COURT OF HONOURABLE JUDICIAL MAJISTRAT,
PESHAWAR

Post-Arrest Bail Petition No _____/2022

Institution Branch (JM/C)
New Judicial Complex
Peshawar

1/7/22

1. Irshad S/O Habib UR Rehman
2. Imran S/o Momin R/O Latif Abad Peshawar (presently confined at Central Prison, Peshawar)

Accused/Petitioners

VERSUS

1. The State
2. Sana Ullah S/O Abdullah R/O khwaja Town Peshawar

.....Respondents

CRIMINAL CASE VIDE FIR NO 155
DATED 28-02-2022 U/S 392 PPC AT
P.S Khazana PESHAWAR

Petition under Section 497 Cr. P.C for
the grant of Post-Arrest Bail to the
Accused/Petitioners till the final
disposal of the case in hand

Respectfully Sheweth:

The Accused/Petitioner humbly submits as under:-

- 1) That on the report of Complainant/Respondent No 2 a false and baseless criminal case was registered in connivance with Local Police. (Copy of the FIR is attached herewith).

ATTESTED

05 DEC 2022

(Examiner)
District Court Peshawar

28

- 2) That after remaining in sufficient police custody, the Accused/Petitioners was sent to judicial lockup and presently behind the bars.
- 3) That now the Accused/Petitioners approaches this Honourable Court for the grant of post-arrest bail on the following grounds inter-alia:-

GROUNDS:-

- A) That the Accused/Petitioners ^{is} absolutely innocent and has falsely been implicated in the above captioned case with mala-fide intention for some ulterior motives of the Complainant/ Respondent No 2 in connivance with the Local Police.
- B) That there is no independent witnesses present in the above noted case.
- C) That no incrementing articles have been recovered from the personal possession of the abovementioned Accused/Petitioners.
- D) That the accused/petitioner are neither charged in the FIR by name or by description
- E) That the above noted case is not only doubtful, but false and requires further inquiry; and Accused/Petitioners are entitled for grant of post arrest bail as of right under Section 497 (2) Cr. P.C.

ATTESTED

05 DEC 2023

(Examiner)
DISTRICT COURT PONDICHERRY

- F) That no direct or circumstantial evidence exists which connect the Accused/Petitioners with the commission of alleged offence.
- G) That Accused/Petitioners are neither previous convict nor hardened, dangerous or desperate criminal.
- H) That there is no identification parade conducted in the instant case.
- I) That the Accused/Petitioners is peaceful and law abiding citizen and in case of bail he is eager to furnish reliable sureties to the entire satisfaction of this Honourable Court.
- J) That any other grounds will be raised at the time of arguments with the permission of this Honourable Court.

It is, therefore, respectfully prayed that on acceptance of this Petition, Accused/Petitioners may graciously be released on post-arrest bail, till the final disposal of captioned case.

Through:

Accused/Petitioner

(MALIK MUSHTAQ AHMAD)
Advocate,
High Court, Peshawar

Dated: -01-07-2022

NOTE:-

As per information given by my client, no such bail petition has earlier been filed by the Accused/Petitioner before this Honourable Court.

Advocate

ATTESTED

05 DEC 2022

(Examiner)
District Court Peshawar

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

نمبر: 155/22 تھانہ: PS. KHAZANA ضلع: Peshawar ای ٹیک نمبر: KHZ-2/28/2022-169 تاریخ وقت وقوع: 21-02-2022 09:30 PM

28-02-2022 04:25 PM

پہنچنے کا وقت

6 تھانہ سے روانگی کی تاریخ و وقت

حوالہ نمبر (37)

21-02-2022 11:05 PM

1 تاریخ وقت رپورٹ

شہداء اللہ ولد عبد اللہ، پتہ: خواجہ ٹاؤن، موجودہ پتہ: خواجہ ٹاؤن، پیشہ: عدالت میں سیلف
شائقی کارڈ نمبر: 3-1299014-17301 فون نمبر: 03335228029

2 نام و سکونت اطلاع دہندہ مستفیث

3 مختصر کیفیت جرم (معدومہ) وال اگر کچھ کھو گیا ہے

جرم:

392 تپ

موبائل: 1- قیمت-15000-1 نمینکس

روپیہ:- قیمت-47000

بخشوپل چار سہ روزہ زرد کوکولا ٹیکری

4 جائے وقوعہ و فاصلہ تھانہ سے اور سمت

5 کارروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہو تو اس کی وجہ بیان کی جاوے

بعد انکوائری مقدمہ مقدمہ قائم کیا جاتا ہے۔

03009009536

ٹیلی فون نمبر:

SI عہدہ:

P/99

بیلٹ نمبر:

SAWAL FAQIR

دستخط:

(ابتدائی اطلاع نیچے درج کریں)

مستفیث مندرجہ خانہ نمبر 2 نے بحوالہ مد 13، روزنامہ: 21/02/2022 بشمول دوست آس عابد خان ولد وارث خان سکنہ بشیر آباد اپنے آپ سے موبائل از قسم Infinix اور مبلغ 47 ہزار روپے موٹر سائیکل پر 2 کسان اس کے مسکن نامعلوم نے بزور چھین کر فرار ہونے کی رپورٹ درج کرانی تھی نقلہ بغرض انکوائری من SI کو حوالہ ہو کر دوران انکوائری پایا گیا کہ واقعی وقوعہ جرم قابل دست اندازی کا سرزد ہو چکا ہے پس انکوائری پر مقدمہ جرم بالا برخلاف طرمان نامعلوم درج رجسٹر ہو کر نقول پرچہ جات بغرض تفتیش عقب خان عالم خان ASI بجوائے جاتے ہیں۔ پرچہ گزارش ہے۔ نقلہ ذیل ہے۔ مد 13، رپورٹ: حمید شاہ خان MHC وقت: 23:05 بجے مورخہ: 21/02/2022 اس وقت مسی شہاء اللہ ولد عبد اللہ بشمول عابد خان ولد وارث خان ساکنان بشیر آباد خواجہ ٹاؤن بشیر آباد کارہائشی ہوں اور پشاور ہائی کورٹ میں سیلف ہوں۔ آج مورخہ: 21/02/2022 تقریباً 09:30 بجے پر ہمراہ دوست عابد ولد وارث ساکن دیہہ ام بخشوپل نزد کوکولا ٹیکری نماز جنازہ ادا کرنے کے لئے پیدل جا رہے تھے کہ اس دوران ایک موٹر سائیکل پر دو کسان سوار اس کے مسکن نامعلوم آکر مجھ سے میرا موبائل از قسم Infinix جس میں زیر استعمال سم نمبرات 03335228029-03219826815 اور مبلغ 47 ہزار روپے نقدی زور چھین کر فرار ہوئے تحریری درخواست پیش کرتا ہوں کیونکہ آج کل حالات خراب ہیں۔ تاکہ میرا موبائل و سم نمبرات کوئی غیر قانونی سرگرمیوں میں استعمال نہ کریں۔ اسکے علاوہ موبائل اور رقم کی برآمدگی اور طرمان کی گرفتاری میں ہماری قانونی مدد کی جائے۔ دستخط انگریزی شہاء اللہ و تائیدی دستخط انگریزی عابد خان مورخہ: 21/02/2022 کارروائی تھانہ پیش کردہ تحریری درخواست حرف بہ حرف درج بالا ہو کر جملہ حالات جناب SHO صاحب کے نوٹس میں لایا جا کر سرمدت نقلہ علیحدہ مرتب کر کے بغرض انکوائری بلحاظ بیٹ عقب سوال فقیر SI بھیج دیا جاتا ہے۔

Copying Agency (R.W)
Legal Branch
Capital City Police Peshawar

SI SAWAL FAQIR

21-02-2022

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In the Court of
MUHAMMAD SHOAIB, JUDICIAL MAGISTRATE-III
District Peshawar

Irshad Vs The State.

Or-----05
06.07.2022

Counsel for the accused/petitioners present. SPP for the state present. Complainant despite service remains absent, therefore, SPP for the state was asked to argue the case on behalf of complainant as well as state.

The petitioners namely Irshad s/o Habib UR Rehman and Imran s/o Momin Khan are seeking their post-arrest bail in case FIR No.155 dated 28.02.2022 U/S 392 PPC registered at Police Station Khazana Peshawar.

Muhammad Shoaib
Judicial Magistrate III
Peshawar

In light of the arguments of learned counsel for accused/petitioners and the learned SPP for the State, it is stated that the accused/petitioners are not directly charged in the FIR. No recovery of the stolen articles has been affected from the accused/petitioners in spite of police custody. Similarly, the local police charged the accused/petitioners on the ground that the accused/petitioners during investigation of cases F.I.R numbers. 488 dated 16-06-2022 u/s 394 PPC P.S Khazan, 519 dated 27-06-2022 u/s 399-401-15-AA P.S Khazana have admitted before Waris Khan S.I , Kaleem Khan ASI the commission of offence u/s 392 PPC vide F.I.R.

Page 1

ATTESTED

10 5 10 7 2022

District Peshawar

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155 dated 28-02-2022. However, no statement of the above police officials is available on record. This factum brings the case of accused/petitioners within the ambit of further inquiry.

In view of what has been stated above the instant bail petition is allowed subject to bail bonds of Rs.80000/-, with two sureties each in the like amount. Copy of this order be placed on judicial file, while record be returned to its quarter concerned. File be consigned to Record Room after its necessary completion.

4

ANNOUNCED
06/07/2022

~~_____~~
MUHAMMAD SHOAIB
Judicial Magistrate-III
Muhammad Shoab
Judicial Magistrate-III.
Peshawar

Dated of Application	65484
Name of Applicant	05.12.22
Word / Pages	6
Fee	P
Signatures of Applicant	[Signature]
Dated of Preparation	05.12.22
Dated of Delivery	05.12.22

CERTIFIED TO BE TRUE COPY

~~_____~~
(Examiner)
Copying Agency Civil Court
Peshawar

ATTESTED

[Signature]

سائل کے ساتھ ناقصاتی ہوئی ہے کیونکہ فقہات کے قتل پائے ہیں اور خلاف میں اسل کثرت
کس بھی قسم کے مواد موجود نہیں ہے لیکن باوجودیکہ میں اسل کثرت کو نوکری سے
بہرخواست کیا گیا ہے جو کہ حکم فرماہ $\frac{11}{22}$ 29 بہرخواستگی سائل قابل بحالی نہ ہے
اعدالہ کے تقاضوں کو مدنظر رکھتے ہوئے میں اسل کثرت کو نوکری پر بحال رکھنا اور
کرنا ضروری ہے۔

حکم فرماہ $\frac{11}{22}$ 29 کے حوالے سے مزید عرض کرتا ہوں کہ میں اسل کثرت میں مشترک تک احکم باعدہ
ہوں میں سائل نے ٹیکسٹ یا موبائل کے حوالے سے کسی قسم کا کورس کیا ہے نہ
ہیں اس حوالے سے قتل مقدمہ پائے پر کوئی مواد موجود ہے جبکہ دوران انکو نوکری
لیختہ کسی شہرت کے پرائیوٹ ہے کہ میں اسل کثرت جو اسل کے IM E ونمبر میں
انکسپٹ ہوں جو کہ سرسر غلط اور التزام تراشی ہے۔ میں اسل کثرت کے کسی بھی
موبائل سینئر گروہ کے ساتھ کوئی تعلق و واسطہ نہیں ہے اور نہ میں اسل کثرت
اس بار سے میں سوچے سمجھے سکتا ہوں میرا تمام التزام سررا غلط اور لیجان تراشی ہے
میں سائل اپنے جانن کا واحد کفیل ہوں میں سائل کے بیوی، بچے، والین، اور چھوٹے
بھائی بھائی ہیں جن کی نگہداشت، مال نفقہ ونسہ کا میں سائل ذمہ دار ہوں اور ان
اللہ تعالیٰ نے ہوا علم اسل آسرا ہے۔ میں سائل ایک غریب جانن سے ہوں اور دیگر
کوئی ذمہ داری نہیں ہے۔

ان دونوں حالات استدعا ہے کہ میں اسل کثرت کو فرماہ التزام سے معتر قرار
دیا کر حکم فرماہ $\frac{11}{22}$ 29 کا کثرت انراں آفس مٹا۔ S.P. اپریشن اور
کو منسوخ کیا جائے میں اسل کثرت کو نوکری پر بحال کیا جائے اور تمام قانونی
حالات میں ادا کیے جائیں۔ میں اسل کثرت اور تمام جانن نامہ
دعا کرتا ہوں گے

ATTESTED
[Signature]

ایف اے $\frac{51}{23}$ 26

سائل اسل کثرت
آرٹا مابج کسٹل
6944
پولیس لائن کثرت



35

AMMURE "H"

OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

ORDER.

This order will dispose of the departmental appeal preferred by **Ex-Constable Imran Khan No. 6944**, who was awarded the major punishment of "**Dismissal from service**" under KP PR-1975 (amended 2014) by SSP/Operations Peshawar vide order No. 2774-77/PA, dated 02.11.2022.

2- Short facts leading to the instant appeal are that the defaulter Constable was proceeded against departmentally on the charges of his involvement in the following criminal cases of Police Station Khazana Peshawar:

- i). FIR No. 155, dated 28.02.2022 u/s 392-PPC.
- ii). FIR No. 464, dated 09.06.2022, u/s 392-PPC.
- iii). FIR No. 488, dated 16.06.2022, u/s 394-PPC.

3- He was issued proper Charge Sheet and Summary of Allegations by SSP/Operations Peshawar. SP/Cantt: Peshawar was appointed as inquiry officer to scrutinize the conduct of the accused official. The inquiry officer after conducting proper inquiry submitted his findings while recommending the defaulter constable for major punishment. The competent authority in light of the findings of the inquiry officer issued him Final Show Cause Notice to which he replied but the same was found unsatisfactory, hence was 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 SP/11Qr: Peshawar is hereby **rejected/ filed** being also time barred for 01 month and 04 days.

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

No. 1197-1204/PA dated Peshawar the 27/03/2023

Copies for information and necessary action to the:-

1. SSP/Operations Peshawar
2. AD-IT CCP Peshawar
3. OASI, PO, CRC.
4. FMC along with complete fouji missal.
5. Official Concerned

ATTESTED

Attest

36

ORDER

Constable Imran No 5944 while posted at Police lines has already been dismissed from service by SSP (Ops) vide Order No.2 '74-77/PA dated 02.11.2022 in the charges of involvement in three different criminal cases.

Therefore, the absence period from 21.06.2022 to 29.08.2022 (03-month & 08-days) is hereby included in his dismissal order also.

[Signature]
SUPERINTENDENT OF POLICE
HEADQUARTERS, PESHAWAR

OB NO. 7276/1
Dated 8/12/2022

No. 3696-97 PA/SP/HQrs: dated Peshawar the 8/12/2022

Copies to:

- ✓ DSP/HQrs: Peshawar
- ✓ PA to W/CCPO, Peshawar
- ✓ Pay Officer
- ✓ OASI, CRE & FMC along with complete departmental file.

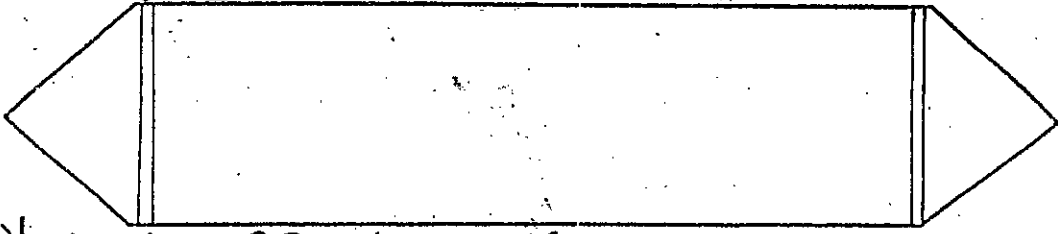
ATTESTED
[Signature]

Assistant-IV
[Signature]

[Signature]
CRC
12/12

37

بعد الت حجاب سندس ڈیوٹی لیسٹ اور



18 اپریل 2023ء پنجاب ایبلانٹ

محرف خان بنام حکومت وغیرہ

مقدمہ 2023 - Appeal

دعویٰ - BC-09-2432

17301-3072520-1

باعث تحریر آنکے

مقدمہ مشدرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام پشاور کیلئے عابد الیوب، سردار محبوب ملک ایڈووکیٹ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
دیکل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برادگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ نیا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ یا اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائے التوائے مقدمہ کے سبب سے دہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سند ہے۔

المرقوم 18 ماہ اپریل 2023ء

محرف خان

17301-4714866-7

Attested
and
Accepted

کے لئے منظور ہے۔

پشاور

بمقام