

01

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL  
PESHAWAR.

Execution Petition No. 756/ 2022, in Service Appeal No. 4839/2021

Title: "Shah Hussain Khan SI V/S IGP KP & Others"

Khyber Pakhtunkhwa  
Service Tribunal


Diary No. 5763

Dated 1/6/2023

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2/6/2023

  
DEPONENT

2

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

Objection Petition in Execution Petition No. 756/ 2022

In Service Appeal No. 4839/2021

1. **Inspector General of Police, Khyber Pakhtunkhwa.**
2. **Additional Inspector General of Police, HQrs, Khyber Pakhtunkhwa**
3. **Deputy Inspector General of Police, Counter Terrorism Department Khyber  
Pakhtunkhwa, Peshawar.**
4. **Superintendent of Police CTD, Mardan Region, Mardan**

..... (Objectors)

VERSUS

**Shah Hussain Khan SI, CTD Operation Staff Mardan, Police Department Mardan**

..... (Respondent)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Objection Petition in Execution Petition No. 756/ 2022 in Service Appeal No.  
4839/2021

OBJECTION PETITION U/S 47/48 U/ORDER 21 RULE 10 OF CPC IN EXECUTION  
PETITION 756/2022 BY OBJECTORS IN CASE TITLED AS "SHAH HUSSAIN KHAN  
SP" VS IGP & OTHERS.

**Respectfully Sheweth**

The objectors humbly submit as under:-

1. That above titled execution petition is pending before this Hon'ble Court which is fixed for 02.06.2023.
2. That the appellant (now respondent) filed the execution petition for the implementation of order/judgment decided by this Hon'ble Service Tribunal on 18/10/2022.
3. That the respondents (now objectors) file objection petition on the following grounds.

**GROUND:-**

- A. That a proper departmental enquiry was initiated against the aberrant official. He was charge sheeted by SP CTD Mardan Region, vide his office Dy: No. 467/CTD/Mardan Region dated 09.03.2020, summary of allegations was served upon him and DSP Headquarters CTD Mardan Mr. Akbar Khan was appointed as enquiry officer to conduct a proper departmental enquiry, as well as to submit his recommendations/findings report, under Police Rules 1975 (Charge Sheet & Summary of allegations are annexed as F/A).
- B. That, due to involvement in arms smuggling a Show Cause Notice was issued to the aberrant official vide No. 301/CTD/Mardan Region dated 14.02.2023. Due to unsatisfactory reply the competent Authority passed remarks on his reply that the

proceeded departmentally". In this connection a preliminary enquiry was conducted against him, and DSP HQrs CTD Mardan was appointed as enquiry officer. On 02.03.2020 I.O submitted the findings report of preliminary enquiry, wherein he found the aberrant official guilty and recommended him for proper departmental proceedings (Preliminary Enquiry as F/B). Hence a proper departmental proceedings were initiated against him, a proper charge sheet, summary of allegations were served upon him and DSP HQrs CTD Mardan was appointed as Enquiry Officer, during course of enquiry the I.O found him guilty and recommended him for appropriate punishment on 17.03.2020 (F/C), with accordance in prevailing law and rules i.e. Police Rules 1975.

- C. That, the whole proceedings were carried out under the prevailing law and rules i.e. accordance with Police Rules 1975, actually upon findings report/recommendations of inquiry officer the competent authority being agreed with the recommendations of inquiry officer, awarded him major punishment i.e. "Reduction from higher stage to lower stage in the same time scale of pay" (F/D) under Police Rules 1975 (Amended 2014) after proper departmental enquiry as the allegations were stand proved against him regarding his involvement in "arms smuggling and have also frequent mobile contacts with the "arms smugglers".
- D. That, the objectors have not only relied on the CDR but he admitted himself during the course of enquiry in cross questioning that he has visited various places in Punjab and other part of the country without taking any prior permission from his high ups, which amounts to gross misconduct on being part of a disciplined Force and which is also evident from CDR of Mobile Phone of SI Shah Hussain. During further cross questioning he disclosed that he has relations/contacts with two arms dealers at Mardan namely Junaid and Sher Shah which is also evident from CDR and was in close contact with each other (F/E). It is pertinent to mention here that among these Arm dealers one Sher Shah was arrested by local Police of PS Chontar Rawalpindi vide case FIR No. 04 dated 25.01.2020 u/s 13-2A/13-2 B of Punjab Arms Ordinance

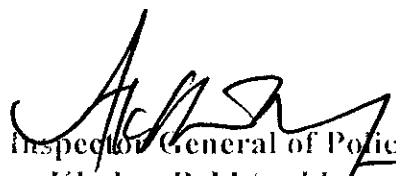
2015, whereas two SMGs along-with two pistols (30 bore) were recovered from his possession (F/F) which is also a tangible evidence against the aberrant official.

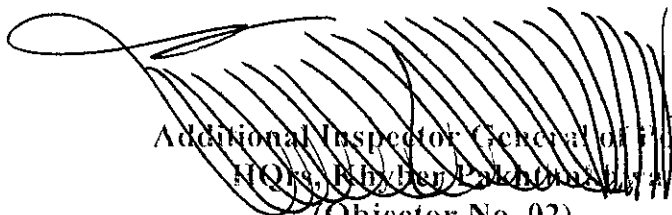
E. That the impugned punishment orders were set aside by the Hon'ble Service Tribunal vide judgment dated 18.10.2022, but the department preferred CPIA against the above mentioned judgment, which is yet to be decided by Hon'ble Supreme Court of Pakistan. Early hearing request has already moved to the Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar vide letter No. 216/Legal dated 25.01.2023 (F/G).


F. That at the same time two proceedings on one issue cannot be taken place. Hence the present execution petition is not maintainable in the eye of law.

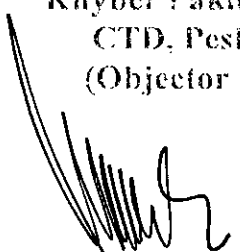
**Prayer:**

It is therefore humbly prayed that on acceptance of this objection petition the instant Execution Petition may kindly be stayed till the decision of Hon'ble Supreme Court of Pakistan in the CPIA, for the best interest of justice.

  
Inspector General of Police,  
Khyber Pakhtunkhwa  
(Objector No. 01)

  
Additional Inspector General of Police,  
HQs, Khyber Pakhtunkhwa  
(Objector No. 02)

  
Deputy Inspector General of Police,  
Khyber Pakhtunkhwa,  
CTD, Peshawar.  
(Objector No. 03)

  
Superintendent of Police CTD,  
Mardan Region, Mardan.  
(Objector No. 04)

6

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA.**

**Execution Petition No. 756/ 2022**

**In Service Appeal No. 4839/2021**

IGP KP & Others.....(Objectors)

VERSUS

Shah Hussain Khan SI

.....(Respondent)

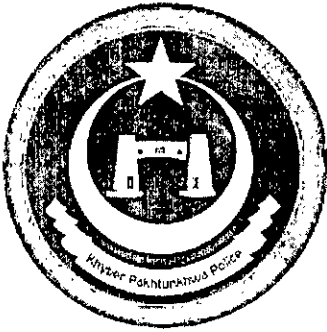
**AFFIDAVIT**

I, the undersigned, do here by solemnly affirm and declare on oath that the contents of Objection Petition are correct and true to the best of my knowledge and belief and that nothing has been concealed from this Honorable Court.



11.05.22

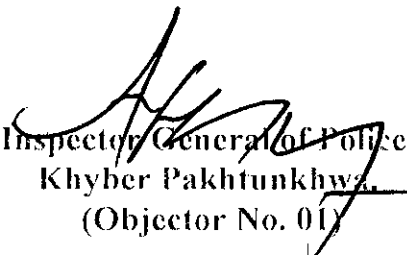
DSP Legal CTD HQrs  
Peshawar

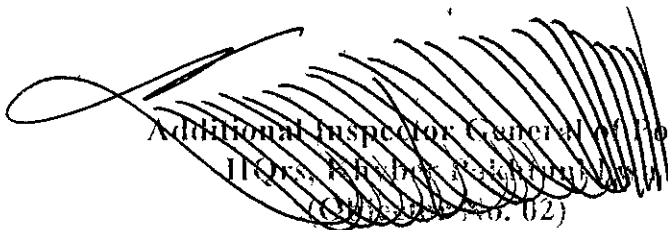


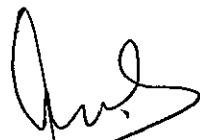
7  
OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHTUNKHWA,  
PESHAWAR.

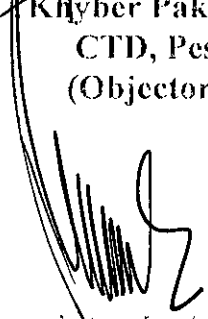
AUTHORITY LETTER

We, the undersigned, do hereby authorize SI Gulzad Khan having CNIC# 17301-5214940-9, of CTD IIQrs to submit Objection Petition in Execution Petition No. 756/ 2022 Titled "Shah Hussain Khan SI VS IGP & Others" and to pursue the matter on behalf of all the undersigned.

  
Inspector General of Police,  
Khyber Pakhtunkhwa,  
(Objector No. 01)

  
Additional Inspector General of Police,  
IIQrs, Khyber Pakhtunkhwa,  
(Objector No. 02)

  
Deputy Inspector General of Police,  
Khyber Pakhtunkhwa,  
CTD, Peshawar.  
(Objector No. 03)

  
Superintendent of Police CTD,  
Mardan Region, Mardan.  
(Objector No. 04)



OFFICE OF THE SUPERINTENDENT OF POLICE  
COUNTER TERRORISM DEPARTMENT  
MARDAN REGION

F/A

(8)

No. 467 /CTD/Mardan Region dated 9/3/2020

**CHARGE SHEET U/S 6(1)(a) KP POLICE RULE 1975.**


You, accused SI Shah Hussain No.422/MR, posted at Operations staff CTD Mardan hereby charged for committing the following omissions/ commissions.

That "You, SI Shah Hussain No.422/MR, was found involve in arms smuggling and have also frequent mobile contacts with the arm smugglers.

The undersigned hereby calls upon you to submit your written defence against the above charge before the enquiry officer.

Your reply must reach the enquiry officer within 07 days from date of receipt of this charge sheet, failing which ex-parte proceedings shall be initiated.

Summary of allegations are enclosed herewith.

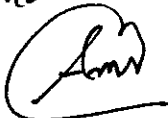
  
Superintendent of Police,  
CTD, Mardan Region.

To 467-74 /CTD  
Copy to: -


Mardan Dated 09/3/2020

1. Worthy Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa, Peshawar.
2. SSP Operation CTD KP Peshawar
3. Accounts Branch CTD KP Peshawar.
4. DSP operations, CTD Mardan Region.
5. DSP Investigation, CTD Mardan Region.
6. All concerned.
7. SI Shah Hussain No.422

Attested



DSP/INV  
CTD KP

  
Superintendent of Police  
CTD Mardan Region



1/11/1

8

(9)

SUMMARY / STATEMENT OF ALLEGATIONS U/R 6(1)(a) KP POLICE RULE 1975.

"You, SI Shah Hussain No.422/MR remained involved in arms smuggling and have also frequent mobile contacts with the arm smugglers.

In order to probe into the allegation, DSP HQr CTD Mardan Region, Mr. Akbar Khan is hereby appointed as an enquiry officer in order to ascertain the factuality of alleged charge and to conclude the proceedings with in span of 07 days and to submit the finding report.

Superintendent of Police,  
CTD, Mardan Region.

Attested

DSP INV  
CTD KP



10  
F/B (10)  
OFFICE OF THE SUPERINTENDENT OF POLICE  
COUNTER TERRORISM DEPARTMENT  
MARDAN REGION

No. 301 /CTD/Mardan Region dated 14/09/2020

**Show Cause Notice**

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

I, Mr. Tariq Habib, as competent authority Superintendent of police CTD Mardan hereby issue this show cause to you on the following omission/ commission and you have rendered yourself liable to be proceeded under Rule 5(3) of the Khyber Pakhtunkhwa Police Rules 1975.

"You, SI Shah Hussain No. 422- MR while employed in Operations Staff is involved in arms smuggling and works as arm carrier to Punjab and continues to indulge in this activity".

The undersigned issues this show cause notice to you and you are hereby ordered to submit your reply to enquiry officer DSP HQR CTD Mardan Region within 07 days after receipt of this show cause notice that why should you not be proceeded departmentally.

*[Signature]*  
Superintendent of Police,  
CTD, Mardan Region.

Dated 14/09/2020

No 301 of CTD Mardan  
Copy to:-

1. Worthy Deputy Inspector General of Police, CTD, Khyber Pakhtoonkhwa, Peshawar.
2. DSP HQR, CTD Mardan Region.
3. SI Shah Hussain Khan No. 422- MR, Operations Staff CTD Mardan Region.

*[Signature]*  
Superintendent of Police,  
CTD, Mardan Region.

17:30  
ایس ایف ایف  
دور و سوار کیا گیا  
14/2/2020

Attested

*[Signature]*

DSP/INV  
CTD KP



10  
OFFICE OF THE  
COUNTERTERRORISM  
MARDAN REGION

11  
INTELLIGENCE  
DEPARTMENT  
MARDAN REGION

11

No. 277 /CTD/Mardan Region dated 14/02/2020

**ORDER**

Upon the information received that SI Shah Hussain No. 422- MR currently posted in Operations Staff is involved in arms smuggling to Punjab which is defaming Police Department as a whole, the undersigned keeps him under suspension and closed him to CTD HQr Mardan with immediate effects till further orders.

Show cause notice and summary of allegations are separately issued to him.

  
Superintendent of Police,  
CTD, Mardan Region.

No. 277,300 /CTD Mardan Dated 14/02/2020

Copy, for information to:

- 01) Worthy Deputy Inspector General of Police, CTD Khyber Pakhtunkhwa, Peshawar.
- 02) DSP Operations, CTD Mardan Region.
- 03) All Concerned.

  
Superintendent of Police,  
CTD, Mardan Region.

Attested  
  
DSP/INV  
CTD KP

nn



12  
OFFICE OF THE SUPERINTENDENT OF POLICE  
COUNTER TERRORISM DEPARTMENT  
MARDAN REGION

12

No. 301 /CTD/Mardan Region dated 14/09/2020

GROUND OF ACTION

"You, SI Shah Hussain No. 422- MR while employed in Operations Staff is involved in arms smuggling and works as arm carrier to Punjab and continues to indulge in this activity".

By reasons of above, you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules 1975.

Superintendent of Police,  
CTD, Mardan Region.

Attested

DSP/INV  
CTD KP

مہی صوبیدار خان ولد امان خان ساکن محلہ وزیر آباد خاکسار منزل  
 مکان نمبر 138 وصال کے وقت اعلیٰ عدالت مولانا صاحبہ و مذکورہ مہی صوبیدار خان اپنے دوست  
 محافی حاجی عنایت خان کے ساتھ خاکسار منزل و دہان میں آئی میں لوگوں میں دستاویز  
 تقریباً 1/2 سال قبل مولانا وزیر آباد خاکسار منزل سے سلفیت ترک کر کے ارم  
 کالونی فرچلو کولے میں اپنے لئے مکان خرید کر اس میں رہائش پذیر ہے۔  
 صوبیدار خان بذات خود کوئی کام وغیرہ نہیں کرتا ہے۔ اور زیادہ تر وقت  
 گھر خود میں گزارتا ہے۔ صوبیدار خان کا ایک بیٹا شہنشاہ آسلی کا کارو  
 کرتا ہے۔ اور ایک بیٹا شہر یار انگلینڈ میں محنت مزدوری کرتا ہے۔  
 صوبیدار خان کے بارے میں صفیہ طہیرہ صاحبہ نے تقریباً 7/8  
 سے گھر خود میں موجود نہیں ہے۔ جو بائبل نمبر 980560-98-0313  
 صوبیدار خان کے بیٹے شہنشاہ کے ذمہ استعمال ہے۔ یہ عدالت ہوا ہے کہ  
 کوئی لوگ قبل شہنشاہ کو فونڈ پر آسلی کے سلسلہ میں لوگوں سے ڈ  
 لیا تھا۔ تاہم ان پر کوئی نگرانی جاری ہے۔ رپورٹ جاری ہے۔

Attested



 DSP/INV  
 CTD KP

 Bopscity  
 14-2-2020

بحوالہ شوکا زونٹس نمبری 301/CTD مورخہ 14-02-2020 جاریہ جناب SP صاحب سی ٹی ڈی مردان معروض ہوں کہ سائل پر شوکا زونٹس میں الزام لگایا گیا ہے کہ سائل غیر قانونی اسلحہ کی سہولت میں ملوث پایا گیا ہے۔ جناب والا سائل سال 1996 میں بخشیت کنسٹیبل ضلع مردان میں بھرتی ہو کر سال 2003 میں لوئر کورس پاس کر کے سال 2005 میں بطور سپیشل کیس ہیڈ کنسٹیبل ترقیاب ہوا۔ سال 2009 میں انٹرمیڈیٹ کورس پاس کر کے سال 2011 میں بخشیت ASI ترقیاب ہوا۔

سال 2016 میں بخشیت SI ترقیاب ہو کر دوران ملازمت مختلف عہدوں پر فرائض سرانجام دی ہے۔ اس دوران سائل کو مختلف اچھی کارکردگی پر توصیہ آسناد و نقد انعامات افسران بالا کی جانب سے دیئے گئے ہیں۔ جسکا ثبوت عمل نامہ میں موجود ہے۔ سائل کا ACR سال 2010 سے تاحال (A) رپورٹ ملا ہے۔ سائل نے محکمہ پولیس میں تقریباً 23 سال خدمات سرانجام دیکر سائل کے خلاف کوئی شکایت افسران بالا کو کسی نے نہیں کی ہیں۔ سائل نے ایمانداری کیساتھ اپنی ڈیوٹی سرانجام دی ہے۔ دوران تعیناتی سی ٹی ڈی آپریشن سٹاف پشاور ضلع صوابی میں دہشت گردوں، الحق ولد رحمان الحق ساکن صوابی کی گرفتاری کی سلسلہ میں چھاپہ زنی کر کے دوران چھاپہ دہشت گرد مذکورہ نے پولیس پر فائرنگ شروع کرنے کے نتیجہ کے طور پر حکیم خان ASI لگ کر شدید زخمی ہوا۔ سائل نے ہمراہ فوری جان پر کھیل کر دہشت گرد کا مقابلہ شروع کیا اور دہشت گرد کو ڈھیر کیا۔ سائل کی مددیت میں مقدمہ عدلت 07 مورخہ 14-08-2018 جرم 324-353-7ATA تھانہ سی ٹی ڈی مردان درج رجسٹر ہو کر نقل FIR لف ہذا ہے۔

سائل پر جو الزامات لگائے گئے ہیں اس کا کوئی ثبوت نہیں ہے اور نہ ہی سائل کے خلاف کوئی مقدمہ رجسٹر ہوا ہے۔ جہاں تک پنجاب آنے جانے کا سوال ہے تو میرے کافی سارے رشتہ دار اور قریبی دوست پنجاب میں رہائش پذیر ہیں کبھی کبھار اس کے ساتھ رہا بطور رکھ کر آتا جاتا ہوں۔ جو الزام لگایا گیا ہے یہ کسی نے ذاتی عناد کی خاطر یہ طریقہ اپنایا ہے۔ جس میں میرا کوئی قصور نہیں ہے۔ شوکا زونٹس بلا کاروائی داخل دفتر فرمائی جائے۔

Reply not satisfied  
be proceeded  
departmentally


شاہ حسین خان SI متعین سی ٹی ڈی آپریشن سٹاف مردان  
23-02-2020

Attested  
DSP/INV  
CTD KP

جرح سوالات از ان شاہ حسین SI سی ڈی مردان رینجن

- سوال :- تم یہ بتاؤ کہ آج کل تمہارا ہونٹ کجاں ہے۔؟
- جواب :- میرا ہونٹ سی ڈی مردان رینجن آپریشن میں ہے۔
- سوال :- تمہارے پاس زیر استعمال موبائل دو نم فہرات کتنے ہیں؟
- جواب :- میرے پاس ایک موبائل از قسم مسٹک اور دو عدد نم فہرات 03413783368، 03009054885 پر استعمال ہیں۔
- سوال :- تم یہ بتاؤ کہ اسلحہ مارکیٹ مردان میں تم کس کس کو جانتے ہو؟
- جواب :- اسلحہ مارکیٹ مردان میں مسکی جنید، سید انشا، شیر شاہ ولد سید ادا کو جانتا ہوں۔
- سوال :- کیا تم کو معلوم نہیں ہے کہ فضل بادشاہ اور شیر شاہ اسلحہ کارو ہار کرتے ہیں؟ اور اوہ مراد مرسلے کر جاتے ہیں۔
- جواب :- مجھے بخوبی معلوم ہے کہ فضل بادشاہ بھی کبھار اسلحہ فوجی افسران کو لے جاتا ہے اور شیر شاہ بھی پنجاب کو اسلحہ لے جاتا ہے۔
- سوال :- شیر شاہ کو تھانہ چوہتر اراپنڈی پولیس نے بحوالہ مقدمہ ملت 4 مورخہ 25-01-2020 بجرم 13-2A/13-2B میں آٹولی نے تھانہ کجاں شکوف اور دو عدد تیس بورپیشیاں میں گرفتار کیا تھا۔ لیکن ہر دو کہان سے جو میرے دوست ہیں اسلحہ کے کاروبار میں میرا آٹولی نے تھانہ سے نہیں ہے آٹکا ذی معاملہ ہے۔ اگر میرا ان کے ساتھ اسلحہ کالین دینا ہوتا مسکی شیر شاہ ضرور میرا نام مقدمہ بلائیں لیا ہوتا۔
- سوال :- تمہارے CDR سے پایا گیا کہ تم مختلف اوقات میں مختلف مقامات پر گئے ہو وضاحت کرو؟
- جواب :- جی ہاں! جیسا کہ میرے CDR سے ظاہر ہے کہ میں مختلف مقامات پر گیا ہوں کیونکہ فضل بادشاہ میرا چھین کارو دوست ہے۔
- سوال :- اپنے افسران سے ملنے کی خاطر مجھے اپنے ساتھ لے کر جاتا تھا۔
- جواب :- کیا یہ درست ہے کہ مسکی فضل بادشاہ آپ کو اسلحہ سرنگ کارو ہار میں حصہ بھی دیتا تھا۔؟
- جواب :- جی نہیں یہ بات بالکل غلط اور جھوٹ پر مبنی ہے۔

SI Shah Hussain Khan  
24-02-2020

Attested  
  
DSP/INV  
CTD KP

FINDING REPORT

(18)

This is a departmental inquiry conducted against SI Shah Hussain No. 422 posted at CTD Mardan Region Mardan. The allegations against the delinquent official are that he is involved in arms smuggling and have also frequent mobile contacts with the smugglers.

In this regard he was served with Show cause notice, summary of allegations and was directed to submit his reply. The defaulter officer was summoned, examined and his statement was also got recorded which are placed on file.

The defaulter official, in contents of his reply to the show cause notice, completely denied the allegations levelled against him. The CDR report his personnel mobile number revealed that he had frequent contacts with arms smugglers namely (01) Fazal Badshah and (02) Sher Shah.

In his reply he had also admitted the fact that those arms dealers were personally known to him and was also aware of the fact that they supply arms and ammunitions. Moreover, among these smugglers were apprehended by the local police of PS Chontra Rawalpindi vide FIR no. 29/20 dated 25.01.2020 u/s 13-02 (a) / 13-02(b) PAAO PS Chontra which further strengthens the allegations.

The CDR of his mobile number further revealed that the defaulter officers had also visited different parts of Punjab and other far flung stations of the country. When the defaulter officer was asked to justify his movement to Punjab and other areas, but failed to satisfy the inquiry officer. As going out from his AOR, he must have to seek prior permission of his seniors but the defaulter officer also ruined the existing rules.

All these facts and realities show that the delinquent officer has clearly violated the existing rules and his act has really earned a bad name for police force.

In the light of the inquiry proceedings, my humble submission are that the defaulter officer could not satisfy me and is hence found guilty. It is, therefore, recommended to precede against the delinquent officer departmentally, if agreed please.

*DSP/HQrs  
Please initiate  
proper departmental  
proceedings as per  
rules.*

*S/CTD MR  
06/03/2020*

*[Signature]*  
DSP, HQr,  
CTD, Mardan Region  
02-03-2020

Attested

*[Signature]*  
DSP/INV  
CTD KP





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A F/D

(18)



OFFICE OF THE SUPERINTENDENT OF POLICE  
COUNTER TERRORISM DEPARTMENT  
MARDAN REGION

Abdul  
S. Khan  
District Officer  
Mardan

No. 1197 CTD/Mardan Region dated 25/06/2020

ORDER

The departmental proceedings against SI Shah Hussain No 422 MR of CTD Mardan Region Mardan, while posted at Operation wing CTD Mardan. The allegations against the said officer are that he while posted at CTD Mardan was found in close contacts/links with Arm smugglers and he even himself has complicated in such like practices of arms trafficking.

On the receipt of this information the said officer was placed under suspension vide order No.297/CTD/MR dated 14-02-2020 and was also served with proper charge sheet summary of allegations as per prevailing rules. Mr Akbar Khan DSP HQrs CTD Mardan Region was appointed as an enquiry officer and was directed to probe into the allegations by steering proper enquiry and to submit his report as per rules accordingly.

The enquiry officer initiated proper departmental proceedings in the light of the allegations as described in the innards of charge sheet, whereas he summoned all the concerned, including the aberrant officer and recorded their statements as well which are placed on the enquiry file.

The defaulter officer in his reply to the charge sheet completely denied all the allegations levelled against him and declared himself as innocent. When he was cross examined that whether he has some relations/contacts with any Arm smuggler so, in query he disclosed that he has contacts with two Arms dealers at Mardan namely Junaid and Sher Shah. It is value to mention here that among these Arm dealers one Sher Shah was also detained by the local Police of PS Chontar Rawalpindi vide case FIR No.04 dated 25.01.2020 w/s 13-2A/13-2 B, whereas recovery of two SMCs and two 30 bore pistols was made from his possession.

Likewise the CDR report of the personal Mobile No.0341-3783368 of the defaulter officer also reveals that he has everyday contacts with these Arm smugglers with incoming and outgoing calls which further wires the story of allegations. In the same fashion the CDR report of the personal Mobile No. of defaulter officer as mentioned above also highlights that he has visited different parts of Punjab i.e. Lahore, SheikhPura, Gujranwala, Hussain Abdal, Rawalpindi, Kasoor, Chakwal, Attock, Sarghoda etc on different times. Similarly, he has also visited Dera Adam Khel Peshawar as well.

Attested

DSP/INV  
CTD KP

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(19)

When the defaulter officer was asked about the purpose of his visits to these places as stated earlier he failed to justify his position and only relied on the posture that he has visited these places to meet his friends and relatives. In the same way when he was also asked that previous to his visits to these places has he acquired any preceding permission from his seniors so, he replied that he obtained no such permission while visiting these places.

In the light of above facts and realities the enquiry officer has declared that the allegation against the delinquent officer have established and he is found guilty of the allegations levelled against him, the undersigned is completely agreed with the findings of Inquiry Officer.

The undersigned is pleased to award delinquent official major punishment i.e. Reduction from higher stage to lower stage in the same time scale of pay under Police Rules 1975 (Amended 2014). Moreover the said SI is hereby released from suspension and reinstated in service.

Superintendent of Police,  
CTD, Mardan Region

No. 1197-1201 Dated 25/6/2020

Copy to

1. The Deputy Inspector General of Police, CTD KP Peshawar
2. Regional Police officer Mardan Region, Mardan
3. District Police Officer Mardan.
4. All Concerned

Superintendent of Police,  
CTD, Mardan Region

Attested

DSP/INV  
CTD KP



جرح سوالات از ان شاہ حسین SI سی ٹی ڈی مردان ریجن

- سوال 1:- تم یہ بتاؤ کہ آج کل تمہارا پوسٹنگ کہاں ہے؟  
جواب:- میرا پوسٹنگ سی ٹی ڈی مردان ریجن آپریشن میں ہے۔
- سوال 2:- تمہارے پاس زیر استعمال موہاگل وسم نمبرات کتنے ہیں؟  
جواب:- میرے پاس ایک موہاگل از قسم سسنگ اور دو عدد وسم نمبرات 03413783368، 03009054885 زیر استعمال ہیں۔
- سوال 3:- تم یہ بتاؤ کہ اسلحہ مارکیٹ مردان میں تمہارا کس کس کے ساتھ تعلقات ہیں؟  
جواب:- اسلحہ مارکیٹ مردان میں مسکی جنید، سید اللہ، شیر شاہ ولد صوبیدار اور اوٹگریب کے ساتھ تعلقات ہیں۔
- سوال 4:- کیا تم کو معلوم نہیں ہے کہ فضل بادشاہ اور شیر شاہ اسلحہ کاروبار کرتے ہیں؟ اور ادھر ادھر لے کر جاتے ہیں۔  
جواب:- شیر شاہ اسلحہ کاروبار ہے ہاتھ عد مردان میں کاروبار چلا رہا ہے۔ فضل بادشاہ میرا گاؤں دلا ہے میرا اس کے ساتھ اچھا تعلق ہے لیکن میرا دونوں کے ساتھ کوئی کاروبار نہیں دین نہیں ہے۔
- سوال 5:- تمہارے CDR سے پاپا گیا کہ تم مختلف اوقات میں مختلف مقامات پر گئے ہو وضاحت کرو؟  
جواب:- جناب عالی میں ڈیوٹی کے دوران بیکار سرکار اور ڈیوٹی کے بعد مختلف مقامات پر جاننا ہوتا ہوں کیونکہ میں بھی ایک ذمہ دار پولیس آفیسر ہوں اپنی عزت اور نوکری کا پورا خیال رکھتا ہوں۔ کسی غیر قانونی سرگرمیوں میں ملوث نہیں ہوں۔
- سوال 6:- کیا یہ درست ہے کہ مسکی فضل بادشاہ آپ کو اسلحہ سٹنگ کاروبار میں حصہ بھی دیتا تھا؟  
جواب:- جی نہیں یہ بات بالکل غلط اور جھوٹ پر مبنی ہے۔
- سوال 8:- تم ایک ڈسپلن فورس میں ملازمت کرتے ہو۔ کیا اجازت لینا ضروری نہیں؟  
جواب:- جی ہاں! اجازت ضروری ہے لیکن میں رخصت کے دوران آنا جاتا ہوں۔

Attested

  
DSP/INV  
CTD KP

سوال 9:-

تم یہ بتاؤ کہ مختلف مقامات پر تم گئے تھے تو آپ کے ساتھ اور کوئی ساتھی تھا یا نہ؟

جواب:-

جب بھی میں جاتا تھا تو میرے ساتھ فضل باچہ بھی تھا۔

سوال 10:-

کیا یہ درست ہے کہ اسلحہ ڈیلر شیر شاہ بحوالہ مقدمہ عدلت 4 مورخہ 25-01-2020 جرم 13-2A/13-2B تھا:

چوتراہ اولپنڈی پولیس نے گرفتار کر کے اس کے قبضہ سے دو عدد کلاشنکوف اور دو عدد تیس بورپستول برآمد کئے ہیں۔؟

جواب:-

جی ہاں! بعد گرفتاری مجھے علم ہوا۔ مسی شیر شاہ میرا دوست ہے مگر اسلحہ کے کاروبار میں میرا اس کے ساتھ کوئی لینا دینا نہیں ہے۔ یہ مذکورہ کا ذاتی معاملہ ہے۔ اگر میرا اس کے ساتھ اسلحہ کا لین دین ہوتا تو وہ میرا نام وہ بطور ملزم یاد کرتا۔

Si, Shah Hussain

17/3/20

17/3/20

Attested

DSP/INV  
CTD KP



اطلاع جو چالان یا رپورٹ اختتامی کے بھیجنے کے بعد درج کی جاوے گی

میل نمونہ	نام سکونت طور الف - برائے تجویز کراست بھیجا کیا ب - ضمانت پر یا پانچہ پر ج - جر برائے تجویز نہ بھیجا گیا	نام گواہان	تاریخ و وقت روانگی چالان یا رپورٹ اختتامی اور ولد جس میں طور کا چالان کیا گیا ہے
15/1/20 19/2/20 17/3/20	محمد شاہ، ام سوید، ارخان ٹاؤن منزل ٹینک روڈ مکان نمبر 699 محلہ ڈک آباد مردان بدعت اللہ، اللہ، امین اللہ نزد بریلے اسٹیشن محلہ ارم کالونی مردان	پانچہ اور سکونت گاہ پانچہ اور سکونت گاہ پانچہ اور سکونت گاہ پانچہ اور سکونت گاہ	چالان میں مندرجہ ذیل پولیس ایجنٹوں کی موجودگی اور مشاہدہ کی صورت میں 08 تاریخ ارسال محلہ اور وقت

منزل انٹرنیشنل ہسپتال مردان میں  
گئی ہے۔ 6-2-23

اطلاع جو موصول ہونے پر فوراً درج ہونی چاہئے

تھری ممبر اساتذہ سزایاں یا بری ہونے کے ساتھ گاہم و تارقی و تحصیل تم	جرم جس کے مطابق سزایاں ہوئی اور یا بری ہوا	عدالت میں چالان کے تکلیف کی تاریخ
		Sent up 08-10-20

Attested  
Amir  
DSP/INV  
CTD KP



No. 216

Legal

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar.

dated the 25/01/2023.

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26-01-2023

To: The Secretary,  
Government of Khyber Pakhtunkhwa,  
Home & TAs Department, Peshawar.  
SO (Courts)

Attention:

Subject:

LODGING OF EARLY HEARING APPLICATION IN CPLA  
NO. 894-P/ 2022 TITLED INSPECTOR GENERAL OF  
POLICE, KHYBER PAKHTUNKHWA ETC VS SHAM  
HUSSAIN KHAN SI

Memo:-

Deputy Inspector General of Police, CTD Khyber Pakhtunkhwa, Peshawar has placed request vide his office Letter No. 1079/Inv/HQ; dated 20.01.2023, on the subject cited above.

Reportedly that the appellant was awarded major punishment "reduction from higher stage to lower stage in the same time scale of pay" on account of his involvement in arms smuggling by the competent authority. The appellant resultantly approached Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar and instituted a Service Appeal No. 4839/2021 against his punishment order. The aforementioned Hon'ble Tribunal issued its judgment dated 18.10.2022, in favor of the appellant.

The Police Department moved request for lodging of CPLA vide this office Letter No. 5881/ Legal, dated 17.11.2022, the same was declared fit in the Scrutiny Committee meeting dated 30.11.2022, of Law Department resultantly, subject CPLA submitted in Apex Court which is sub-judice in apex Court and no date of hearing is fixed so far.

Now, the appellant has filed Execution Petition No. 756/2022 in the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar for implementation of judgment dated 18.10.2022, passed by Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar. The Hon'ble Tribunal vide order sheet dated 04.01.2023, directed for submission of implementation report on 06.02.2023.

Keeping in view above narrated facts, circumstances and in order to avoid any embarrassing situation, it is, therefore, requested that Advocate on Record, Supreme Court of Pakistan through Law Department may please be approached to file early hearing application in subject CPLA at earliest in order to avoid botheration before Hon'ble Tribunal, please.

DSP/LEGAL

For Assistant Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.  
23.01.2023

Attested

DSP/INV  
CTD KP

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