BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR.

ervice Appeal No. 663/2023

Abdul Baseer Ex-Inspector No. MR-142, Mardan	Annallant
VERSUS	Арренапс
The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar	

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UDSP Legal Mardan

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Abdul Baseer Ex-Inspector No. MR-142, Mardan

VERSUS

The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others.Respondents

Para-wise comments by respondents:-

Respectfully Sheweth,

PRELIMINARY OBJECTIONS

- 1. That the appellant has not approached this Hon'ble Tribunal with clea hands.
- 2. That the appellant has concealed the actual facts from this Hon'ble Tribunal.
- 3. That the appellant has got no cause of action or locus standi to file the instant appeal.
- 4. That the appellant is estopped by his own conduct to file the instant Service Appeal.
- 5. That the appeal is unjustifiable, baseless, false, flawless and vexatious and the same is liable to be dismissed with special compensatory cost in favour of respondents.
- 6. That the Hon'ble Tribunal has no jurisdiction to adjudicate the matter.
- 7. That the appeal is bad for miss-joinder and non-joinder of necessary parties.

REPLY ON FACTS

- 1. Correct, pertains to service record.
- 2. Correct to the extent that the appellant while posted as In-charge NET (Narcotics Eradication Team) Mardan was placed under suspension on account of misconduct by arresting and keeping one Wahab resident of Parachinar, presently Gulshan Town Sheikh Maltoon, Mardan in unlawful custody and then demanded Rs. Two Crore as illegal gratification from his (Wahab) family member for his release. Therefore, proper departmental proceedings were initiated against him as Charge Sheet was issued to him and Superintendent of Police Investigation Mardan was appointed as Enquiry Officer (Copy of suspension order is enclosed as annexure-A).
- 3. Incorrect. Departmental and Judicial proceedings go side by side. One does not affect the other. The appellant being involved in illegal gratification had committed a gross misconduct. Therefore, he was proceeded departmentally.
 - (Copies of FIR, Charge Sheet with Statement of allegations, complete Enquiry Papers and dismissal order are attached as annexure - B, C, D & E).
- 4. Correct to the extent that the appellant was issued Final Show Cause notice to which he submitted his reply, the same was paid due consideration but

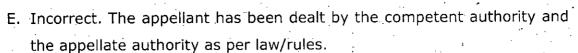


found unsatisfactory. However, rest of the para is incorrect because the appellant was also heard in Orderly Room held by the District Police Officer, Mardan but this time too he bitterly failed to produce even a single iota of evidence in his defense. Hence, after fulfillment of all legal and codal formalities the appellant was awarded appropriate punishment of dismissal from service which does commensurate with the gravity of misconduct of the appellant (Copy of Final Show Cause Notice and reply of the same are enclosed as annexure-F.

- 5. Correct to the extent that the appellant preferred departmental appeal before the appellate authority and this time too the appellant failed to justify his innocence despite the fact that he was provided full-fledged opportunity of defending himself by calling him in Orderly Room by the appellate authority. Therefore, his departmental appeal, was rejected.
- 6. That the appellant has been dealt accordingly to law/rules. Therefore, the instant appeal of the appellant being devoid of merits, is liable to be dismissed on the following grounds amongst the others;

REPLY ON GROUNDS:

- A. Incorrect the orders passed by the competent as well as appellate authorities are legal, lawful and in accordance with norms of natural justice and material available on record. Therefore, the appeal in hand is worth to be dismissed.
 - B. Incorrect. The appellant was heard in Orderly Room on 22.12.2022 by the competent authority during which he could not provide any cogent reason. Therefore, the appellant was issued Final Show Cause Notice to which he submitted his reply but the same was found unsatisfactory. In light of recommendation of the Enquiry Officer, coupled with personal hearing and reply to the Show Cause Notice, he was awarded Major Punishment of Dismissal from Service which does commensurate with gravity of misconduct of appellant. Moreover, the fact of his involvement can also be judged from his voice note/recording of the appellant which can be produced to this Honorable Tribunal in the shape of USB.
 - C. Incorrect, Proper Enquiry was conducted during which the appellant was provided every opportunity for his defense. All the codal formalities have been fulfilled before passed the impugned order by the competent authority.
 - D. Incorrect. Plea taken by the appellant is totally bereft of any substance. Moreover, criminal and departmental proceedings are two different entities which can run parallel and the fate of criminal case will have no effects on the departmental proceedings. It is added that the involvement of appellant in such like heinous criminal cases is clearly a stigma on the conduct of appellant, being a member of a disciplined Force.



- F. Incorrect. The punishment awarded commensurate with the gravity of the misconduct of the appellant.
- G. Incorrect. The appellant has been treated in accordance with law, rules, policy & norms of natural justice. No provision of the Constitution has been violated.
- H. The respondents may also be allowed to seek permission of this honorable tribunal to adduce additional grounds at the time of arguments.

PRAYER:-

Keeping in view the above narrated facts, it is most humbly prayed that the appeal of the appellant may kindly be dismissed with costs, please.

Provincial Police Officer Khyber Pakhtunkhwa, Peshawar.

(Respondent No. 01)

Regional Police Officer, Mardan,

(Respondent N 2)

District Police Officer, Mardan

(Respondent No. 03)

(4)

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No. 663/2023	
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	Appellant
VERSUS	•
The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and	
others	.Respondents

COUNTER AFFIDAVIT.

We, the respondents do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honourable Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off.

Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.

(Respondent No. 01)

Regional Police Officer, Mardan

(Respondent No. 702)

District Police Officer, Mardan.

(Respondent No. 03)





OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN

2022

el No. 0937-9230109 & Fax No. 0937-923 Email: <u>dpomdn@gmail.com</u>

ORDER

The following Police Officers of Narcotics Eradication Team (NET) Mardan are hereby placed under suspension and closed to Police Lines Mardan with immediate effect, being involved in illegally arresting and keeping of one Wahab resident of Parachinar, presently Gulshan Town Sheikh Maltoon (Mardan) in unlawful custody and then demanded of Rs. Two Crore as illegal gratification from his (Wahab) family members for his release:-

- 1) Inspector Abdul Baseer No.MR/142.
- 2) IHC Sabir Ali No.945
- 3) Constable Waseem Abbas No.2629
- 4) Constable Raj Wali No.1166
- 5) Driver/Constable Arif No.887
- 6) Constable Jalal No.3236 (Elite Force Mardan)

OB No. /<u>6/8</u>

Dated <u>- 7</u> / 5 /2022

(Irfan Ullah Khan) PSP District Police Officer Mardan

No. 431/-18 /EC dated Mardan, the 65 - 12022

Copy forwarded for information & n/action to:-

- 1) The Regional Police Officer Mardan, please.
- 2) The Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar.
- 3) The SP/Elite Force Mardan.
- 4) The SP/Operations Mardan.
- 5) The DSP/HQrs Mardan.
- 6) The In-charge NET Police Lines Mardan.
- 7) The PA (DPO Office) Mardan for issuance Charge Sheets to defaulter officers.
- 8) The OSI (DPO Office) Mardan.

يكر جزل يوليس KPK فارم نمبر ٣٧ ابتدائي اطلاع ربورك ابتدائي اطلاع نسبت قابل دست اندازي بوليس ربورث شده زيردف بالم وسكونبت اطلاع وبهنده مستنعيث م مهاحنا تما فهرامنيتي وله مكد شاختی کارو نمبر مرموبائل نمبر مخقر كيفيت برم (معدوفعه) مال اكر كحدايا كيابو 15AA حاسئة وتوعدفا صله تحاندس اورسمت تام وسكونت لمزم شاخق كارد نمبر إموبائل نمبر کاروائی جوتفتیش کے متعلق کی گی اگرا طلاع درج کرنے میں تو تف ہوا ہوتو وجہ بیان کرو اور شری کر اور تھانہ ہے روائل کی تاریخ ووقت e per ابتدانى اطلاع ينج درج كرو مستنيت مندر مضائر برج معروم وها الما على انسروان ۱۹۹ نواس الراد موا - تشري والمال كالونت ومود مالاتمام حائد وموسم مالاسه لولين ودولام مالاسه لولين ودولام مالا مدارا مع مرد ما الدراع ودولام ما مراك كالمراج الدراع ودولام ما مراك مراك الدراع ودولام ما مراك مراك و در المراج و مرد مرد الدراع و مرد الدراع ما مير) بنظا ا تری میں Wiely اللوالمرى مشروع بوكسد الكوامرى وكالخال وبنا في مدم بي مام بم والما على بر تداك نفعل برجرحات والكوامر والمائذات سنعه تنتش الشيخ حات بين برجي وارض مه . نناك ديل ے بنرالع فر الورط منزلدالد وزراع مروز ما عيم بسيد عليث ما المونت ممدر الأمورف 202 0/60/0 تحريرى داروف منزله الأداع منائب على افسرطان ولا يص مرست منيل شاه ديد سروه میں کمید موصحه كالرحك أسن ذيل مه ولواط عنه له الأراح ورز فالمجرا رام ومت وثوم 17 ومت وه: 18:00 والمريث الورك 201 ريت 30:00 والت والريم عند كادراد نتر Ow /w مكن لأول فروت والمع الما والحام من ماثون حسد الملاع عام عائد وموم المام الرمسين حاج فررمين روركدب حن فورافعان ممر 35 مال ساند كنته رور كل ماع مكتن المع المن التي التي كام إلى ولد فرم سناه كند سناه على من والمون ولد فقير حان كمن مًا عجد ملاقى مروانى فررونيق لون ولورك كرنا بي براددام ويات ويلا سال حوك بروناملة سعود كافراب من فعلدان كاكار القا ١٦٠ سه تشريط و ماه قبل باكتان أيا و تقام طاح في أريم ما له بيريك ثوام موركا دايا بيرماك الأمري KGF حسن من السيد الكر بخلف حواله كال وروى مين ملكون تعاليمية أنول اور لقاباً حين مسان و عا تراس مع مرفع در ما وروس من ملوس مور رسا لعائے تھے نے موارد با مذکررہ بالا کر اسے راتھ معا کر حرر گا زی افرار کر ایک اور دیا ۔

كساتة كازى س بالماليك لولس بهار سي كاص بر العام الماس دران براراع وط نے دیں وہ البول مذكره معرفة المراد من مناور م معدد اس نے مامال مرادرام ک نست معددات ریثم اردری طان ا - تا كى تى يا د لىدى موجود سى بى كى معلى بىن كى مراردا م وياب. ملايداه كندياه كالراب المراب المراب المرب فقيرطان سند فالمدائ والراف فالمراد و المراد فارو ما و المراد فالمراد فارو المراد فارو المراد فارو المراد فاروا الورس ما المركز والمعالم المرادا حرارس المرادا حرارس المرادا ست کے حک میں تعمدانی کرنا ہول سر روست جما حالات ر میا المعلوم كالمعلوب بعد حالات ماضوات بناس ملاى ماده مادست مع ادرونا - فدكوره كل ست معلونات كامرطن من كراس وي مرست رلورف منزم افررام روزاي بدست ميسا شاه زب ت تعرب لغيران أمورتري من إلم أرمال كر ما قد المرمال المرام المرمال كرمال المرام المرمال كرمال المرمال ال حاصل کے اصلیت سلم کی جاتے رہے۔ اندری مان رہم ہے۔ ۔۔۔ ۔۔۔ یہ اندری میں اندری میں اندری میں اندری میں اندری میں ا ماری کا رائی کیا میں الدہ الرائی میں الدہ اندری می رادر المامين على كول المرائيل كافياجهة -- -- --علیده رس کرے تفراض انگرائی واس کی رواس کرے اور زے عدے۔ حود) سيك انسر ملكا اف مان Ai مرايا دانه اي مند-Meilel يرونه بالرسران £ 200522 milwilly cras_ 25 Why we suffer U-soil my Mc Mis ALC colles 216=6636 468 Tibai Us de July 2000 الله الله المنظم المشتهر على الترتيب واسط باشند كان علاقه غير ما وسط اليثيا م بالفن مستوح جهال سوزوب بول كفيتا جاسية -والله 24/8/2

Better (1)5-24, 1)5-24, 1)



ابتدائي اطلاعي ربورث نسبت جرم قابل دست اندازي بوليس ربورث شده زير دفعه 154 مجموعه ضابطه فوجداري

<u>تاریخ ووقت و تومه: PM 00:00 2020–70–27</u>	نمير: 303/22 تقانه: فين ملتون صلع: مردان اى فيك نمبر: 00000
6 تھاند سے روائل کی تاریخ بوقت بطور سیش رپورت	الدرپٹ نمبر (27) 1 تاریخ وونت رپورٹ 1 04-08-202203:00PM
مسى عابى محمد رفيق ولد گلاب جان؛ پته: نسته روؤ گلی باغ گلثن ٹاؤن، موجوده پته: نسته روؤ گلی باغ گلثن ٹاؤن؛ شاختی کارڈنمبر:1-4361579-21301 نون نمبر:3130818172	2 نام وسکونت اطلاع د ہندہ مستنیث
:1.5.	3 مخضر کیفیت جرم (معد دفعہ) وہال اگر کچھ کھو حمیا ہے
365A ↓=	
عقب نادرا د فتر رينگ رود گشن ناون ا	4 جائے و قوعہ و فاصلہ تھانہ سے اور سمت
مدعی کی رپورٹ پر انگوائزی اور قانونی رہنمائی مقدمہ درج رجسٹر کیاجاتا ہے	کاروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں پچھ تو قف ہوا ہو تواس کی دجہ بیان کی 5 جادے

وستخط: ASI بیک نمبر: 1249/M بیک نمبر: 1249/M طلاع نیج درج کریں)

مستعیث مندرجہ نمبر 2 نے مور خد 2022/7/28 کو علی افسر خان ASI کو اینے برادر وہاب بعر 25/24 سال کی بوقت و توعہ بالا بمقام جائے و قوعہ بالاسے یولیس وردی میں ملبوس کسان کا آکر اینے ساتھ لے جانے کی ربورٹ کر کے جسکو بشکل بمنزل اندراج روزنامچہ تھانہ بذا بجھوا یا جاکر جسکو بخوالہ مد 22روزنامچہ تھانہ شیخ ملتون ورج کر کے جس پر انکوائزی شروع ہو کر بعد انکوائزی و قانوني ربنمائي مقدمه بجرم بالابرخلاف لمزمان انسپکثر عبد البصير 142/MR ،صابر على 1HC/945 ، كنستيبل وسيم عباس 2629 ، كنستيبل راج ولي 1166 ورائيور كنستيبل عارف 887 كنستيبل جلال 3236/Blite درج ہو کر نقول پرچہ جات بمدا تکوائزی کاغذات بغرض تفیش حوالہ شبعہ تفیش کئے جاتے ہیں پرچہ گزارش ہے نقلمد ذیل ہے۔ رپورٹ بمنزل اندراج روزنامچہ سید علی شاہ ASI بوقت صدر بجد مور خد 28/7/2022 یک تحریری رپورٹ بمنزل اندراج منجانب علی افسر خان ASI سے بدست کنسٹیبل شاہ زیب 58 سے موصول ہو کر جسکا متن ذیل ہے رپورٹ بمنزل اندراج روزنامي تاريخ وقت و قوير 2/7/27 وقت 18:00 بجد تاريخ وقت رپورك 2022/7/28 وقت 08:30 بجد جائے و قويد عقب نادرا دفتر نز درينگ رود كلشن ناؤن بخد مت جناب افسرانجارج تھاند شيخ ملتون حسب اطلاع بمقام جائے و قوعہ بالا پر آکر مسی حاجی محمد رفیق ولد گلاب جان قوم افعان بعمر 38 /39 سال سکنیہ نستہ روڈ گلی باغ گلشن ٹاؤن بشمول ساتھیان اش کامر ان ولد محمد شاہ سکنیہ شاہ کلیے ضیاء الر لمن ولد فقیر خان سکنہ فاطمہ ملاقی ہو کر حاجی محد رفیق یوں رپورٹ کرتا ہے کہ براد رام وہاب 25/24 سال جو کہ بیر ونی ملک سعودی غرب میں تھیکداری کاکام کرتا تھا آج سے تقریباً6/7 ماہ قبل پاکستان آیا ہوا تھا آج برادر ام مسمی کامر ان ولد عمر شاہ کلے کے ساتھ بوقت 18:00 بجہ گلٹن ٹادن آیا ہوا تھا اور بسواری گاڑی Rivo برنگ کالانمبری 99 مین بازار کی طرف آرہے تھے کہ جب بمقام جائے و قومہ بالا پر پنچے تو ایک موٹر کار XLI برنگ کالانمبری KGF/648 آکر رک کر جس میں سے ایک شخص جو کہ کالی وردی میں ملبوس تھاینچے آتر اور بقایا تین کسان جو گاڑی میں بیٹے ہوئے تھے یولیس کی در دی میں ملبوس ہو کر رینگ لگائے تھے نے بر اور وہاپ نہ کورہ یالا کو اپنے ساتھ بھاکر جبکہ گاڑی متنذ کرہ بالا کو کامر ان کو حوالہ کر کے بتلایا کہ آپ کے ساتھ گاڑی میں ہماراایک پولیس اہلار بیٹھے گا جس پر کامر ان مذکورہ نے گاڑی فنیم Rivo کولے کر بھاگ آیااس دوران برادرام وہاب نے اپنے موہائیل نمبر 03495482187 سے مسمی ضیاءالر ٹھن مذکورہ کے موہائیل نمبر Rivo و 33495482187 پر کال کر کے بتلایا کہ آپ آگرمیری گاڑی Rivo نم کورہ بالالے جائے کیونکہ ضیاءالرحن نم کورہ بالااس وقت گلشن ٹاؤن کے حدود میں موجود تھامیں نے تاحال برادرام کی نسبت معلومات ویت براری جاری ر تھی کیونکہ حاراکسی کے ساتھ کوئی و قمنی یادلبدی موجود نہیں ہے جھے معلوم نہیں کہ برادرام وہاب کو کون کیوں اور کس مقصد کیلئے لئے گئے ہیں برائے رپورٹ آیاہوں میری رپورٹ لکھی جادے دستخط انگریزی میں کامران ولد محمد شاہ سکنہ شاہ کلے رپورٹ بالا کی تائید کر تاہوں دستخط انگریزی ضیاء الرحمن ولد فقیر خان سکنہ فاطمہ نے رپورٹ بالا کی تائید کی دستخط اردو کاروئی پولیس حسب گفتند سائل رپورٹ درج بالاہو کر پڑھکر سنایا سمجھایا جاکر درست ^{3 بلی}م کرکے زیر رپورٹ خو د دستخط ثبت کئے جبکی میں تصدیق کر تاہوں سریدست جملہ حالات واقعات کی اصل حقیقت معلومات کرنا ^{مطا}دب ہے جملہ حالات واقعات جناب SHO صاحب کے نوٹس میں لائے گئے اور وہاب مذکورہ کی نسبت معلومات کی عرض سے کنٹر ول روم مر وان کو مطلع کیا گیا سریدست رپورٹ بمنزل اندراج روز نامجہ بدست کنسٹیبل شاہ زیب 58 ارسال تھاندہے نقلمد بغر ض انکوائری من ASI ارسال کیا جائے تا کہ مجاز عدالت سے برونت اجازت حاصل کرکے اصلیت معلوم کی جائے دستھطا نگریزی علی افسر ASI تھانہ فیخ ملتون مور ند 28/7/2022 کاروائی تھانہ پس آمدہ رپورٹ بمنزل اندراج روزنامچہ حرف برحرف درج بالاہو کر رپورٹ کی اصلیت معلوم کرنے کی حاطر انکوائر کی کا محتاج ہے اور رپورٹ نظامد علمیدہ مرتب کر کے بغر ض انگوائری حاصل کرنے اجازت 156(3) کے لئے نقلمد حوالہ بیٹ افسر علی انسر خان ASI مجھوایا جاتا ہے۔ جناب عالی! نقل بمطابق اصل ہے۔

ASI ALI AFSAR



OFFICE OF THE SUPERINTENDENT OF POLICE INVESTIGATION MARDAN

Phone No. 0937-9230121 Fax No. 0937-9230321

Email: invmdn@yahoo.com

No. 494 /PA / Inv:

Dated 12 / 08/2022.

To:

The District Police Officer,

Mardan.

Subject:

DEPARTMENTAL ENQUIRY AGAINST INSPECTOR

FABDUL*BASEERINO*MR/142:

Memo:

Kindly refer to you office Charge Sheet No. 205/PA dated 03.08.2022.

It is submitted that preliminary enquiry into the matter has already been conducted by the undersigned therefore it is requested that the matter may kindly be scrutinize through another officer, please.

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Superintendent of Police, Investigation, Mardan.

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OFFICE OF THE DISTRICT POLICE OFFICER,



-9230109 & Fax No. 0937-9230111

Email: dpomdn@gmail.com



/PA

Dated 03/8/2022

DISCIPLINARY ACTION

I, IRFAN ULLAH KHAN (PSP), District Police Officer Mardan, as competent authority am of the opinion that Inspector Abdul Baseer, himself liable to be proceeded against; as he committed the following acts/omissions within the meaning of Police Rules 1975.

STATEMENT OF ALLEGATIONS

Whereas, Inspector Abdul Baseer No.MR/142, while posted as In-charge NET Mardan (now under suspension Police Lines Mardan) has been found of misconduct by arresting and keeping one Wahab resident of Parachinar, presently Gulshan Town Sheikh Maltoon (Mardan) in unlawful custody and then demanded of Rs. two Crore as illegal gratification from his (Wahab) family members for his release, bringing a bad name for entire Police Force in the eyes of general public.

To dig-out facts, a regular departmental enquiry is required to be conducted into the allegations through a competent officer.

For the purpose of scrutinizing the conduct of the said accused official with reference to the above allegations, Mr. Sana Ullah Bettani SP/Investigation Mardan is nominated as Enquiry Officer.

The Enquiry Officer shall, in accordance with the provision of Police Rules 1975, provides reasonable opportunity of hearing to the accused Police Official, record/submit his findings and make within (30) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused Official.

Inspector Abdul Baseer is directed to appear before the Enquiry Officer on the date + time and place fixed by the Enquiry Officer.

(Irfan Ullah Khan) PSP District Police Officer

Mardán



DISTRICT POLICE OFFICER, MARDAN



Tel No. 0937-9230109 & Fax No. 0937-9230111 Fmail: dpomdn@gmail.com

CHARGE SHEET

I, <u>IRFAN ULLAH KHAN (PSP)</u>, District Police Officer Mardan, as competent authority, hereby charge <u>Inspector Abdul Baseer No.MR/142</u>, while posted as In-charge NET Mardan (now under suspension Police Lines Mardan), as per attached Statement of Allegations.

By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.

- 2. You are, therefore, required to submit your written defense within <u>07 days</u> of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be.
- Your written defense, if any, should reach the Enquiry Officer within the specified period, failing which, it shall be presumed that you have no defense to put-in and in that case, ex-parte action shall follow against you.

Intimate whether you desired to be heard in person.

(Irfan Ullán Rhan) PSP District Police Officer Mardan

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OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE HEADQUARTERS MARDAN

ading reports of departmental enquiry against Inspector Abdul Baseer No.MR/142videNo.

05/PA, dated 03,08,2022.

FHISTORY:-

Whereas, Inspector Abdul Baseer No. MR/142, while posted as In-charge NET Mardan (now under suspension in Police lines Mardan) has been found of misconduct by arresting and keeping one namely Wahab r/o of Parachinar, presently Guishan Town Shekh-Maltoon, Mardan in an unlawful custody and demanded Rs. Two Crore (20 million) as illegal-gratification from his family members i-e brother Haji Rafiq for his release and thereby bringing a bad name for the entire Police force in eyes of the general public.

PROCEEDINGS:-

An enquiry was conducted into the matter on account of above allegations leveled against the defaulter officer/Inspector. Besides the defaulter officials, statements of OH PS SMT and I/C PP Behram Khan kali were recorded. Relevant documents including audio/video recordings were also obtained and placed on file. Names of the defaulter officials (S.N0.1-6) and others enquiry concerned are listed below:

- 1. Inspector Abdul Baseer
- 2. IHC Sabir Ali No.945
- 3. FC WaseemAbbass No.2629
- 4. FC Rajwali No.1166
- 5. Driver FC Arif No.887
- 6. FC Jalal No.3236(Elite Force)
- 7. OH/SI Munir Khan PS Sheikh Maltoon
- 8. ASI Ali-Afsar Khan I/C PP Behram Khan Kali
- 9. Recruit Zeeshan No.2620 deputed in police lines
- 10.Taxi driver Asif Ali s/o Azizullah r/o Jamal Gharai, Mardan
- 11. Farhad Ali s/o Raheem Dad r/o Toru as security guard BOK
- a. Inspector Abdul Baseer Khan recorded in his statement that the performed duty as incharge Narcotics Eradication Team (NET) since 27th july,2022 where he carried routine raids against drug-dealers/peddlers throughout the district. He squarely negated the allegations of kidnapping and the amount demanded in lieu thereof. He declared the criminal case registered vide FIR No. 303 dated 04.08.2022 u/s 365A PPC PS. Sheikh-Maltoonas planted and baseless against him and his (NET) team. Further added that they were produced before the ATC Court on 22.08.2022 wherein the petitioner/abductee clearly denied the allegations leveled against them (officials) in a written statement before the court. Resultantly, their bail was confirmed while the case is under trial therefore, the court decision will be honored.
- b. 1HC Sabir Ali No. 945 stated that he was deputed in NET team with Inspector Abdul Baseer In-charge NET. On the day of occurrence he left for official duty where he was asked for launching Naka-Bandion the ring road. He added that they made the proposed Naka-bandi where he neither noticed the alleged abduction nor demanded any amount in lieu thereof from any one. He performed his duty and carried out the orders of his senior officers.
- c. The defaulter Constables Wascem Abbas No. 2629, Raj Wali No. 1166, Jalal No.3236 (Elite)&Arif No. 88were summoned, heard and cross-examined. They narrated unanimously the same story as recorded above by IHC Sabir Ali No.945 which is reproduced as follows, "on the day of occurrence they left for official duty where they were asked for launching Naka-Bandion the ring road. They added that they made the proposed Naka-Bandi where they neither noticed the alleged abduction nor demanded any amount in lieu thereof from any one. They performed their day and carried out the orders of their senior officers".
- d. ASI ALI AFSAR In-charge police post Behram Khan Kali in his statement revealed that on 28-07-2022 at about 08:30 Hours he was approached near NADRA office Ring-Road. Gulshan Town by Haji Rafiq r/o Nisata Guli Bagh and Kamran r/o Shah Kali where the later reported that he along with his brother namely Wahab were on the way towards main bazaar in their private vehicle black color Rivo No:99. Meanwhile a black car No. KGF-648 stopped

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deboarded Wahab. They were in official uniform and took him (wahab) away in He added that the matter was reported vide DD No. 22 dated:28-07-2022 and Let him (ASI) for further probe. Enquiry into the matter was commenced where on the day j-e 29-07-2022 the abductee safely arrived home and approached the police station and with local-elders. Their statements u/s 161 Crpc was recorded wherein they charged integrated NET team Insp. Abdul Baseer, IHC Sabir Ali No.945 and Constables Waseem Abbas No.2629, Raj Wali No.1166, Jalal No.3236, Arif (driver) No.887 vide FIR No.303 dated:04-08-2022 u/s365-A PPC PS Sheikh Maltoon and marked to SI/OII Munir khan for further Investigation.

- e. SI/OII MUNIR KHAN PS SMT submitted his progress report and narrated version of FIR.Site-plan was prepared at the pointation of complainant and eye-witness Kamran and their statements were recorded u/s 161 Crpc. He added that one 9 MM pistol and two mobile-phones, belonging to abductee, were recovered from possession of the accused party and prepared a recovery-memo thereof. Accused were arrested accordingly and their statements were recorded u/s 161 Crpc.Statement of recruit constable Zeeshan No.2026 s/o Mohammad Islam r/o Gumbad was also recorded u/s 164 Crpc against the accused police party. Besides, audio call-record was also obtained wherein allegedly the accused inspector Abdul Baseer had demanded Rs.02 cror from the family of abductee in lieu of his release from illegal-custody. The Case file has been submitted before the Anti-Terrorism Court-Mardan. however, the accused are released on bail vide order No.02 dated: 22-08-2022.(Copy of bail order annexed as 'A')
- f. STATEMENT OF RECRUIT ZEESHAN NO.2620recorded in his statement that he was deputed as orderly to defaulter inspector Abdul Baseer and on the day of incident i-e 27-07-2022 he was present in his home. In the evening he was called on his mobile phone(0347-1194365)) by the defaulter inspector and asked to manage dinner for 04/05 persons. After 30 minutes the defaulter inspector alongwith IHC Sabir Ali and constables Wseem Abbas, Mohammad Jalal, Arif and an unknown person(handcuffed) arrived in his hujra. They were served with dinner where-after the defaulter inspector and IHC Sabir Ali left the hujra while FCs Waseem Abbas, Mohammad Jalal, Arif and the unknown person (Handcuffed) stayed for night at Hujra. The next day i-e on 28-07-2022 at about 1300 hours a white Corolla Motor car arrived in his hujra and the unknown person (still hand-cuffed) was boarded in the car and they all left the hujra. Further added that he did not know the person handcuffed and had no information about their next destination. (Copy of statement annexed as 'B')
- g. TAXI DRIVER ASIF ALI recorded in his statement that on 28-07-2022 at 12:00 O'clock he was called on his mobile phone (0341-9062543) by accused/defaulter constable driver Arif and asked him to come in the locality of Gumbat to drop/shift their colleague to Rashakai. He arrived soon thereafter in the locality where accused/defaulter constable Arif and two other unknown persons in plain clothes boarded another person in his car who was blind-folded. He along-with defaulter constables left the hujra/locality and dropped the blind-folded person in Rashakai bazaar. They returned there from and was paid car rent Rs.3000/-.
- h. FARHAD ALI SECURITY GUARD BOK. Rashakai in his statement recorded that on 28-07-2022 at 15:22 hrs while on duty in front of the bank he was approached by a man in a state of fear and asked for a call on his mobile but he refused. Later on the person who demanded mobile phone from him was identified as the kidnapee, Wahab.
- i. THE COMPLAINANT & ABDUCTEE in their joint statement u/s 164 Crpc stated that they compromised the matter with defaulter/accused officials and to that effect on 22-08-2022 a joint statement of both was recorded in the court of ATC-2 Matta, Swat at Mardan. They have shown satisfaction regarding innocence and non-involvement of the defaulter/accused officials in the ibid case. They also shown no objection on their being acquitted and pardoned them in the name of Almighty Allah. (copy annexed as 'C')
- That a compromise deed affected between the accused and complainant/abductee was produced before the competent court. Consequently they (accused) were released on bail vide order No. 02 dated: 22-08-2022 in the case. (Copies of compromise deed & bail order annexed as 'D' & 'E')

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That Performa-B was issued by the prosecution branch, Mardan on the subject, DECISION ANTI-TERRORISM CASES WHETHER TO PROSECUTE OR NOT TO PROSECUTE" for seeking opinion of Investigation Head/IO in the ibid case which was properly commented upon and negated in to. The superintendent investigation, Mardan recommended the case for put in court i-e proper trial by making strong supporting remarks on the subject case.(Copies of Performa-B & comments of SP invest; are annexed as 'F' & 'G')

RY OFFICER'S OBSERVATIONS:

The undersigned as enquiry officer examined the relevant case file, cross-examined the defaulter officials and their statements were recorded. Other relevant persons/officials were also heard and recorded their statements. The audio-call/video footage ATM recordings were produced which were heard/viewed properly. The undersigned, however, observed as follows:

- That a criminal case vide FIR, cited above, was registered after proper enquiry where the complainant and abductee, after being satisfied, had charged the accused officials.
- 2. That one 9MM pistol and two mobile phones were recovered from possession of the defaulter/accused inspector Abdul Bascer khan and placed on case file vide a recovery memo.
- 3. That the recorded audio-call, made by the defaulter Inspector via his mobile to abductee's brother, was heard which, though not sent for forensic analysis yet but, apparently match with voice of the defaulter inspector.
- 4. That taxi driver Asil Ali admitted the alleged mobile-call made by the accused/defaulter Constable Driver Arif and also confessed the alleged shifting of abductee from Gumbat to
- 5. That the abductee was forced to withdraw amount from his ATM account by the defaulter/accused constable Arif where this fact could be verified from video recorded in ATM machine room.
- 6. That Farhad Ali, security guard BOK, in his statement affirmed presence of abducteein the premises of the alleged Bank on 28-07-2022 at 15:22 hrs where the later requested for making a call on his (SG) mobile which he refused.
- 7. That recruit constable Zeeshan No.2620 has admitted the fact that he was called by the 'defaulter/accused inspector on his mobile to manage dinner for them (accused officials) where they, alongwith handcuffed person (abductee) stayed for night at his hujra. He also admitted arrival of a taxi car in the hujra on next day and taking away of abductee to an unknown place.
- 8. That a joint statement u/s 164 Crpc was recorded by the complainant & abductee where they showed satisfaction about innocence and non-involvement of the defaulter officer/accused in the matter. They also marked no objection on their bail release/acquittal in the ibid case.
- 9. That on the ground of compromise/joint statement, cited in the preceding Para, a Performa-B was drafted by DPP office on the ground "to prosecute or not prosecute the case" which was properly responded with steady observations by the Head of Investigation, Mardan.
- 10. That the other defaulter officials worked as a team (NET) who remained under immediate command of the defaulter Inspector an contributed proportionally in commission of the alleged offence of abduction.

RECOMMENDATION:

In light of the foregoing observations, I, the undersigned as enquiry officer is of the view that the defaulter officer Inspector Abdul Baseer allegedly kept the abductee namely: Wahab in unlawful custody and thereafter demanded Rs.02 eror from his Family/brother as illegal gratification in lieu of his release.

The defaulter officer Inspector Abdul Baseer (MR/142) is hereby held gailty of misconduct and, therefore, recommended for major penalty under the PoliceRules-1975, if agreed,

(Muhammad Shafiq) Deputy Superintendent of Police HQrs, Mardan.

(14)

Tel No. 0937-9230109 & Fax No. 0937-9230111 Email: <u>dpemdn@gmail.com</u>

0 1/2-5/2 /PA

Dated 3 / 1/2023

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CALLA CARNOTTEN OF INSPECTIOR ABOUT BASEER NO.MR/142

This order will dispose-off a Departmental Enquiry under Police Rules 1975, initiated against Inspector Abdul Baseer No.MiP/H2, under the allegations that while posted as In-charge NET Mardan (now under suspension Police Lines Mardan), was placed under suspension vide this office OB No.1618 dated 02-08-2022, issued vide order/endorsement No. 4311-18/EC dated 03-08-2022 on account of illegal arrest and keeping one Wahab resident of Parachinar, presently Gulshan Town Shelkh Maltoon (Mardan) in unlawful custody and then demanded of Rs. two Crore as fliegal gratification from his (Wahab) brother namely Haji Rafiq for his release. Subsequently, a case vide FIR No.303 dated 04-08-2022 U/S 365-A-PPC/15-AA has also been registered against the delinquent officer at Police Station Sheikh Maltoon.

departmentally through Mr. Muhammad Shafiq DSP/HQrs Mardan, (nominated in place of Mr. Sana Ullah Bettani 82/investigation Mardan/E.O vide his office letter No.494/PA/Inv dated 12-08-2022 and the basis of already commeding preliationary enquiry into the allegations) vide this office Statement of Disciplinary Action/Charge Sheet No.205 PA dated 03-08-2022, who (E.O) after fulfillment necessary process, submitted his Finding Report to this office vide his office letter No.382/HQrs dated 29-11-2022, concluding that the allegations regarding keeping the abductee namely Wahab in unlawful custody and thereafter demanding of Rs. two Crore as illegal gradification from his (Wahab) brother on the part of delinquent officer have been established, therefore, recommended him for major penalty.

Inspector Abdul Baseer was heard in OR on 22-12-2022, during which, he couldn't provide any evgent/plausible defense against the allegations leveled against him, therefore, served him with a Final Show Cause Notice, under Khyber Pakhtunkhwa Police Rules-1975, issued vide this office No.13052/PA dated 23-12-2022, to which, his reply was received and was found un-satisfactory.

Fin. Cover

In the light of above discussion, I am of the considered opinion that Inspector Abdul Baseer, remained involved in illegal activities of corruption, which brings a bad name to entire Police force in the eyes of general public, therefore, awarded him major punishment of dismissal from service with immediate effect, in exercise of the power vested in me under Police Rules=1975.

OB No. 35 Duted 45/6/ 2020

(Mileson Rashid Khan) T.ST/ PSP District police Officer, Mardan,

Copy forwarded for information & afaction to: 5

1) The Regional Police Officer Mardan, please.

2) The DSP/HQrs Mardan:

3) The P.O & EC (DPO Office) Mardan.

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MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111 Email: dpomdn@gmail.com

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No	 /PA		 	Dated	1	/2023	
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ORDER ON ENQUIRY OF INSPECTOR ABOUL BASEER NO.MR/142

This order will dispose-off a Departmental Enquiry under Police Rules 1975, initiated against Inspector Abdul Baseer No.MR/142, under the allegations that while posted as Incharge NET Mardan (now under suspension Police Lines Mardan), was placed under suspension vide this office OB No.1618 dated 02-08-2022, issued vide order/endorsement No. 4311-18/EC dated 03-08-2022 on account of illegal arrest and keeping one Wahab resident of Parachinar, presently Gulshan Town Sheikh Maltoon (Mardan) in unlawful custody and then demanded of Rs. two Crore as illegal gratification from his (Wahab) brother namely Haji Rafiq for his release. Subsequently, a case vide FIR No.303 dated 04-08-2022 U/S 365-A-PPC/15-AA has also been registered against the delinquent officer at Police Station Sheikh Maltoon.

To ascertain facts, Inspector Abdul Baseer was proceeded against departmentally through Mr. Muhammad Shafiq DSP/HQrs Mardan, (nominated in place of Mr. Sana Ullah Bettani SP/Investigation Mardan/E.O vide his office letter No.494/PA/Inv dated 12-08-2022 on the basis of already conducting preliminary enquiry into the allegations) vide this office Statement of Disciplinary Action/Charge Sheet No.205/PA dated 03-08-2022, who (E.O) after fulfillment necessary process, submitted his Finding Report to this office vide his office letter No.382/HQrs dated 29-11-2022, concluding that the allegations regarding keeping the abductee namely Wahab in unlawful custody and thereafter demanding of Rs. two Crore as illegal gratification from his (Wahab) brother on the part of delinquent officer have been established, therefore, recommended him for major penalty.

Inspector Abdul Baseer was heard in OR on 22-12-2022, during which, he couldn't provide any cogent/plausible defense against the allegations leveled against him, therefore, served him with a Final Show Cause Notice, under Khyber Pakhtunkhwa Police Rules-1975, issued vide this office No.13052/PA dated 23-12-2022, to which, his reply was received and was found un-satisfactory.

Final Order

In the light of above discussion, I am of the considered opinion that Inspector Abdul Baseer, remained involved in illegal activities of corruption, which brings a bad name to entire Police force in the eyes of general public, therefore, awarded him major punishment of dismissal from service with immediate effect, in exercise of the power vested in me under Police Rules-1975.

OB	No.	Dated	,	/ 202	3

(Haroon Rashid Khan) T.ST/ PSP District Police Officer, Mardan.

Copy forwarded for information & n/action to:-

- 1) The Regional Police Officer Mardan, please.
- 2) The DSP/HQrs Mardan.
- 3) The P.O & EC (DPO Office) Mardan.
- 4) The In-charge Lab (HRMIS) DPO Office Mardan.
- 5) The OSI (DPO Office) Mardan with () Sheets.

اوا المحرف المعرف المع

ورط ممنی حصدوم (اندرونی) إنسيس عدالتهم ولم عدالمروف في انقال لعبر 42/و به سال ما من مراما تورد معرمه مراف بريانت برين بيان سال ميل سف يتم يول لاين ما سنت يني ما الجارج نفا - مين ما سنت يني منشات من روب ففا) ميله المرادة فيلف جامون مع فيلف اولات ما معطوال المعنى مرام 25 12 قو ملاما و لزم المان وناء بری لوی وائی مان الله نام الله (The fibic is see a serio con con con in con عارفات ما عارمار راس مند دورس ارباب 3) 100 Rivo 98 90 (1/10) Pivo يحارم معمالة عارى أز رسی ارانها می نو بوش مین روما ما ر ما وی سی مرازان برق - عارف هيما حين سيا عا - بررط نت برايد ادى اينان) وباسان وللرخلاب جان ساس بنت روو على عام بمرا ما جيما وولات ايما فاياران ولا عرساه را من ساه عا ملايل - يس عسوها كاسا مام ريما سعاريد من للذ عيم المالع ما تعل ويل مل وليف ما تع ما زمان من الله رص روسرا ۱ رای ما ری سمیت جعرا روط ما جاد سا - ۱ الا دو ما ری می رے مرے سوم وات مشروع میرے والافوا تو سات اس مقعراً و انفيا من واله عجومي ما رما ما برأس سعما وكره من ست سے عبستاوں ے کو سکا ما تعالی جار اس سحول مر زال عارف و الحلام وى م كس مع ما رئ منكوالم- اوراس مع على و ما را مين سيَّوا در الله والسارا سامان الله وقول ر عظم فرستوه مين كين ور الما من الم



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سر ها ، دليدت بمنول اندراج روزنامي، سريملينها ه Asi بوقت مدر مجمد معرف مدة 36 ايك تعریب بخنرل ازراج مغالب علی انسرفان ۱۸۶ سے برست کنئیل شاہ زیب 80 سے موصل سع الرحاس ميل سا ديور ف المرك المؤلام المواعب مارنع وتت وقريم مح 27 وقت ه 18:00 عبر ثاريخ ودر دلوز الما 30 فق فات ١٥٥: 80 عبر جار روع عمد كادرا رفت نزد دينك روز علن كادُن ميرمت حنائب انساكيل حماني ملترن عب الملاع بمثاً جائے و فوق مالا برم كرسمى حاجى جرال بيق ولد علاب حان قوم ا مان لعبر 38/39 سال كنة لنسترو و و كل ماع مكنس فياون لبشمرك سا عقيان النس كامران الأولام مرسناه كنه شاه كلي منياء الريان ولا نقير طاك كنه ما لمه ملاتي بور حاجي قير رفیق لیرب دادر می کرنام کے بطررم م وهاب کا/ 4 سال جوکہ بسر دنی ملاسمین سرب میں مُعیکواری کا کا کریا تھا آج سے تقریب 4/6 ماہ عبل تا کتان آیا سواقعا آج برادر آمسم آ ما بران ولد محمر شاه سكند بنياه كل سائمو بريت ٥٥٠ ١٤ بم مكنت كا وُن سے سواری گا دُیاہ Riv برنگ کالانری ا قاف بازاری طرف آریع تیے کہ جب بھا صارِّ وقوم بالا بر بہنچ توایک مورٹ کار اسلا بریگ کالا نری 148 م ردک کردسایں سے ایک شمعی جو کہ کمانی وردی میں ملبس تعانیع آترا وربقایا تبت کسان جگاڑیا س بھنے برے تھ اولیس کی وردی میں علویس فرکے دیک اُما کے تھے ۔ نزاد رقعاب منركوره بالأكوا بني سالتع بمفاكر جبكه كاليما وتذكره بالأكوكا مران كوحوال كرك بتلايا عالی ارتسم ۱۷۰ کوسا کر مای آیاس معیدن مراسم و هاب ندای مرانیل عزی عصم بنياد ارض مركوب كوما فيل نري 1878، 548 و مركال كرك بلایا آب اکرسا کا رفعاه ۱۷ مزکوره بالان ماری کونکه میادا ترفان میرکوره بالا اس وقت گلش کا فی کے حرود میں موجود تعاش فر اعال برادر آم کی کسنت معلومات ومیر براری طری مکمی کیرنکه معلواکسی کے ساتھ کوئی دستی یا دلسری معرفود بين سي معد سلم بي كم برادرام و دعاب كوكون كيوس اوركس مقفد كيلي لا الله من برات ربورت الماسون سری دلورا کی طاحه دستاه انگریک س کامبران وله محراه مكند شاه كل ولورك اللي كما لتيركم اليون وسخط الريف صاد الرفين ولرمقر طان سكته ما المه نريمي ولورك بالاكي ما ميركي ومشخط أردد كارود آ لي لين خسب كفيم سأتل د نیورٹ درج بالا بوکر ایر مکل سایا مقیمایا جاکر درست تشیم کرکے ذبور تھورٹ فور دسترف سب كن حسى س لفريق كرامرن لريوست جله عالات وا قيات كيامل وسی الله می الله الله می الله می الله الل

ر لورط منی حددم (اندرون) ع ما مرا ولا فرر طان عوم انعان لوم 39/38 سال ساس فود اسماعیل رقی رس موره ن بر رافت کولی بیان میان می سند سنم بول الای من لفينا - سوں - مرزم 27 م و من الجارج س في سم مبر البعسران سے سا قو افر ش ما ر مرزی لوں رس سے نعل مرتب روو سرحار مرتب نا درا ملغ نف نترز علان نامل وينك رود برنا عبرنا عرف سود وراسوس رمط نفا ورسرا ابلات ما تحق مندف سرب برسماسوانا دولزنا و عارى سے تھے اثار رجام ثلاثما كا . بمريافت ووالور ت اينانا) قرياب عان ا مرووسرا جوان القرار فا ص عرينا فاران. شيدي - خواشورون خان ولاطل جان ساس سترور مَن ماع بحروره و مقل عقام جمير روصد الحلح ميرالعروات اسْكِيدَ الله الله ما من والله عام الرالل ت سا قع مر الركارس بيما رجي اس ما ورسرا سا عق ا درها ركا ولان ير ويور رسى ريان سيرها بول لون وي چل جا رسى بولى ولا سا ادر انسير حاصب الله تعقى مومر مركار الن الفي ما تق له الحريد المراس ما في ي على أن الله على الله ع

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پولین فارم ۲۵ یه ۵ (۱) ستطروس منا مراوام نواسطان في انقال لعمر 27/82سال ما منه رامان وبدا مارت برايان به لها سالي ما عين نيد بلتم على ميها المامة (16 per/me 927 72 0190.60 60 60 100 - 25 15 6 20 000 تاسا تف مفيد نادرا داران رسيدوريرناى سبرى بعد سعرت معرفيوريع تَعَارُى ا رَسَى كَا الْمِنْ Riva مِنْرِى 99 مِن مِن وَرَكَا لَ سُوارِقْفَ. عِما مًا مًا وياب مان تفا- اررووس ع ما ما ما ران ساه ويف با فق عارب مين بينا وجيه روس برا و ين - سرا لبه مرطان مع ما مطابق عي عالمان روي مران رك عم معرالبعيم صانت عارف و كال ين برانهو سي كارك منعوا راه مين رياب كاي محفل و بها مِلْعَ نُوسُهُ وَ مَن صَرُورُ مِن مَنِي يُرْ رَقِي رَرُورٍ وَعِما رَحْبُ عِدَا يَتُنَا يَرَا يَرَالْ نكى دراشرام طالار عارف كال برسكى دراشورا (عرضاما نامارُ من رواب مان کو بینکار رشیکی باز ارسی کے اروال وصورتر فارتف عيدا فرر هم الم جل سا اورج وطال سع فارس ورا كران ما في جه مع بيل الله - بين حمر بها في

پولیس فارم ۲۵_۱۵(۱) ر لورط منی صدوم (اندرونی) سيشل داج ولا ولم امرودين شي أفعال ليم 9 2/08 سال ما من بيم فناره انتراى فالله عبررات يون بال كالمام الله 27 22 وم ساليهم م الم من مال جوا ما الراب و و بل من الم يوا بوق على رود رجوا م लिए हेर हे - लिए के ने मिल की की कि हों में की की की की की की की की سما رصرور الوف و عور رف رو المن على عارى وما دما معما ومدالعم ت المنا روس كرا عردات سرت والافي توعماليهم على توام ليت في الله ما نن ولان عرب عماد ما ورال رئي سب معاما تعاما وم مما المعمر لولاله في طيس عي من سالمعمر على في المال والمال اوروال مراس مول لِفَى وِيا - فَالْ مَا وَقُو حَرِيلُ عَارِفَ بَسِيلٌ وَلِلْ الرَّبِيلُ عَارِفَ لِوْ مِنْ الْوَلْ 1 July No Co a sin de 2 66 - 20 - 20 20 85 U Clar WI man of his for friend the first fire in his a second

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پیس فارم ۲۵ یه ۱۵ (۱) مخمنی حصد دوم (اندرونی) ر لور ط

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ع تَدَيِن ثَفًا- مراع 27 عَرِي عَنْهِ فَا دِرا لِلْهُ نَذَ لِنْ لُقُلْ رَبِينَا وَرُ رسرائعم طان ساند ناع بنرا الع سرے مرجورتا - عاملا دوران اس فارى أرسى ما المرن فالا ألما الحوارك ويرا مع المرا كالمرا المرا المرا كالمرا كالمرا المرا وكاردا سرعي فارر دونورا ف جا مرتوبى كا جا رجو كو ف منتر كا در ف چيز مرام - ان من ساله الله عان ولا على ولا على ب عاف لا من في الم ولا ماع صرا ومدا كان عامران شاه ولم عرسان سان ساه ي رسد روز تع مِنْ عِلَا عِلَى الْمَارِيمُ الْمِرْ مِلْ الْمِيمُ مِلْ الْمِيمُ مِلْ الْمِيمُ مِلْ الْمِيمُ الْمِيمُ الْمُ عادُن مِنَا بَعَالَيْ مِنَا وَعَالَ الرَّفَا عَازُن سَيْتَ وَعِرْ رَبِيْ لِكِ مِنْ مُوسِمِ الرَّفَا عَازُن سِيتَ ت وتت مي مونتر كست إيسيانيو ي حروص عامات وسيرالبعيرمان جانثانا عام روا له يعاما تعاما سرالبعيم جان تو لولول لائن دول أيا- مِن وسِع سا من اورعارف إمر المعلى المر تداى دف وساء ص رويع - عنسارى منبروار دريون رساس معنى برعوى مراى ك المعراليعروان ما رف و كالرب) من برايو من فارى و منظوا إ المع سالما من من الروا على موسكا رجه نوسوه و من العوروم) مبرالم عمر مان س کال سر ما رف ندایک ملک دُوارْ توراد راس ی سلام مل مرسور ورا سرمان و سرما ر رسال ما دار م ما ما در سال مازار صادر وعور را - ما في عصم بن سے يي ميرا بنان د

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ر **پور ط منی** حصددم (اندروگی) م

منك عادف ولير معلى سياه فوي انفال بعيم 12/25 سال ما في الوى فأللد ع بمراط منت بولى سان كل مين سيد بشم مين بيست و دا مور الفيات مرل سن من من مركاري بساب على كابول ا ورمول معارات در ساله ان على عند البؤر ورا فاري والما بولا ، مرام 27 25 و من - إن الم عاص عف فاددا مليزنع نروعلى كادل ريند روار بيرناى منها برمايوا عَمَا مِنَ اللَّهُ عِنَا مُعْرِمُونَا - فَعَلَقَ مَا رُفِلُ فِينَا مِنْ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّ منع ما الم المرى 99 مرض جلنك الفراز عاص على وو منها المواقع رمونوں ی جا مذیون کا جا رہے گاڑی حویں جیک رے عربی ہے کی عنم فانون عربرام برع عازف ما در المان عراط ف المان ا بنان) مرياب حال والمرسل بال مان ستر روز على ماغ بترويا عبا روس عن بررانت ابنائی کا مران شاه ولبر قررساه را من شاه فع رسد روز شرو ما من مع مع رياب مو ما زوري بها را بين ما شاعر و ورووس ا بنره ما زی سه رط ما چعر از رجا تما - سا ربول استيند خاشد مع جا مروان بر تعانا كان مراب ر انسان ما ما دو لولالان چاد ما عن - مرسى ا در طول اس شعن بن ورا ب بر تدان سلا و ما له معرفرين و و دوير ع دل سرالبعيم طان عيد كال إن مرا يا البيوس يرا بروس فالرى منكوالع - اس من مراب تو بمفار إبدا وسادانها ك دير ملع فرسره و ميل كرك بر حير رو - سائد اين صابعة وال يعلى ودارور أجفيها دسرهال واروا مع بنزالع فرن متلوا روه ا ربي ع اس عرار فارس وط من مرسكا روسك ما السبط روط ل بروط - ما ن موسادا ما مان ين ابن ورسرومونا ع فونز ATM ما روشيره على إ وموروع - ما في يحد ما في عدي ميد بنا ل عد

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معروفان فرفت بو) بس جرى سرري ما على من بطورى جا الفات بو موادى 28 وبين ١٤٠٥م عنى ماراه وفعر بزورس رود مان ما وال معياما ولا عن عام و و الله المعام عنى ماراه و فعر بزورس رود مان ما والله المعام عنى ماراه و فعر بزورس رود مان ما والله المعام عنى ماراه و فعر بزورس رود مان ما والله المعام عنى ماراه و فعر بزورس رود مان ما والله المعام عنى ماراه و فعر بزورس رود مان ما والله و المعام عنى ماراه و فعر بزورس رود مان ما والله و المعام و رسين در ملايس من لنسم رود ملى ما مير اساعي رشل ما مرا ن در غريدان معلم من - شاه بلا مع فر دوره ا رما 2) وبات ۱8/ و مرادرا معاولا ب مرو . ما عن ن سوری ما رای ما وی ما کار ای ما کار ای ما در س بن سنام عن ماره وفتر في رنس رود مكن كاون بريد تورس وكار الما الما الما المرون كرم في ونك منحف ما في وروى من مليوس تحاليد الرادد شام سن کان موسی اطری میں میں سو جن مولی کا دوری میں ملبوس تھے اور شام سن کان موسی اطری میں میں سو جن مولی کا دوری میں ملبوس تھے اور روزاج در دال تعام فيوكر معم بن ركودع في الله عجود كا ما كر من بن من الله عدى ولاكن كي في المر عزارت خيرولي سروان بعورت الله مودع مي 25 وي 20 R سنره عما الكوروس وبدان مدعى رمعوى مى روشى من منه ما ن رنسكسد سارة 19N), 1166 U. 71 V. 2629 V. wo m. J. 945 V. W. 142 - 2 4 C 22 Por 303 Ne (in join 3236.) IN 18 087 10 16 in the self soil in what with the DIRN SMI cles & SEA

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ر بور می صدوم (اندرونی) ر بور می می حصدوم (اندرونی) وي و دو الله و ا الع المرازة م وَ وَسَعِ لَمْ الْمِلْ وَالْمِلْ وَالْمِلْ وَالْمِلْ وَالْمِلْ عَلَى مَلِي مِلْ مَعْلَ مَعْلَ وَالْمِلْ وَالْمِلْ وَالْمِلْ وَالْمِلْ وَالْمُلْ فَعِلْ وَالْمِلْ وَالْمِلْ وَالْمِلْ وَالْمِلْ فَالْمُلْ فِي فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فِي فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فِي فَالْمُلْ فِي فَالْمُلْ فِي فَالْمُلْ فِي فَالْمُلْ فَالْمُلْ فِي فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فِي فَالْمُلْ فَالْمُلْ فِي فَالْمُلْ فِي الْمُلْمُ لِلْمُلْ فِي فَالْمُلْ فِي فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فَالْمُلْ فِي فَالْمِلْ فِي فَالْمُلْ فِي فِي فَالْمُلْ فِي فَالْمُلْ فِي فَالْمُلْ فِي فَالْمُلْ فِي فَالْمِلْ فِي فَالْمُلْ فِي فَالْمُلْ فِي فَالْمُلْلِ فِي فَالْمُلْ فِي فَالْمُلْمُ فَالْمُلْ فِي فَالْمُلْ فِلْمُلْ فِلْمُلْ فِلْمُلْ فِي فَالْمُلْمُ فِلْ فِلْمُلْ فِلْمُلْ فِلْمِ ما معلی سام السلم المعالم الم عم كادونساديد العالمة العالمة العالم عادية ا ادور ها مدم به المحال العالم المحالية العالم المعاملة المراجعة الرواتية المراتية الم المراع ال الماسية والمحارية والمحاري ريكا - ارده مولال هذه سع سع عمله طاق رفيق كوماً ئىلىد معالى كىلى رىھارىك نسا ھوھو اور ھوچى والم عرب الم الله على - الدي الله على الله على الله من الله من الله على الل امل کا با کو سے کا دھ ۔ آپ تھ بیاں سے روسری کی لیا تھ جا ت Les jes 12 12 12 12 18 6 14 1 1

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مملي وا

السودولان من فيكر العالمان فنهو - وه العراق درسال یه - حبوی می کیا - ی در انتیار سی اور شاوع می آناسه - یه در انتیار سی اور شاوع می آناسه - یه در انتیار سی اور شاوع می آناسه - یه در انتیار سی اور شاوع می آناسه - یه در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می آناسه - یا در انتیار سی اور شاوع می از در انتیار سی اور شاوع می از در انتیار سی اور شاوع می در انتیار سی در انتیار س أرك ما ما مع سوله وسطاما عام النبر لصع عان، اوراس عمل. ول الماليار المل ما معلى حي في الوحدة (عوائق معيد والمعلى على المعلى على المعلى Michaele cibil 21 me delle me sole Bear (20x1) وسيم عاسه اور معرك عدد اور ابن عام لهامل وطفامله في درمردس وي ركين (ور هو سر ما سال دهم روه وق عيد كا دهالبرس f-80h leng lever autel suite 3 (5) 61 San Art Bridge Land Control Established with the state of the The second of the second The state of the s The state of the factor of The Conference of the conference of the The state of the s

ر گور طی منی حصدودم (اندرونی) ر گور طی منی حصدودم (اندرونی)

طام الرحن ولر مفر حان فورا نقال ليم 27/82 سال لا من فاهر في مع مزرام مرمای فول برگال کرے مثل کے کم شا) و سیا رے مال ار اوا ما سا ساخة لُوا مِن أَلَ . اور إِعن مِن كَا يَ صِفَ سُنا كَا لُولُ عَلَى إِن مِنْ اللَّهِ مِنْ اللَّهِ اللَّهِ اللَّ معت جوا بما ويا مع يوجها عما ب كما ما يم معر فوورا حب وراق م عزم ا وراه الران مُون مِلْ مَا وَمُ سُولًا مِنْ اللَّهُ مِنْ اللَّا مُعْلَمُ مِنْ اللَّهُ مِنْ مِنْ اللَّهُ مِنْ اللَّهُ مِنْ اللّلَّا مِنْ اللَّهُ مِنْ مِنْ اللَّهُ مِنْ اللَّالِمُ اللَّهُ مِنْ اللَّا اللَّهُ مِنْ اللَّهُ مِنْ اللَّهُ مِنْ الللَّهُ مِنْ اللَّهُ مِنْ حرفرن كري ريا ورا مراسك فون ملم اريا تها مري وفع مراق كر وفا مرا كا نهر صدل منه أراط وقا عامل انتزار مين كامران في في الأع وياب والله مرتركا رطار دان براما ن ورون عن مارس طال و ارت ما تقارف برا 2000 1000 -012 2000 16 16 Extica 116 برك لعالى ورويق ما و الحام الم على على والون الم علوا حرك الى وروالوا ت بيات جوا مركام ان هوال عن المام من من من المراروك. ا در دیا ۔ عباتی فروسی اور ای دواق اور ایسا - بعراف فعا المراز جا می موجه الحالى جي شهل الما - المفولات بن مسي مسي سواله ف را روي معررته من ازار سه فرو فرد تفام ا رسم ملون پر من و ساما واق

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ر بور کل منی حصدوم (اندرونی) ر بور کل منی حصدوم (اندرونی)

وه و مرارات شاه ولرحمد ساه في انقال لعم ١٥٥٠ مال ساس رسف روز شاه عات برريافت يوس بالى ساس مورام ١٠٠٠ وسم مين ويا وال عسا وي قالن بارد سا وه سرف سرك (1) (1) 1/2/13 (1) (1) (1) (1) (1) (1) (1) (1) ادر جورر عاداري ولرفي والمرفي والمان ما طرح والمان الدرك لعلة سے برایا ۔) ہوفت و میں ٥٥- ١١٦ روا یا ان کارا کو اے کے مرورا) مبلاكه جو جزار الرياع ملك ما دارجات كو جه كيما أو من ريات عاري از قتم Rive بري 99 ويل سيم مي ريا حي سانة بينة ريوت رين روز جاريد العالق عن جائع وفوع المهار الله في الله المراز المراز على الله الله الله الله الله المعالم المورا الموار الموار المورا سان لولاً في وري در دري در الرس فوا- ايد في المرس في المرس في المرس مير بعدا موا فحوا ما كرشرا دول ك مرك عد من مرك عد ما مراكد اروا برخارها مكار ما ريب ليعول تعايوا تعا- اورائب أرمى مالى وردى مين ملرون نعا بين ودرات می اشار و در در می اس ار اس ار در در این عا فری زود در اس سائیڈیر کھڑا کے دوکیاں ہوس کے وروی فیس ملبوس ارسے دونوں روة الرواس في إنار راردا راردا عار دا ترار المال المال المالك المراكل وال فارفارها يما عامرات وثم في العامريد المرسالي المراث المراث الم ع بدراي وفرة ارس يها رج من من ولان عن عنا وارس ى عرضًا دار حن عرال المنظم على موا من وياسه حال كى قارن كو ولان سے حظر ولا ب طان کے مولاب طان کی بھے بعائی ولایے ى عارى فوالرك أس وسارا واقع متاود الما معرا ما آ - 1 1 P

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روس فارم۲۵ مرد) (در لور می منی حصددوم (اندرونی)

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ر بورط منی حصددوم (اندرونی) ر بورط منی حصددوم (اندرونی)

ال سيرونا فاررى برق المسلام المساحي فاري رساني سي رياعلى ولرج فاد المحان الموري الموري برائم رساني سي رياعل ولرج فاد المحان الموري الم

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ORDER.

This order will dispose-off the departmental appeal preferred by ExInspector Abdul Basir of Mardan District Police against the order of District Police
Officer, Mardan, whereby he was awarded major punishment of dismissal from service
vide OB: No. 35 dated 04.01.2023. The appellant was proceeded against
departmentally on the allegations he while posted as In-charge Narcotics Eradication
Team, Mardan was placed under suspension on account of illegal arrest and keeping
one Wahab resident of Parachinar, presently Gulshan Town Sheikh Maltoon (Mardan)
in unlawful custody and then demanded Rs. two Crore as illegal gratification from his
(Wahab) brother namely Haji Rafiq for his release. Subsequently, a case vide FIR No.
303 dated 04.08.2022 U/S 365-A-PPC/15-AA has also been registered against the
delinquent officer at Police Station Sheikh Maltoon.

To ascertain the real facts, Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and the then Acting Deputy Superintendent of Police, Headquarters, Mardan was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings report to District Police Officer, Mardan concluded therein that the allegations regarding keeping the abductee namely Wahab in unlawful custody and thereafter demanding Rs. two Crore as illegal gratification from his (Wahab) brother on the part of delinquent officer have been established, therefore, recommended him for major punishment.

The delinquent Officer was heard in Orderly Room on 22.12.2022 by the District Police Officer, Mardan during which he couldn't provide any cogent reason in his defense, therefore, issued him a Final Show Cause Notice to which his reply was received and found unsatisfactory.

In the light of above, the District Police Officer, Mardan awarded him major punishment of dismissal from service as he also remained involved in illegal activities of corruption, which brought a bad name to entire Police force in the eyes of general public.

Feeling aggrieved from the order of the District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 09.02.2023.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations leveled against the appellant have been proved beyond any shadow of doubt. Moreover, the involvement of appellant in these heinous

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criminal cases is clearly a stigma on his conduct. Hence, the retention of appellant in Police Department will stigmatize the prestige of entire Police Force as instead of fighting crime, he has himself indulged in criminal activities. Moreover, he could not present any cogent justification to warrant interference in the order passed by the competent authority.

Keeping in view the above, I, Muhammad Ali Khan, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being devoid of merit.

Order Announced.

Regional Police Officer, Mardan.

No/ES,	Dated Mardan the	1-12	 /2023.

Copy forwarded to District Police Officer, Mardan for information and necessary w/r to his office Memo: No. 26/LB dated 08.02.2023. His Fauji Missal is returned herewith.



OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN

2022

Tel No. 0937-9230109 & Fax No. 0937-9230111 Email: <u>dpomdn@gmail.com</u>

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Dated <u>\$3 1/2+2022</u>

FINAL SHOW CAUSE NOTICE

Inspector Abdul Baseer No.MR/142, while posted as In-charge NET Police Lines Mardan (now under suspension Police Lines Mardan), has been found of misconduct by arresting and keeping one Wahab resident of Parachinar, presently Gulshan Town Sheikh Maltoon (Mardan) in unlawful custody and then demanded of Rs. two Crore as illegal gratification from his (Wahab) family members for his release.

To ascertain facts, a proper departmental enquiry against you was conducted through Mr. Muhammad Shafiq DSP/HQrs Mardan vide this office Statement of Disciplinary Action/Charge Sheet No.205/PA dated 03-08-2022, who (EO) after doing the needful, submitted his findings to this office vide his office letter No.382/HQrs dated 29-11-2022, holding responsible you of gross misconduct & recommended for major punishment.

In this connection, you were heard in O.R on 22-12-2022, during which, you have failed to highlight any plausible reasons in your defense.

Therefore, it is proposed to impose Major/Minor penalty as envisaged under Rules 4 (b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I Haroon Rashid Khan (PSP) District Police Officer Mardan, in exercise of the power vested in me under Rules 5 (3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975 call upon you to Show Cause Finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within 07 days of receipt of this Notice, failing which; it will be presumed that you have no explanation to offer.

You are liberty to appear for personal hearing before the undersigned.

Received by_____

Dated:___/ /2022

(Haroon/Rashid Khan) T.ST/PSP District Police Officer, Mardan. M



BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR.

Service	Appeal	No.	663/	'2023

Abdul Baseer Ex-Inspector No. MR-142, Mardan
......Appellant

VERSUS

The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others.

Respondents

AUTHORITY LETTER.

Mr. Atta-ur-Rahman Inspector Legal Branch, (Police) Mardan is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl: Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

Provincial Police Officer Khyber Pakhtunkhwa, Peshawar.

(Respondent No. 01)

Regional Police Officer,

Mardan.\ (Respondent No

District Police Officer, Mardan.

(Respondent No. 03)