BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

Service Appeal No. 975/2015

Date of Institution...

21.08.2015

Date of decision...

26.01.2018

Anam Sattar son of Abdul Sattar Ex-Constable No. 1647, District Police Bannu. ... (Appellant)

Versus

1. Regional Police Officer Bannu Region, Banuu and two others.

(Respondents)

Mr. Fazal Shah, Advocate.

For appellant.

Mr. Muhammad Jan.

Deputy District Attorney

For respondents.

 $MR.\ NIAZ\ MUHAMMAD\ KHAN,$

CHAIRMAN

MR. GUL ZEB KHAN,

MEMBER

<u>JUDGMENT</u>

NIAZ MUHAMMAD KHAN, CHAIRMAN: -

Arguments of the

learned counsel for the parties heard and record perused.

FACTS

2. The appellant was removed from service on 19.06.2015, against which he filed departmental appeal (undated) which was rejected on 05.08.2015. Thereafter, he filed the present service appeal on 21.08.2015.

ARGUMENTS

3. The learned counsel for the appellant argued that the appellant was carrying four licenses of arms. That the police showed recovery of nine arms from the



appellant. That the recovery of other five arms was not proved against the appellant. That the appellant was not involved in any smuggling. That the findings of the enquiry report had no value because no right of cross examination was afforded to the appellant. That the appellant was acquitted by the court of law on 21.3.2016. That the appellant was not given final show cause notice nor any copy of enquiry report was given to the appellant.

4. On the other hand the learned Deputy District Attorney argued that the appellant was involved in smuggling. That the appellant failed to show that how he managed to get four licenses issued in his name. That the circumstances suggested that the appellant was involved in smuggling and that under the garb of these licenses, the appellant used to smuggle unlicensed arms.

CONCLUSION

- 5. The appellant today produced four original licenses before the court. This fact had also been admitted by the enquiry officer that the appellant was having licenses of four pistols. The remaining five pistols were unlicensed. The enquiry officer was bound to have given the opportunity of cross-examining the witnesses but there is no such record showing that the appellant was given the right of cross examination. There is also no record that any final show cause notice was issued to the appellant or copy of the enquiry report was given to the appellant before the removal order. This Tribunal in a number of appeals has decided that even under the Khyber Pakhtunkhwa Police Rules, 1975 such requirements are mandatory. One of such judgments is dated 23.11.2017 in service appeal No. 1014/2012 entitled "Saqib Gul Vs. DPO Mansehra and others".
- 6. As a sequel to the above discussion, the present appeal is accepted and the department is directed to hold denovo proceedings in accordance with law within a



period of ninety days from the date of receipt of this judgment, failing which the appellant shall be reinstated in service. The issue of back benefits shall be subject to the final outcome of denovo enquiry and rules on the subject. Parties are left to bear their own costs. File be consigned to the record room.

Muhammad Khan)
Chairman

<u>ANNOUNCED</u>

Member

26.1.2018

Since 1st December, 2017 has been declared as Public Holiday on account of Rabbi-ul-Awal. To come up for arguments on 26.01.2018 before the D.B.

Keader

26.01.2018

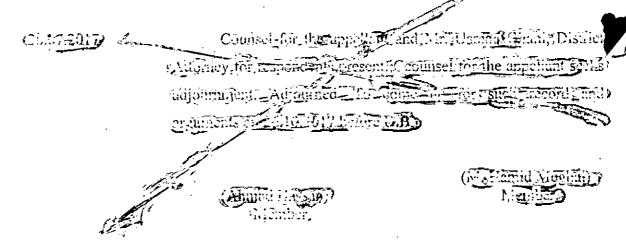
Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Arguments heard and record perused.

This appeal is accepted as per our detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.

CHAIRMAN

MEMBER

ANNOUNCED 26.01.2018



26.07.2017

Counsel for the appellant and Mr. Usman Ghanl; District Attorney along with Mr. Farooq, Inspector (Legal) for respondents present. Counsel for the appellant seeks adjournment. Adjourned: To come up for arguments on 26.10.2017 before D.B.

Carolina in American for the only a final Point

(Ahmad Hassan) Member

(M. Hamid Mughal) Member

26.10.2017

Counsel for the appellant and Mr. Muhammad Jan,
Deputy District Attorney alongwith Muhammad Farooq,
Inspector (Legal) for the respondents present. Arguments
partly heard. The learned counsel for the appellant is directed
to produce licenses of the weapons concerned on the next
date. To come up for further arguments on 01.12.2017 before
this D.B.

Member

thairman n'

31.08.2016

Appellant with agent of counsel for the appellant and Mr. Asghar Ali, H.C alongwith Ziaullah, GP for the respondents present. Counsel for the appellant is stated busy before the Hon'ble Peshawar High Court. Seeks adjournment. To come up for final hearing before the D.B on 2.01.2017.

Member

D Chairman

02.01.2017

Counsel for the appellant and Mr. Asghar Ali, H.C alongwith Mr. Muhammad Jan, GP for the respondents present. At the outset of the arguments it was pointed out by the learned GP that the inquiry report is not available on file, hence, representative of the respondents is directed to submit the inquiry report on or before the next date. To come up for record and arguments on 15.05.2017 before D.B.

(ASHFAQUE TAJ) MEMBER

(MUHAMMAD AAMIR NAZIR) MEMBER

15.05.2017

Counsel for the appellant and Mr. Muhammad Farooq, Inspector alongwith Mr. Kabirullah Khattak, Assistant AG for the respondents present. Representative of the respondent-department submitted record which is placed on file. Counsel for the appellant requested for adjournment. Adjourned for arguments to 26.07.2017 before D.B.

(GUL ZEB KHAN)

(MUHAMMAD AMIN KHAN KUNDI) MEMBER

MEMBER

Appellant Deposited
Security & Process Fee

Counsel for the appellant present. Learned ounsel for the appellant argued that the appellant was serving as Constable when FIR No. 90 under section 15AA was registered against him on 16.3.2015 at PS Billitang Kohat. That on the strength of the same the appellant was dismissed from service vide impugned order dated 19.6.2015 against which he preferred departmental appeal which was rejected on 5.8.2015 and hence the instant service appeal on 21.8.2015.

That neither proper inquiry was conducted nor show cause notice issued to the appellant and, moreover, the guilt of the appellant is yet to be established as the criminal case is still under process.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 30.11.2015.

Chairman

Appellant in person and Mr. Shafi-uz-Zaman, NC alongwith Addl: A.G for respondents present. Para-wise comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 19.4.2016.

Charman

19.04.2016

.11.2015

Counsel for the appellant and Mr. Latif Khan, Naib Court alongwith Addl: AG for respondents present. Rejoinder submitted and requested for adjournment. To come up for arguments on

8-16

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MEMBER

MEMBER

FORM-A

FORM OF ORDER SHEET

Court	•
Case No.	975/2015

	1
Date of order/proceedings	Order or other proceedings with signature of Judge/ Magistrate
2	3
02.09.2015	The appeal of Mr. Anam Sattar resubmitted to day by Mr. Fazal Shah Mohmand, Advocate, may b
	entered in the institution register and put up to the Worth
·	Chairman for preliminary hearing.
	REGISTRAR
3-9-15	This case is entrusted to Primary Bench for
	preliminary hearing to be put up there on $2(-9 - 20.1)$
	CHALLMAN
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	proceedings 2

The appeal of Mr. Anam Sattar son of Abdul Sattar Ex-Constable No.1647 Distt. Police Bannu received to-day i.e. on 21.08.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Affidavit may be got attested by the Oath Commissioner.
- 3- Appeal may be page marked according the Index.
- 4- Annexures of the appeal may be attested.
- 5- Copies of charge sheet and statement of allegations mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 6- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1234 /S.T.

Dt. 94 8/2015

REGISTRAR SERVICE TRIBUNAL HYBER PAKHTUNKHWA PESHAWAR.

Mr. Fazal Shah Mohmand Adv. Pesh

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2/9/15

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

VERSUS

RPO and Others......Respondents

INDEX

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-54
2.	Copy of FIR & receipts	A & A/1	5-7
3.	Copy of Bail Order & Order dated 09-04-2015	B & C	8-10
4.	Copy of charge sheet & reply	D&E	11-13
5.	Copy of Order dated 19-06-2015	F	14-
6.	Copy of departmental appeal & Order dated 05-08-	G&H	15-16
	2015		
7.	Wakalat Nama		17

Dated-:20-08-2015

Appella

Through

Fazal Shah Mohmand Advocate Peshawar

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841



BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 975 /2015

Anam Sattar S/O Abdul Sattar Ex Constable No 1647, District Police Bannu.

.....Appellant

VERSUS

service Tribunal

- 1. Regional Police Officer, Bannu Region Bannu.
- 2. District Police Officer Bannu.
- 3. Provincial Police Officer KPK PeshawarRespondents

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974
AGAINST THE ORDER DATED 05-08-2015 PASSED BY
RESPONDENT NO 1 WHERE BY DEPARTMENTAL
APPEAL OF THE APELLANT FILED AGAINST THE ORDER
DATED 19-06-2015 OF RESPONDENT NO 2 HAS BEEN
REJECTED.

PRAYER:-

On acceptance of this appeal the impugned Order dated 05-08-2015 of respondent No 1 and Order dated 19-06-2015 of respondent No 2 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

- 1. That the appellant joined the respondent Department as Constable on 15-12-2010 remained posted to various Police Stations and since then he performed his duties with honesty and full devotion.
- 2. That on 16-03-2015, the appellant while on shabashi went to Peshawar for treatment, and on return was in possession of his four purchased licensed pistols, and was deboarded from the vehicle/flying coach and the appellant duly produced the pistols along with licenses and receipts but instead the incharge told the appellant to not to ask of the pistols and go home but the appellant refused to do so. In the meanwhile the SHO also reached the spot who also told the appellant to go home and not ask for the pistols and upon refusal, the appellant was taken

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to -day.

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to the Police Station where Case FIR No 90 dated 16-03-2015 U/S 15AA at PS Billitang Kohat was registered against the appellant. (Copy of FIR and receipts are enclosed as Annexure A & A/1).

- 3. That the appellant was released on bail by the Additional District Judge-III Kohat vide Order 21-03-2015 and the Pistols along with licenses Books were returned to the appellant by the Judicial Magistrate vide Order dated 09-04-2015. (Copy of Bail Order & Order dated 09-04-2015 are enclosed as Annexure B & C).
- 4. That charge sheet along with statement of allegations was issued to the appellant which he replied in detail refuting the allegations and explaining the true position. (Copy of charge sheet and reply are enclosed as Annexure D & E).
- 5. That finally the appellant was removed from service by respondent No 2 vide Order dated 19-06-2015. (Copy of Order is enclosed as Annexure F).
- 6. That the appellant filed Departmental appeal before respondent No 1, which was rejected/filed vide order dated 05-08-2015. (Copy of departmental appeal and order dated 05-08-2015 are enclosed as Annexure G & H).
- 7. That the impugned orders dated 05-08-2015 of respondent No 1 and order dated 19-06-2015 of respondent No 2 are against the law, facts and principles of justice on grounds inter alia as follows:-

GROUNDS:-

- A. That the impugned orders are illegal and void ab initio
- **B.** That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- **C.** That no proper inquiry was conducted to find out the true facts and circumstances.
- **D.** That no show cause notice was communicated to the appellant, and as such the impugned order is not maintainable in the eyes of law.

- **E.** That the period of suspension has been regularized by treating the same as leave without pay, and as such the appellant could not be punished on this ground again.
- **F.** That the impugned order is defective and thus not maintainable in the eyes of law.
- **G.** That the impugned order is not a speaking order, thus not tenable in the eyes of law.
- **H.** That there is misapplication of law as the law mentioned in the order of respondents is not applicable in case of the appellant.
- I. That there is no evidence in support of the allegations and the appellant could not as such be punished in these circumstances.
- **J.** That even otherwise the appellant has been punished before the decision of criminal which show malafide on part of the respondents.
- **K.** That the appellant was not afforded the opportunity of meaningful personal hearing and the appellant never involved in the like activities.
- **L.** That the appellant has about 5 years of service with unblemished service record and is jobless since his illegal removal from service.
- M.That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Appellant

Dated-:20-08-2015

Through

Fazal Shah Mohmand Advocate, Peshawar

(4)

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No	/2015	
Anam Sattar	•••••••	Appellant
V	ERSUS	
RPO and Others		Respondnets

AFFIDAVIT

I, Anam Sattar Ex Constable No 1647, District Police Bannu, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribuanl.

Identified by

emply

Fazal Shah Mohmand Advocate Peshawar



فرم تمرمهر ٥٠ الله فَرُنْ اللَّهِ المال (فامین) ابترائی طفاع نسبت بخرم قابل دست اندلزی بولیس دادر بی تنده زیر دفعه ۱۵ انجم رعه حال بطر فوجه اری ما را با این المی است تاريخ دونت وقوع تح 16 دونت ١٦:30 ح 0333 9719861 Si UloL نام وكسحونت اطلاع دمېنده ومشفيت. مختفر كميفيت حبرم دمودنعى حال أكركيمه لياكيا ہو يتر وال الماري مزد سرانا لول الورا مجامتے وقوع فاصلہ تھانہ سے اور سمیت هدائم شار ولري المساريد و والإفان فلونو نى وسكوينت ملزم كاررواني موتفيش كم متعلق كي محر أكراط الماع دراج the sing of the file كرفي مين توقف ہواہو تو وجر بیان كرو-مقارس روانكي كي مارتط ووقت البت لي المال عنه وروات المراب وراد المن المراب و المرون الما المراب الم المام الا المادر في المادر تونه بيات بن تبي وتلك بالكرادة سن الملايك 0 7 A05005 . A03900 . AJ . 0047, 9mm Jours el Just 16/21 33007152 33007395 33007371 224268 - 1,230 /5-100 6 2000 -33007 505 م ريك م سرها فره ب - م المسعن ليدك وور مد نواك بروار فران مروار فران مروار فران مروار فران مروار في مور عدا للم يميل ورسوار المرس ورية م المرس كريات بريانام وراع الرال غيران ارديد سودان خاد فرغاف مروب سلاك على السكري داب من م ع دات مهردف وي كالم المراكب مرامه والمراسة والمطور والدور المراك المراك المراك المراكمة 16 July 51 CHE JULY 10 10 1 A JEWAN STONE STORE عاد المراب المرمير حرم المديد بمرعب المديال الما المراب المرب المرب المراب المرب الم مرال المال ا MIC. RBF 16-2-15 Attestel

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Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary

ORDER-04 21.03.2014

Dy.PP for the State and counsel for accused/petitioners present.

Accused/petitioner Muhammad Anum Sattar is seeking post arrest bail in case FIR 90 dated 16.03.2015 u/s 15 AA of PS Billitang. Kohat.

The allegations against the accused are that, he was found in a possession of bag containing 03 pistols of 9MM alongwith fixed and spare magazines, 06 Pistols of 30-bore along fixed and spare magazines. Hence instant case was registered against them.

I have heard the arguments and gone hrough the record.

The available record shows that hough petitioner is directly charged for the commission of offence but the offences against the accused also do not fall under the prohibitory clause of section 497 Cr.P.C and in such like cases bail is a rule and its refusal is an exception. The investigation is also complete except the FSL. which can submitted later while accused/petitioner is no more required for the of investigation. The accused/petitioner is arguable for the purpose of grant of post arrest bail.

Accordingly, instant petition is allowed and accused/petitioner is directed to be released on post arrest bail subject to furnishing bail bonds in the sum of Rs.100.000/- with two sureties each in the like amount to the satisfaction of this court. File be consigned to Record Room after its completion.

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ANNOUNCED

21.03.2015

IRSHAD AHMAD KHAN ASJ-III, KOHAT

Irshad Ahmed Khan ADESI-III. HOMAT,

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Dy.PP for the State and counsel for

Proceedings Date of Order or

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21.03.2014

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Jan Sons Arms

Ilbaliar Chowk Bilal Town G.T. Road, Peshawar. Ph: +92-91-2261079, Fax: 2261078

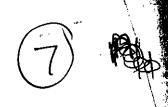
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To, The Superintendent of Police,	Ref No: 107
Sir, We beg to send you here with particulars of sale of Arms & Ammunition etc. Vide our license prescribed by Pakistan Arms & Explosive rules.	Date: 16/3/15
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Name of Customer: Jun Saltor & About Salto Address: Sauce	
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an Sons Arms Arms Ammunition Dealer

Gülbaharı Chowk Bilal Town G.T. Road, Peshawar. Ph: +92-91-2261079, Fax: 2261078 cE-mail:jansons7.7@hotmail.com



To, The Superintendent of Police,	Ref	No: 10	8
Sir, We beg to send you here with particulars of sale of Arms & Ammunition etc. Vide our license prescribed by Pukistan Arms & Explosive rules.)ate: 16 -	
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APP for the state. Petitioners through counsel present.

Petitioner Muhammad Anam Sattar seeks the Superdari of Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 /P48, Pistol 9MM Foreign Made No.T636814A05005 alongn with License Book No.143/P113, Pistol 9MM Foreign Made No.T636814A03900 along with License Book No.189/P206 and 30 bore Pistol No.224268 along with License Book No.57/P656 detained by the police in case FIR No. 90 dated 16.03.2015 registered U/S 15AA with PS Bellitang, Kohat.

Arguments heard and record perused with valuable legal assistance of learned counsel representing the petitioner and learned state counsel.

The local police was taken the above mentioned Arms and ammunition along with licenses etc in question on recovery memo.

There is no rival claimant and the case property is no more required to the local police for the purpose of further investigation. No better purpose shall be served rather weapon would deteriorate and its condition would be damaged due to climatic effect.

Therefore, the instant petition is allowed and Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 /P48, Pistol 9MM Foreign Made No.T636814A05005 along with License Book No.143/P113, Pistol 9MM Foreign Made No.T636814A03900 along with License Book No.189/P206 and 30 bore Pistol No.224268 along with License Book No.57/P656 and ammunitions etc in question be returned to the petitioners on superdari on furnishing bonds to the tune of Rs, 80,000/- (Eighty (continued)



Alteste

Ro



Order (09.04.2015)

Continued

thousands) with two sureties each in the like amount to the satisfaction of SHO concerned. Copy of this order be placed on judicial file. Petitioners are directed to produce the same before court/local police, whenever required. Police record be returned to PS concerned. This file be consigned to record room.

ANNOUNCED:

09.04.2015

Syed Mudassir Shah Termizi Judicial Magistrate-1, Kohat

Attested

CHARGE SHEET:

I, ABDUR RASHID, District Police Officer, Bannu, as competent authority, hereby charge you, Anam Sattar No.1647 Constable as follows:-

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from your possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against
- That your previous record is also tainted regarding such like activities.
- By reason of the above you appear to be guilty of misconduct under the police Rules 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
- You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
- Your written defense, if any, should reach to 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 be taken against you.
 - You are directed to intimate whether you desire to be heard in person.

A statement of allegation is enclosed.

(ABDUR RASHID)PSP District Police Officer, Bannu.

(12)

STATEMENT OF ALLEGATIONS:

I, Abdur Rashid, District Police Officer, Bannu as competent authority, am of the opinion that Anam Sattar No.1647 Constable has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of police rules (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014).

SUMMARY OF ALLEGATIONS:

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- > That his previous record is also tainted regarding such like activities.
- 2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations **DSP/Cantt**: is appointed as Enquiry Officer.
- 3. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and finding s within (17 days) after the receipt of this order.
- 4. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

(ABDUR RASHID)PSP District Police Officer, A Bannu.

No. 95-96 /EC / 9 /03/2015 Copies to :-

The Enquiry Officer(DSP Cantt)

2. The Accused Officer.

Altesta

Adv

1-9 marillion - 1-21 ماء بی شند دلس نے بر نا دل سره دھائے ہر مودن نام سری سر منعم سے 20 cm tro 5/2 10/2 (30 Bose) 16 + 9mm 143) di - 10 9 0 - a- W Sports 15AA/2013 (0163 21) عمدون ازی سری ساله متحر کی داندار سے الذي عي ساد يي - حيى من ترود كي تروي -ورج في الم من أرفي لوائد سے دولوم شد مائي ورج 153 مے گور قد آبالما س عدد کل عادد تها - لعدة الهرى عنا من نه حان سنز أر فيز الفالى عن قالم عن فرا رسم فرا رسم الم 107 - 108 - 109 - 109 طرفر ليكل عن عدد mm به ادر أنس طرد و و فرر تعين قيمةً عربين. اور فا فا عرد انعاندار و السنس عام من ما - نادر مع در من مرعنم ولى مران وهائ تَانَ مَلْ أَنْدَ وَالْيَ فَمَا مِينِهِ لَا رَبِي فَيْ - فَلَانَدَ وَحِلْ اللَّهِ مِنْ اللَّهِ وَلَا يَالِدُ س نید زاد - سرسی که دران لیل ش و درسی کی - ادر سای ۶ کسس الميان عن من كان - الل الخار 17 ا منه في كل . كه الله على 13 الله المارة عُم ما سَلَتْ بِع - سَنِ ما قد مع النَّارُ ليل . ان سِ مِلْكُ كَ أَ وَ - مَا كَ وَلَكُونَ مجد لیل ور از عجد ماند کا اصرار کر سے تی - اس س انعاری رہ - الاح صلاح تجے رہے ساتھ ماری میں سیا کر ہانے کے آیا۔ اور تجے قررارت میں میں کہا FIR TIME Side com som de la suce 5 25 To entre die mon 1 س ار سوره رسیات و آلٹ بات در رکے تھے آستا و کسال د U) E/ = 1/4 i o o = m & U Suo - Con = i iè O m e v/ 24 = = 3 in ١- انس ما سك عر-١- ١٤١٦ ود د نعا - سن كرا - له مر (غرف مد ساكو ظلم 1 erist 2 - Minimus Ex / has is is is a cin - i John 1

lev like only my mills with 338 Un 1) NI Oh 6 min 18 2 lab 4 or in 1066 یں۔ منع اہدرہ اسلح کا است کورک دلارد ہر درہ ہے a (FREE, De mi 801 biui no on Wins 534 & Williamine in delis Suo د اسی ساف رای می می می مین در درای می - منه رای ای می می مین در درای مین - منه رای می نه من دهان بن من دهان سول من الله و من الله و من الله و من الله من الله و من الله من ا ien von len Colpre d-cur d'ésemi. unio pei i i culta pei - to de com but فعے صادر فول فاقی - فالت دوری میں

0336-9092582 Alling

This order of the undersigned will dispose off the departmental proceeding, initiated against accused Constable Anam Sattar No.1647 S/O Abdul Sattar R/O Sokari Zabta Khan, under general proceeding of police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) for committing the following commissions/omissions.

- > That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- > That his previous record is also tainted regarding such like activities.

DSP/Cantt, Bannu conducted the enquiry and after through probe into the allegation and submitted his findings report. As per findings report, the accused is parasite for the force. He is smuggler and is involved in other suspected and shocking activities. In the last, the enquiry officer has suggested in his finding that the accused be dispelled from the force and competent authority may be addressed to cancel all the arms licences issued in the name of accused constable.

Opportunity of personnel hearing was provided to the accused in the orderly room held on dated 08-06-2015, but he badly failed to rebut the charges.

Keeping in view the above I, Abdur Rashid, District Police Officer, Bannu in exercise of the power vested in me under police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014), hereby remove the accused Constable Anam Sattar No.1647 from the service as recommended by the enquiry officer. The period he remained under suspension i.e with effect from 19-03-2015, is treated as without pay.

OB No. 554 Dated: 19-06. /2015.

(ABDUR RASHID)PSP District Police Officer,

No. 8418-23 dated Bannu, the 19 4 Bannu.

- The Regional Police Officer Bannu Region Bannu for favour of information please.
- The Deputy Commissioner, Bannu with the request that licences bearing No. 2. .493/P -48 dated 11-11-2011, No. 189/P-206 dated 06-12-2013, 57/P-656 dated 25-10-2013, No. 143/P-113 dated 03-08-2009 issued in the name of accused official namely Anam Sattar S/O Abdul Sattar bearing NIC No 11101-0715907-1 R/O Sokari Zabta Khan Bannu may be cancelled under intimation to this office please.
- The SRC, DPO Office, Bannu. 3.
- The Pay Officer, DPO Office, Bannu with the directions to recover the amount 4. of monthly salaries taken by the accused during suspension.
- The OASI, DPO Office, Bannu (along with complete enquiry file). 5.

Attester

19/06/2015 منوں مور ندر 19/06/2015 ما حب بنوں مور ندر 19/06/2015 میں مور ندر 19/06/2015 میں مور ندر 19/06/2015 میں مور ندر کا اور کا مور ندر کا اور کا مور ندر کا اور کا مور ندر کا مور کا مور ندر کا مور ک

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اپیل بیاستدعاء کالعدم فرمانے تھم جناب DPO ساحب بنوں فورم OB نمبر 554/19.06.2015 جنھوں نے سائل کو بعیر فائنل شوکازنوٹس ایشو کئے ملازمت سے ڈسمس کیا ہے۔ حالانکہ فٹ تو بیہے۔ کہ جب FIR قائم ہو۔ تو فیصلہ عدالت سے قبل محکمانہ کاروائی عیر قانونی تصور کیجاتی ہے۔ میرے ساتھ انساف فرمایا جا کرملازمت پرواپس بحال فرمایا جاوے۔ اور ساتھ ہی ایام عظلی کی شخوا ہیں واگز ار فرمائی جاویں۔

جناب عالى:

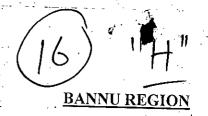
کمترین آنجناب کے حضور حسب ذیل عاجز اندائیل کرتا ہے۔ کہ ماکل مورخہ 15/12/2010 کو پولیس فورک میں ایس میں میں اسلام کی ہے۔ آپنے آبائی ضلع ہوں میں ڈیوٹی کرتارہا۔
مورخہ 15/03/2015 میں علاج معالی کہنا طریشا ورکیا۔ ڈاکٹر سے فارغ ہو کرتھانہ گلبہاریشا ورک باالقابل جان سنز سے مورخہ 15/03/2015 میں علاج معالی کہنا طریشا ورکیا۔ ڈاکٹر سے فارغ ہو کرتھانہ گلبہاریشا ورک باالقابل جان سنز سے 4 خرب پینول (3/9mm) + وربنوں روانہ ہوا۔ کوھاٹ ٹول 4 خرب پینول (3/9mm) + وربنوں روانہ ہوا۔ کوھاٹ ٹول بازہ بلی نا مگ بولیس نے نا کہ بندی کی تھی۔ چیکنگ کے دوران میں نے اپنا اسلحہ پنی کیا۔ اور ساتھ ہی لائسنس کا پیال بھی چیش کیں۔ کین میں اسکا ڈیکا نگہ پورانہ کر کرسکا۔ بریں وجا اُس نے بدنی کا مظاہرہ کرتے ہوئے رسیدات کو اُلٹ بلید و کھائے ہوائے غلام مقد مدمر سے خلاف درج کیا۔ جواب خود پھنس چکا ہے۔ میر سے ساتھ 4 پیتول تھیں۔ SHO کے میر سے ساتھ 4 پیتول تھیں جناب میں ہوئی ہے۔ اور مقد میں میں اسکا نہیں ہوئی ہے۔ اور میں میں ان درہا عت ہے۔ کین جناب 19 میں جناب 19 میں ہوئی ہے۔ اور میں میں نہیں آنا۔ اسلحہ برائم کے میرایا فتہ ملاز مان میں ہوئی کیا رہ ساتھ 20 ہوئے وربائی کی دوران میں ذرہے ہیں دیس ایس جناب 19 میرائی کی دورائی کی دوران میں کی گئی میادات کا انتظار نہ کرتے ہوئے میں ہوئی کیکر ملازمت کرد ہے ہیں۔ جا کہ میرائی خوار ناز کی کی دوران میں کہا گئی کیر ملازمت کرد ہے ہیں۔ SRC-OASi دیکارڈ پرائدران کا کہ میرائی کی دورائی کی دورائی کی کوئی کیکر ملازمت کرد ہے ہیں۔ SRC-OASi دیکارڈ پرائدران

اب چونکہ میرامعاملعہ عدالت میں زیرساعت ہے۔لہذا سالتی فیصلہ سے قبل محکمانہ کاروائی غیرقانونی ہے۔عدالتی فیصلہ تک انتظار فرمایا جاکر مجھے واپس ملازمت کر بھال فرمایا جاوے۔ادرعرصہ مسلل کی تخواہیں واگز ارفر مائی جاوے۔ماتحت پروی ہوگی۔ Ex

موبائیل بیر۔۔۔۔۔۔۔۔۔۔

Attested





ORDER.

My this order will dispose off the departmental appeal of Ex: Constable Anam Sattar No. 1647 of Bannu District Police against the Major punishment of his removal from service under Police Rules-1975, awarded by DPO/Bannu vide OB: No. 554 dated 19.6.2015 on committing the following omissions:-

- That on dated 16.3.2015, the local police of PS: Bili Tang District Kohat recovered 09 pistoles (03-9MM bore and 06 30-bore) from his possession at highway near old toll plaza Kohat and a proper case FIR No., 90 dated 16.3.2015 u/s 15AA/2013 KPK PS: Bili Tang was registered against him.
- That his previous record is also tainted regarding such like activities.

Service Record of the appellant was thoroughly perused and the appellant heard in person in orderly room on 4.8.2015 by the undersigned.

I, Muhammad Tahir PSP, Regional Police Officer, Bannu Region, Bannu in exercise of the powers vested in me, after thoroughly perusal the record and hearing the appellant in orderly room, was not convinced by the appellant about his innocence. Therefore, the order of Major punishment of his removal from service, passed by DPO/Bannu vide OB: No. 554 dated 19.6.2015 cannot be interfered, being one in consonance with law. Hence appeal is rejected.

(Muhammad Tahir)PSP Regional Police Officer, Bannu Region, Bannu.

No. 1711 /EC, dated. 05/08/2015. 45/8/15

Copy to:
• The District Police Officer, Bannu for information and n/action w/r to his office Memo: 9187 dated 7.7.2015.

Attested

(Muhammad Tahir)PSP Regional Police Officer, بعدالت ص مركز بربر الخارور

مورخه مینام ۱ میراند میراند ایراند مینام ایراند ایراند مینام ایراند ایراند مینام ایراند مینام ایراند ایراند مینام ایراند ایرا

باعث تحريرة نكه

مقدمہ مندرجہ عنوان بالامیں اپنی طرف سے واسطے پیروی وجواب دہی وکل کاروائی متعلقہ کے استعماد میں میں استعماد کے سے مصد مندرجہ عنوان بالامیں اپنی طرف سے واسطے پیروی وجواب دہی وکل کاروائی متعلقہ کے استعماد میں میں استعماد کے

آن مقام لین اور کیا و کیا معنول مشاه همزر البرانی مقرر کرے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کومقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز

وكيل صاحب كوراضى نامه كرنے وتقرر ثالث وفيصله برحلف ديئے جواب دہى اورا قبال دعوى اور

بصورت ڈگری کرنے اجراء اور وصولی چیک وروپیار عرضی دعویٰ اور در خواست ہرقتم کی تصدیق

زرایں پردستخط کرانے کا اختیار ہوگا۔ نیزصورت عدم پیروی یاڈگری یکطرفہ یا پیل کی برامدگ

اورمنسوخی نیز دائر کرنے اپیل نگرانی ونظر ثانی و پیروی کرنے کا مختار ہوگا۔ ازبصورت ضرورت

مقدمہ ندکور کے کل یا جزوی کاروائی کے واسطے اوروکیل یا مختار قانونی کواییے ہمراہ نیا سے بجائے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بااختیارات حاصل ہوں گے

اوراس کاساختہ پر داختہ منظور وقبول ہوگا دوران مقدمہ میں جوخرچہ ہرجانہ التوائے مقدمہ کے

سبب سے وہوگا۔کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہوتو وکیل صاحب پابند ہول

گے۔ کہ بیروی مذکور کریں ۔ لہذا و کالت نامہ کھدیا کہ سندر ہے۔

·2015

ن ماه از

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Altrop ? Accepted

کے لئے مظم کے کے مقاب سنیشنری مارث

الي مر

مقام

عدنان ستيشنري مارث عدنان ستيشنري مارث پوک شتگري پياورئي ؤن: 93. Mob: 0345-9223229

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No	/2015	
Anam Sattar		Appellant
<u>V E</u>	RSUS	
RPO and Others		Respondents

INDEX

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-5 4
2.	Copy of FIR & receipts	A & A/1	5-7
3.	Copy of Bail Order & Order dated 09-04-2015	B & C	8-10
4.	Copy of charge sheet & reply	D&E	11-13
5.	Copy of Order dated 19-06-2015	F	14-
6.	Copy of departmental appeal & Order dated 05-08-2015	G&H	15-16
7.	Wakalat Nama		17

Dated-:20-08-2015

Appellant

Through

Fazal Shah Mohmand Advocate Peshawar

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No_______/2015

Anam Sattar S/O Abdul Sattar Ex Constable No 1647, District Police Bannu.

.....Appellant

VERSUS

Stary 11-8-20/5

- 1. Regional Police Officer, Bannu Region Bannu.
- 2. District Police Officer Bannu.
- 3. Provincial Police Officer KPK PeshawarRespondents

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974
AGAINST THE ORDER DATED 05-08-2015 PASSED BY
RESPONDENT NO 1 WHERE BY DEPARTMENTAL
APPEAL OF THE APELLANT FILED AGAINST THE ORDER
DATED 19-06-2015 OF RESPONDENT NO 2 HAS BEEN
REJECTED.

PRAYER:-

On acceptance of this appeal the impugned Order dated 05-08-2015 of respondent No 1 and Order dated 19-06-2015 of respondent No 2 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

- 1. That the appellant joined the respondent Department as Constable on 15-12-2010 remained posted to various Police Stations and since then he performed his duties with honesty and full devotion.
- 2. That on 16-03-2015, the appellant while on shabashi went to Peshawar for treatment, and on return was in possession of his four purchased licensed pistols, and was deboarded from the vehicle/flying coach and the appellant duly produced the pistols along with licenses and receipts but instead the incharge told the appellant to not to ask of the pistols and go home but the appellant refused to do so. In the meanwhile the SHO also reached the spot who also told the appellant to go home and not ask for the pistols and upon refusal, the appellant was taken





to the Police Station where Case FIR No 90 dated 16-03-2015 U/S 15AA at PS Billitang Kohat was registered against the appellant. (Copy of FIR and receipts are enclosed as Annexure A & A/1).

- 3. That the appellant was released on bail by the Additional District Judge-III Kohat vide Order 21-03-2015 and the Pistols along with licenses Books were returned to the appellant by the Judicial Magistrate vide Order dated 09-04-2015. (Copy of Bail Order & Order dated 09-04-2015 are enclosed as Annexure B & C).
- 4. That charge sheet along with statement of allegations was issued to the appellant which he replied in detail refuting the allegations and explaining the true position. (Copy of charge sheet and reply are enclosed as Annexure D & E).
- 5. That finally the appellant was removed from service by respondent No 2 vide Order dated 19-06-2015. (Copy of Order is enclosed as Annexure F).
- 6. That the appellant filed Departmental appeal before respondent No 1, which was rejected/filed vide order dated 05-08-2015 (Copy of departmental appeal and order dated 05-08-2015 are enclosed as Annexure G & H).
- 7. That the impugned orders dated 05-08-2015 of respondent No 1 and order dated 19-06-2015 of respondent No 2 are against the law, facts and principles of justice on grounds inter alia as follows:-

GROUNDS:-

- A. That the impugned orders are illegal and void ab initio.
- **B.** That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- **C.** That no proper inquiry was conducted to find out the true facts and circumstances.
- **D.** That no show cause notice was communicated to the appellant, and as such the impugned order is not maintainable in the eyes of law.

- E. That the period of suspension has been regularized by treating the same as leave without pay, and as such the appellant could not be punished on this ground again.
- F. That the impugned order is defective and thus not maintainable in the eyes of law.
- G. That the impugned order is not a speaking order, thus not tenable in the eyes of law.
- H. That there is misapplication of law as the law mentioned in the order of respondents is not applicable in case of the appellant.
- 1. That there is no evidence in support of the allegations and the appellant could not as such be punished in these circumstances.
- J. That even otherwise the appellant has been punished before the decision of criminal which show malafide on part of the respondents.
- K. That the appellant was not afforded the opportunity of meaningful personal hearing and the appellant never involved in the like activities.
- L. That the appellant has about 5 years of service with unblemished service record and is jobless since his illegal removal from service.
- M. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal. Appellant

Dated-:20-08-2015

Through

Fazal Shah Mohmand Advocate, Peshawar

(4)

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No	o/2015	
Anam Sattar		Appellant
•	<u>V E R S U S</u>	 ÷
RPO and Others	•••••	 Respondnets

<u>AFFIDAVIT</u>

I, Anam Sattar Ex Constable No 1647, District Police Bannu, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribuanl.

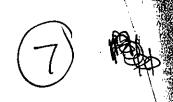
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Fazal Shah Mohmand Advocate Peshawar

الم مي مورك و فام مر ٢٧ Le GWGIZI ه اندلزی بولیس داپردش شده زیردفعه ۱۵ انجموعهمنا بطرفوجداری صندار د نامین ابترانی میطهاع نسبت ترم قابل در تاريخ دونت وتوعم كا وفت ١٦:٦٠ ج 03339719841 منتفر كميقيت حبرم دمعه دنعى حال أكركجه لياكيا هو فيترط الحالي بزد سرانا لول مارزى میا مے وقوع فاصل تھان سے اور سیست نى وكسكوينت ملزى كاررواني بتنتش كم متعلق كم محرم أكرا طسلاع درج را مرام ومام درم رمط المحالية. كهيفية توقف ہواہوتو دہر بیان كرو ـ تقامز سے روائلی کی حارث و وقت PAO5005. A03900. AJ. 0047, 9mm Just cy / 120 16/1/2 33007152 33007395, 33007371 224268 - July30 /5-0016 July30 35007 505 م تيكسي سروا فره ما مالسفال الرام مالين والمرافية عدا لري بال وبروس المرس المرس المرس والمرا له والمان وراع الدالم عدران ارد به سو ۵ فری خاد برغاب مرفوب سلاک طلبه سکری داشت می می داد به بردن بهردن و دارد السيارة مركب مرابه والمراسب والبطة كموار ليدر الدنسروان ورساله المرابع ار ال الماني الدين الريد الإسلام والدين المان الم الموالي ما والدوم المراجع ما والمعالم المعالم مرال الما مان الما مان الموج لل المراق الما المان الما MIC RBF Attestel

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Jan Sons Arms

Gulbahars Chowk Bllal Town G.T. Road, 2015 Peshawar. Ph: +92-91-2261079, Fax: 2261078

E-mail:Jansons7.7@hotmail.com



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To, The Superintendent of Police,	Ref No: 108
Sir. We beg to send you here with particulars of sale of Arms & Ammunition etc. Vide our license prescribed by Pakistan Arms & Explosive rules.	Date: 16-3-75.
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Dy.PP for the State and counsel for accused/petitioners present.

Accused/petitioner Muhammad Anum Sattar is seeking post arrest baik in case FIR # 90 dated 16.03.2015 u/s 15 AA of PS Billitang. Kohat.

The allegations against the accused are that, he was found in a possession of bag containing 03 pistols of 9MM alongwith fixed and spare magazines, 06 Pistols of 30-bore along fixed and spare magazines. Hence instant case was fegistered against them.

I have heard the arguments and gene through the record.

The available record shows that though petitioner is directly charged for the commission of offence but the offences against the accused also do not fall under the prohibitory clause of section 497 Cr.P.C and in such like cases bail is a rule and its refusal is an exception. The investigation is also complete except the FSL. which be submitted later accused/petitioner is no more required for the investigation. The ofaccused/petitioner is arguable for the purpose of grant of post arrest bail.

Accordingly, instant petition allowed and accused/petitioner is directed to be released on post arrest bail subject to furnishing bail bonds in the sum of Rs.100,000/- with two surcties each in the like amount to the satisfaction of this court. File be consigned to Record Room after its completion.

ANNOUNCED 21.03.2015

> IRSHAD AHMAD KHAN ASJ-III, KOHAT

Irshad Ahmed Khan ADASI-III. KOTAT

APP for the state. Petitioners through counsel present.

Petitioner Muhammad Anam Sattar seeks the Superdari of Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 /P48, Pistol 9MM Foreign Made No.T636814A05005 alongn with License Book No.143/P113, Pistol 9MM Foreign Made No.T636814A03900 along with License Book No.189/1206 and 30 bore Pistol No.22/1268 along with License Book No.57/12656 detained by the police in case FIR No. 90 dated 16.03.2015 registered U/\$\frac{15}{A} with PS Bellitang, Kohat.

Arguments heard and record perused with valuable legal assistance of learned counsel representing the petitioner and learned state counsel.

The local police was taken the above mentioned Arms and ammunition along with licenses etc in question on recovery memo.

There is no rival claimant and the case property is no more required to the local police for the purpose of further investigation. No better purpose shall be served rather weapon would deteriorate and its condition would be damaged due to climatic effect.

Therefore, the instant petition is allowed and Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 /P48, Pistol 9MM Foreign Made No.T636814A05005 along with Made No.143/P113, Pistol 9MM Foreign License Book No.T636814A03900 along with License Book No.189/P206 and 30 bore Pistol No.224268 along with License Book No.57/P656 and ammunitions etc in question be returned to the petitioners on superdari on furnishing bonds to the tune of Rs, 80,000/- (Eighty (continued)

Altester



Order (09.04.2015)

Continued

thousands) with two sureties each in the like amount to the satisfaction of SHO concerned. Copy of this order be placed on judicial file. Petitioners are directed to produce the same before court/local police, whenever required. Police record be returned to PS concerned. This file be consigned to record room.

ANNOUNCED:

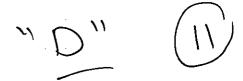
09.04.2015

Syed Mudassir Shah Termizi Judicial Magistrate-I, Kohat



Attestee

Coursel



CHARGE SHEET:

1, ABDUR RASHID, District Police Officer, Bannu, as competent authority, hereby charge you, Anam Sattar No.1647 Constable as follows:-

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from your possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against you.
- > That your previous record is also tainted regarding such like activities.
- 2. By reason of the above you appear to be guilty of misconduct under the police Rules 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
- 3. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
- 4. Your written defense, if any, should reach to 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 be taken against you.

You are directed to intimate whether you desire to be heard in person.

A statement of allegation is enclosed.

6.

(ABDUR RASHID)PSP District Police Officer, G Bannu.

Hestel

204.)

STATEMENT OF ALLEGATIONS:

1, Abdur Rashid, District Police Officer, Bannu as competent authority am of the opinion that Anam Sattar No.1647 Constable has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of police rules (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014).

SUMMARY OF ALLEGATIONS:

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohal recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- > That his previous record is also tainted regarding such like activities.
- 2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations **DSP/Cantt**: is appointed as Enquiry Officer.
- 3. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and finding s within (17 days) after the receipt of this order.
- 4. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

(ABDUR RASHID)PSP District Police Officer, 22 Bannu.

No. 96-966 /EC Copies to :-

/03/2015

The Enquiry Officer(DSP Cantt)

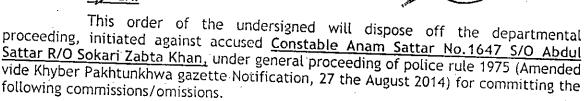
2. The Accused Officer.

Attesta

Adv

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- > That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- > That his previous record is also tainted regarding such like activities.

DSP/Cantt, Bannu conducted the enquiry and after through probe into the allegation and submitted his findings report. As per findings report, the accused is parasite for the force. He is smuggler and is involved in other suspected and shocking activities. In the last, the enquiry officer has suggested in his finding that the accused be dispelled from the force and competent authority may be addressed to cancel all the arms licences issued in the name of accused constable.

Opportunity of personnel hearing was provided to the accused in the orderly room held on dated 08-06-2015, but he badly failed to rebut the charges.

Keeping in view the above I, Abdur Rashid, District Police Officer, Bannu in exercise of the power vested in me under police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014), hereby remove the accused Constable Anam Sattar No.1647 from the service as recommended by the enquiry officer. The period he remained under suspension i.e with effect from 19-03-2015, is treated as without pay.

OB No. 554 Dated: 19-06. /2015.

(ABDUR RASHID)PSP District Police Officer,

4 Bannu.

No. 8418-23 dated Bannu, the 19

Copies to:

- The Regional Police Officer Bannu Region Bannu for favour of information
- The Deputy Commissioner, Bannu with the request that licences bearing No. 493/P -48 dated 11-11-2011, No. 189/P-206 dated 06-12-2013, 57/P-656 dated 25-10-2013, No. 143/P-113 dated 03-08-2009 issued in the name of accused official namely Anam Sattar S/O Abdul Sattar bearing NIC No 11101-0715907-1 R/O Sokari Zabta Khan Bannu may be cancelled under intimation to this office please.
- The SRC, DPO Office, Bannu.
- The Pay Officer, DPO Office, Bannu with the directions to recover the amount of monthly salaries taken by the accused during suspension.
- The OASI, DPO Office, Bannu (along with complete enquiry file).

Athester

الح کی برخلاف عکم DPO صاحب بنول مورخه 19/06/2015 ساییل برخلاف عکم DPO صاحب بنول مورخه 19/06/2015 بخنور عالی مرتبت جناب والاشان ریجنل پرلیس آفیسر صاحب بنول ریجن بنول

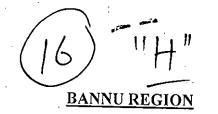
اپیل بیاستدعاء کا العدم فرمانے تھم جناب DPO صاحب بنوں فورم OB نمبر 554/19.06.2015 جنھوں کے سائل کو بعیر فائنل شوکا زنوٹس اینٹو کئے ملازمت سے ڈسمس کیا ہے۔ حالا نکہ ٹن توبیہ ہے۔ کہ جب FIR قائم ہو۔ توفیصلہ عدالت سے قبل محکمانہ کاروائی عیر قانونی تصور کیجاتی ہے۔ میرے ساتھ انصاف فرمایا جا کرملازمت پردایس بحال فرمایا جاوے۔ اور ساتھ ہی ایام عظلی کی تخوا ہیں واگر ارفرمائی جادیں۔

جناب عالى:

اب چونکہ میرامعاملعہ عدالت میں زیرساعت ہے۔لہذا عدالتی فیصلہ سے قبل محکمانہ کاردائی غیر قانونی ہے۔عدالتی فیصلہ تک انتظار فرمایا جا کر مجھے دابس ملازمت پر بحال فرمایا جاوے ۔اورعرصہ ''ل کی نخواہیں داگز ارفر مائی جاوے ۔ ماتحت پروی ہوگی۔ Ex

وبائل بر۔۔۔۔۔۔۔۔

Attesteen



ORDER.

My this order will dispose off the departmental appeal of Ex: Constable Anam Sattar No. 1647 of Bannu District Police against the Major punishment of his removal from service under Police Rules-1975, awarded by DPO/Bannu vide OB: No. 554 dated 19.6.2015 on committing the following omissions:-

- That on dated 16.3.2015, the local police of PS: Bill Tang District Kohat recovered 09 pistoles (03-9MM bore and 06 30-bore) from his possession at highway near old toll plaza Kohat and a proper case FIR No., 90 dated 16.3.2015 u/s 15AA/2013 KPK PS: Bill Tang was registered against him.
- That his previous record is also tainted regarding such like activities.

Service Record of the appellant was thoroughly perused and the appellant heard in person in orderly room on 4.8.2015 by the undersigned.

I, Muhammad Tahir PSP, Regional Police Officer, Bannu Region, Bannu in exercise of the powers vested in me, after thoroughly perusal the record and hearing the appellant in orderly room, was not convinced by the appellant about his innocence . Therefore, the order of Major punishment of his removal from service, passed by DPO/Bannu vide OB: No. 554 dated 19.6.2015 cannot be interfered, being one in consonance with law. Hence appeal is rejected.

(Muhammad Tahir)PSP Regional Police Officer, Bannu Region, Bannu.

No. 1711 /EC, dated. 05/08/2015. 45/8/15

Copy to:
• The District Police Officer, Bannu for information and n/action w/r to his office Memo: 9187 dated 7.7.2015.

Attested

(Muhammad Tahir)PSP Regional Police Officer,

Rannu Donios P-

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN KHWA PESHAWAR Appeal No. 975/2015.

Anam Sattar S/O Abdul Sattar Ex-Constable	e No.1647,
District Police Bannu.	
	Appellant

VERSUS

- 1. Regional Police Officer Bannu Region, Bannu.
- 2. District Police Officer Bannu.
- 3. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.

		Respondents
**********	**************	respondents

PARA WISE COMMENTS ON BEHALF OF THE RESPONDENTS No.1, 2 & 3.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS:

- 1) That the appellant has approached the Honourable Tribunal with unclean hands
- 2) That the appellant is estopped to file the appeal due to his own conduct.
- 3) That the appeal is bad due to mis-joinder and non-joinder of necessary parties.
- 4) That the appellant has concealed the material facts from the Honourable Tribunal.
- 5) That the appeal of appellant is not maintainable in its present form.
- 6) That the appellant has no cause of action.

OBJECTIONS ON FACTS

- 1. Incorrect. During the short service the performance of appellant was not satisfactory as three bed entries are available in his service record.
- 2. Incorrect. Three pistols nine mm and six pistols 30 bore were recovered from the appellant by Malik Jan sub-inspector, police station Bili Tang, Kohat for which the appellant failed to produced any license/permit on the spot. He was arrested in case FIR No.90 dated 16.03.23015 U/S 15AA. He was on Shabashi from duty to take rest at his house but he has left the home station without any prior written permission and committed the above crime being a member of discipline force.
- 3. Pertains to Judicial record. The criminal case against the appellant is under trial in the court.
- **4.** Pertain to records. The reply of appellant to the charge-sheet was found unsatisfactory.
- 5. A proper regular inquiry through DSP Cantt was conducted, wherein all the opportunities of defense were afforded to the appellant and after establishing the charges, he was removed from service in accordance with law and rules.
- 6. Pertains to record needs no comments.
- 7. Incorrect. The orders of the respondent are legal and based on facts. The appellant has wrongly challenged the same through unsound reasons.

OBJECTIONS ON GROUNDS.

A. Incorrect. The orders of the respondents are based on facts, justice and in accordance with Police Rules 1975.

- **B.** Incorrect. The appellant has been treated in accordance with law, rules and all the opportunities of defense were provided to him during the course of fair regular inquiry.
- C. Incorrect. Fair regular inquiry was conducted through DSP Cantt wherein the charges were established against the appellant.
- **D.** Incorrect. Charge sheet based on statement of allegation was conveyed to the appellant and after observing all the codal formalities, a legal order for dismissal of appellant was passed.
- **E.** Incorrect. Beside establishing of criminal charges, the appellant has not performed duty during the suspension period, therefore, the period was treated as leave without pay, while on the charges of keeping illegal arms, he was removed from service.
- **F.** Incorrect. The orders of the respondents are legal, valid and maintainable under the existing rules.
- **G.** Incorrect. The orders of the respondents are comprehensive, speaking and tenable under the law/rules.
- **H.** Incorrect. Khyber Pakhtunkhwa Police Rule 1975 is applicable to Police Force and whole departmental proceeding was carried out against the appellant under the said rules.
- I. Incorrect. Documentary proof in shape of FIR and investigation report under 173 CrPC is a cogent evidence against the appellant.
- J. Incorrect. In view of the rulings of Apex Supreme Court, judicial proceeding and departmental proceeding are independent from each other. The appellant was rightly punished on the basis of departmental proceeding.
- **K.** Incorrect. All the opportunities of defense and personal hearing were afforded to the appellant during departmental probe.
- L. Incorrect. The reputation of appellant is tainted and three bed entries are available in his service record beside the charges of arms smuggling in district Kohat, which is a deliberate misconduct on the part of appellant.
- M. That the respondents may be allowed to add further/additional grounds at the time of hearing of appeal.

Prayer:

In view of the above facts and stated reasons, it is humbly prayed that the appeal of appellant is devoid of legal force, may kindly be dismissed with costs.

Regional Police Officer, Bannu Region, Bannu.

(Respondent No.1)

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar (Respondent No.3)

District Police Officer

(Respondent No.2)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN KHWA PESHAWAR Appeal No. 975/2015.

Anam Sattar S/O Abdul Sattar Ex-Constable No.1647,
District Police Bannu.

...Appellant

VERSUS

- 1. Regional Police Officer Bannu Region, Bannu.
- 2. District Police Officer Bannu.
- 3. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.

.....Respondents

COUNTER AFFIDAVIT

We, do hereby solemnly affirm and declare that the contents of the attached comments are true and correct to the best of our knowledge and belief and nothing has been with held or concealed from this Honorable Tribunal.

Regional Police Officer,(Bannu Region, Bannu. (Respondent No.1)

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar (Respondent No.3)

District Police Officer, Bannu.

(Respondent No.2)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN KHWA PESHAWAR Appeal No. 975/2015.

Anam Sattar S/O Abdul Sattar Ex-Constable No.1647, District Police Bannu.

.....Appellant

VERSUS

- 1. Regional Police Officer Bannu Region, Bannu.
- 2. District Police Officer Bannu.
- 3. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.

.....Respondents

AUTHORITY LETTER.

Mr. Mir Faraz Khan Inspector Legal Bannu is hereby authorized to appear before The Service Tribunal Khyber Pakhtunkhwa Peshawar on behalf of the undersigned in the above cited case.

He is authorized to submit and sign all documents pertaining to the present appeal.

Regional Police Officer, ⁽ Bannu Region, Bannu. (Respondent No.1) Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar (Respondent No.3)

District Police Officer, Bannu.

(Respondent No.2)

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.

Service Appeal No 975/2015.	
Anam Sattar	Appellant.
VERSUS	
RPO & Others	Respondent

REPLICATION ON BEHALF OF THE APPELLANT.

REPLY TO PRELIMINARY OBJECTIONS.

All the preliminary objections raised by the respondents are incorrect and as such denied. Instant appeal is not bad in its present form, appellant has come to this honorable Tribunal with clean hands, he has got a valid cause of action and he has concealed nothing from this honorable Tribunal. Instant appeal is as per law and rules, in which all necessary parties have been imp leaded, and the appellant is not stopped by his conduct to bring instant appeal.

RELY TO FACTS/GROUNDS.

Comments of the respondents are full of contradictions and are based on malafide. Respondents have failed to show that the appellant did anything that would amount to misconduct. The comments amount to admissions on part of the respondents, as they have failed to deny the plea of the appellant. Respondents have failed to prove that proper inquiry has been conducted and that show cause notice was communicated to the appellant. Respondents have also admitted that the period of absence has been regularized by treating the same as leave without pay and as such he has been punished for the same period. Even the appellant has been acquitted of the charges by the court of competent jurisdiction vide Order and Judgment dated 21-03-2016, as such he is entitled to be reinstated in service. (Copy of the Order and Judgment is enclosed as Annexure A).

Previous punishments even if any could not be made basis for his dismissal as per the dictums of the Superior Courts. Even the period of absence has been regularized by treating the same as leave without pay. The innocence of the appellant is proved from his acquittal by court of competent jurisdiction.

In the circumstances the appellant has been punished without any omission or commission on his part and he has not committed any misconduct. The respondents have failed to substantiate their version and bring anything on record in support of their version; as such the impugned orders are not maintainable in the eyes of law and liable to be set aside.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated:-19-04-2016

Appellant

Through

Fazal Shah Mohmand

Advocate Peshawar

AFFIDAVIT

I, Anam Sattar Ex Constable District Police Bannu (The Appellant), do hereby solemnly affirm and declare on oath that the contents of this **Replication** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

MOTARY PUBLIC

WAR HIGH C

Identified by

Fazal Shah Mohmand

Advocate Peshawar.

DEPONENT

APP for the State present. Accused on bail along with counsel present. Arguments on application Under Section-249-A Cr.PC submitted by learned counsel for the accused/petitioner heard and file perused.

Brief facts of the case are that the local police recovered from the possession of accused / petitioner of 9MM Pistol Nos.J00475, AJ03900, AJ05005, Sīx 30 Bore Pistol Nos. 224268, 33007371, 33007395, 33007152, 33007505 and one without number. Thus the Murasila was drafted and the instant case was registered.

Complete challan was put in court on 27.10.2015 and the accused was summoned. Provision of Section-241/A Cr.PC was compiled with and case was fixed for framing of formal charge. The formal charge was framed on 22.12.2015 of accused, and charge denied by the accused and the case was fixed for evidence and since then no body appeared before the Court as PWs inspite of the fact that so many special diaries were issued against them. The prosecution has badly failed to produce evidence to prove its case against the accused facing trial.

The non-attendance of the PWs inspite of so many notices and special diaries shows their disinterest and they have nothing in their hands to bring against the accused facing trial, if they would have anything, they would have definitely put their appearances.

to accept the petition in hand. Therefore, the present application Under Section-249-A Cr.PC submitted by the counsel for the accused/petitioner is accepted and the accused/petitioner is acquitted from the charges leveled against him Under Section-249-A Cr.PC. He is on bail, his bail bonds stand canceled and their sureties are absolved from the liabilities of bail bonds.





Case property be returned if licensed one while unlicensed one be confiscated to state in accordance with law however, the same may be kept intact till the expiry of the laps of appeal/revision while case file be consigned to record room after its completion & police record be returned.

Announced; 21.03.2016

Syed Mudassir Shah Termizi Judicial Magistrate 1, Kohat Syed Mudissir Shah Termizi Judicial Magistrate IICJ Kohat

COPING ELECTRIC KOHAT

VICE TRIBUNAL KPK PESHAWAR.

ORE 75/2015.

....Appellant.

Service VERSUS

.....Respondents

LICATION ON BEHALF OF THE APPELLANT.

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Previous punishments even if any could not be made basis for his dismissal as per the dictums of the Superior Courts. Even the period of absence has been regularized by treating the same as leave without pay. The innocence of the appellant is proved from his acquittal by court of competent jurisdiction.

In the circumstances the appellant has been punished without any omission or commission on his part and he has not committed any misconduct. The respondents have failed to substantiate their version and bring anything on record in support of their version; as such the impugned orders are not maintainable in the eyes of law and liable to be set aside.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated:-19-04-2016

Appellant

Through

Fazal Shah Mohmand

Advocate Peshawar

AFFIDAVIT

I, Anam Sattar Ex Constable District Police Bannu (The Appellant), do hereby solemnly affirm and declare on oath that the contents of this **Replication** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

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The non-attendance of the PWs inspite of so many notices and special draries shows their disinterest and they have nothing in their hands to bring against the accused facing trial, if they would have anything, they would have definitely put their appearances.

So, this Court has got no other alternate except to accept the petition in hand. Therefore, the present application Under Section-249-A Cr.PC submitted by the counsel for the accused/petitioner is accepted and the accused/petitioner is acquitted from the charges leveled against him Under Section-249-A Cr.PC. He is on bail, his bail bonds stand canceled and their sureties are absolved from the liabilities of bail bonds.



Case property be returned if licensed one while unlicensed one be confiscated to state in accordance with law however, the same may be kept intact till the expiry of the laps of appeal/revision while case file be consigned to record room after its completion & police record be returned.

Announced; 21.03.2016

Syed Mudassir Shah Termizi Judicial Magistrate I, Kohat Syed Mudassir Shah Termizi Judicial Magistrate I/CJ Konat

7-4-16

(1647)

ORDER:

This order of the undersigned will dispose off the departmental proceeding, initiated against accused Constable Anam Sattar No.1647 S/O Abdul Sattar R/O Sokari Zabta Khan, under general proceeding of police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) for committing the following commissions/omissions.

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No. 90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- That his previous record is also tainted regarding such like activities.

DSP/Cantt, Bannu conducted the enquiry and after through probe into the allegation and submitted his findings report. As per findings report, the accused is parasite for the force. He is smuggler and is involved in other suspected and shocking activities. In the last, the enquiry officer has suggested in his finding that the accused be dispelled from the force and competent authority may be addressed to cancel all the arms licences issued in the name of accused constable.

Opportunity of personnel hearing was provided to the accused in the orderly room held on dated 08-06-2015, but he badly failed to rebut the charges.

Keeping in view the above I, Abdur Rashid, District Police Officer, Bannu in exercise of the power vested in me under police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014), hereby remove the accused Constable Anam Sattar No.1647 from the service as recommended by the enquiry officer. The period he remained under suspension i.e with effect from 19-03-2015, is treated as without pay.

OB No. <u>\$54</u> Dated: 19-06-

(ABDUR RASHID)PSP District Police Officer, Bannu.

. /2015

No. \$418-23 dated Bannu, the 19

Copies to:

The Regional Police Officer Bannu Region Bannu for favour of information please.

The Deputy Commissioner, Bannu with the request that licences bearing No. 493/P -48 dated 11-11-2011, No. 189/P-206 dated 06-12-2013, 57/P-656 dated 25-10-2013, No. 143/P-113 dated 03-08-2009 issued in the name of accused official namely Anam Sattar S/O Abdul Sattar bearing NIC No 11101-0715907-1 R/O Sokari Zabta Khan Bannu may be cancelled under intimation to this office please.

The SRC, DPO Office, Bannu.

The Pay Officer, DPO Office, Bannu with the directions to recover the amount of monthly salaries taken by the accused during suspension.

The OASI, DPO Office, Bannu (along with complete enquiry file).

(ABDUR RASHID)PSP District Police Officer, Bannu.

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از دفتر ڈی ایس پی کینٹ ضلع ہنوں بخدمت جناب ڈسٹر کٹ پولیس آفیسر ہنوں

نبر؛ <u>309 مو</u>دخه 05/2015/ <u>8-2</u>

فائنل رپورٹ

عنوان: انكوائري برخلاف اذار كنستينان اثم ستار نمبر 1647 متعينه بوليس لائن بنول

الزام: كر پوليس تفانه بلى ننگ نے دوران ناكر بندى ہائے و بے بمقام پرانا ٹول پلاذه كو ہائ فلائنگ كوچ نمبر 4284/LES نشان كر بوليا كيا ہے -و ضرب پيتول برآ مركر كے جنكے خلاف مقدمه علت 90 مور ند 015 - 15 جرم 15AA/2013KPK تفانه بلى ننگ رجشر ہوكيا كيا ہے -

ت انچارج گارونحرر کینٹ نفری حمید خان 385/LHC کابیان لیاجا کر ندکورہ نے وضاحت کی۔ کہ بمطابق ڈیوٹی پر چکسٹیبل انم ستار 1647 میں دور نے 1647 مور نے 1647 کا بیان لیاجا کر ندکورہ نے وضاحت کی۔ کہ بمطابق ڈیوٹی پر چھوڑا گیا تھا۔ مور نے 15-03-17 کو واپسی مطلوب تھی۔ کافی انظار کے بعد جب کشٹیبل ندکور حاضرآیا۔ تو مور نے 15-30 دویوم شب باشی پر چھوڑا گیا تھا۔ مور نے 25 برگری جناب DPO صاحب کو بھیجوایا گیا تھا۔ ڈیوٹی پر پ

مور ند 15-3-15 تا 15-3-17 شامل انگوائری شده -مور ند 15-3-01 تا 15-3-17 شامل انگوائری شده -برطابق بیان عطاء الله جان 795 نائب کوت پولیس لائن تغییل انم ستارنمبر 1647 پرمور ند 014-06-17 کوایک ضرب کلاشکوف نمبر 573 کرد.

معة بين عدد چارجر بركارتوس معه بيلمث جيك تقسيم شده تلي _ جوند كوره نے مورخه 015-03- 25 كودالى راخل كوت لائن كيا ہے -

کے بیطابق بیان فعت اللہ ASI محرر لائن کنٹیل فہ کوربصورت تبادلہ مورخہ 06-18 کو بحوالہ مد 74 پولیس لائن سے آری کینٹ روانہ کیا گیا تھا۔ بہ طابق نقلمدات فہ کورہ مورخہ 015-03-17 تا 05-25 مسلسل ڈیوٹی خود سے غیر حاضر رہا ہے۔ جملہ نظلمدات لف انکوائری نہذا ہے۔

کی اور آزیں برطابق ریکارڈ ندکورہ کنٹیبل انم ستار کے خلاف مقدمہ علت 325 مورخہ 06-012 جرم 489F-420-406 PPC ہے۔ ا تھانہ کینٹ بھی درج ہوکرریکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت اے کا کاری اعت ہے۔ جسمیں آئیندہ تاریخ بیثی 015-23-23 مقرر ہے

کی اسکےعلاوہ تنسیبل انم ستار نمبر 1647 دوران انکوائری نفول که عدد نفول لائسنس کا پیاں دربارہ N.B پیتول بنام خود نمبری 189/P-206 مورخہ 103/P-113(3)25-10-056(2)06-12-013 مورخہ 2009-08-656(2)06-12-013 مورخہ 2009-08-10-051 بنام خود پیش کر کے لف انکوائری شد۔ نمبر (4)P-48(4 مورخہ 2011-11-11 بنام خود پیش کر کے لف انکوائری شد۔

بدوران جرح مذکورہ مشیل سے معلومات کی گئی لے کہا آپ کا ذاتی یا خاندانی کوئی وشنی قل مقاتله موجود ہے اور کیا آپ صاحب جائداد ہے جسکا :

بواب ماديد که اسکے علاوہ نقول لائسنس کا پيال ملاحظه شدہ - لائسنس نمبر 206-189/P پرمور ند 10-21-22 کو The Hunt آرمزا يہونيشن ڈيلر جی ٹی روڈ پيٹا ورسے ایک ضرب پہتول 9MM ترکی میڈ ۔ ای طرح لائسنس نمبر 656-77/P پرمور ند 15-01-28 کو United Arms کمپنی جی ٹی روڈ (Z)

پٹاور ہے ایک ضرب پستول 9MM جا نئامیڈ (3) السنس نمبر 113-143/P پرمورخہ 01-01-28 کوایک ضرب پستول 9MM جا نئامیڈ اور السنش نمبر 48-493/P پرمورخہ 01-015-28 کوایک ضرب پستول 30 بور جا نئامیڈ ندکورہ یونا ٹیٹیڈ آ رمز کمپنی پٹنا ورسے خرید چکا ہے۔ یعنی بمطابق کم ریکارڈ نذکور کنسٹیبل ما قبل بھی پٹنا ورسے بنوں اسلح سمگل کرنے میں کامیاب ہو چکا ہے۔

کی بیاں پر بیآ مرقابل ذکرہے۔ کہ تعلیل ندکورہ کی عام جال چلن انتہائی مشکوک اور داغ دار ہونے کے علاوہ بحسیت کنٹیبل جسکا سابقہ تل مقاتلہ کا مشنی بھی نیا جھوٹی می گھر کے علاوہ کوئی جائیداد بھی نہ ہو۔ بیک وقت 4 لائسنس ہائے بنام خود پر اسلحہ رکھنا نا قابل فہم ساہے۔

🛠 اسکے علاوہ اگرغور کیا جاوے۔ تو برطابق ریکارڈ تمام پہتول ہائے فارن میڈ ہے۔ جسکا کم از کم مارکیٹ ریٹ 50 ہزار ہے۔ لینی کل ملاکر کم از کم 2 لا کھ روپیریک وقت خریداری کرناشک کویقیتی میں لا تاہے۔

🖈 لہزااب بیآ مرمانع نہیں رہا۔ کہ تشکیل مذکور کی خلاف کاروائی بیکمانہ تا فیصلہ عدالت بینیڈنگ رکھے جاوے۔

﴿ استے علاوہ نہ کورہ کشنیل کو بار بار ہدایت کی گئی۔ کہ اصل اسلحہ لائسنس کا پیاں بمعہ رسیدات آرمز ڈیلر بیں من EO کو پیش کریں۔ کرتا حال نہ کورہ مختلف میلے بہانے ڈھونڈ کر پیش کرنے ہے بھی قاصر رہاہے۔

🚓 ۔ اسکے علاوہ بذریعیفون SHO تھانہ بلی ننگ ضلع کو ہاٹ کیسا تھے رابطہ کیا گیا۔ SHO نے وضاحت کی۔ کہنسٹیبل مذکورے 4 نہیں بلکہ 9 ضرب پیتول بوقت گرفتاری برآ مدہوچکی۔

رائے انکوائری آفیسر:

کے کردہ انکوائری، بیانات، نقلمدات اور جملہ دہتا ویزات سے بیآ مرعیاں ہے۔ کہنٹیبل انم ستارنمبر 1647 محکمہ پولیس کیلئے ناسور سے کم نہیں ہے۔ اور با قاعدہ اسلحہ سرگلنگ کے علاوہ تحسین جونئیر کنٹیبل انتہائی مشکوک اور بڑے جال چلن کا عادی ہے۔

الم فرا مفارش کیجاتی میک منظیل مذکور کی کھی پولیس سے برخا ست کرنے کے قلادہ فدکورہ کے نام جتنے بھی اسلحہ لائسنس جاری ہو چکا ہو۔ بوساطت جناب DC صاحب بنوں منسوح کرنے کی سفارش کیجاوے۔ رپورٹ عرض ہے۔

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حلة برن معروض موں - لم عالم لنام سار۔ مر فوللرفعاد عاد Ju Juli Mc 4898-420 = 29-02 72012 نائب كورك لعدالت عالم ع كى تورك ليناور سخ لوه is ently is continued in with muel cantl 12-05-2015 Attested

المارة المالة اندازی بدلیس دادرست شده دبرد و نیم 154 مستوعه خاب از اری ک وَنَا عِلْكِ الْمِدَالُ اطلاع المِنْ اریخ دوقت وقوعه از کا ورث سے (325) ביל של אל אינף 07.30 cis 29 t UN lo 2 15-10 cis 29 آريخ دوقت رلورط حدود روسي جرمام روم الم و كوت اطلاع دمهذه وستنيت عدا للكام وما مضاريك عمام معنه درمه درورء _ مالمعدمه لما لن فيت جرم (معدوند) مان الركيلياكي بور | 489F-420-406 (い、しかいはさられるけん きしゅ من وري المالات المعامل المرفيا - المرفاء - وريا له تفارسيه روانكي كي اربح د وقت ابتذان اطلاع ني درج كرو سمي وندرج ما م في الرسائل امران ما كا سولان المنظ ف در ورام محد المديد الما ورووس اندراج متعلقه كادروان Control of the control of the Bis Use of حفظامن نسا 18 رويم عيد اور راورك من ال الما المعلم في المورد وقت ASHOT CHILL يذالك عظور والم ست ما يال المارا To OBO En cipal de son de como de con do considera المنظان والر معا والهن معن مركان من المال ما من والمعاري المالية المعارية ٥ للسفاق والرسطارالين م 7272 per sin the side of a constitution - Ensigh را المراد رود دور مرس الله المراد والمرد والمرد والمرد والمرد والمرد والمرد والمرد والمرد المرد والمرد وال

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(m) (m) el de che المثارة المرف المرف المرف الموت الموت الموت الموت المرف الموت المرف الموت المرف الموت المرف الموت المرف المرف المرف المرف الموت المرف المر ((1/2/0/2)) عرا نار الحج على أم ذهل المع سنار والما حسا المورث ما دله الع المساح سوها وارديا مركز ورام الحراد معدره والمراد المراد ا من المودود عدد في سيكرين الك خدر مرود حدث و والمحد تفسيم الماكرانها دول مورو کندا کو کوال مسیل کر فرور قرور مسالی افسان مناب 91932 96 NOG 1/3 - elle La . La la Co Bro Cala De ديدد در العرب الجرم والمع كذي مراب والمال المع الموليس وغرون الا المراكماس الورد كسي منه كارلط كراك . چونكر كال وركره عاد مل الرسل المراكز مار مرحات مسل ملدف FIR عراق مراه جرازه و المارات مراه جرازه و المارات مراه جرازه و المارات مراه جرازه و المارات مل مراه المحراة المرادة مراه المرادة مراه المرادة مراه المرادة مراه المرادة والمرادة وال سری درواست افسال باله ی عدست پس ارسال کساتی ی درواست افسال باله ی عدست پس ارسال کساتی در افسال کساتی در ان مسلط در کھنظے دران 1647 Ilm 11 02: 10 1 35 ، رۍ رمام 1023 3 3 (36) 12 mols 200 pd - 1641 - ling رونيًا ووكم مرور والم والعسر مل 176 حطل الم الدواري سي الم الم جما افسان ما لد ووروا بروات مالك SRC Sid, دع بطال اصلی And Attach with enquiry forwarded

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wie 1610 1847 ling 10151 il 16 20 1 - 1 - 1 - 16 20 00 16 20 0 16 - 2 - 2 16 miles les 06 i w 1 2000 - 1000 1 . W 2 1 2000000 سرارم ب بعدد خول مرس . واس اس مرس ارمان ا فا عره المراج كل الوروعان سے ميں مرن سے وان موا۔ السے مع عقا م زانا ول ماره کو ما ی می ای کا ولی می انا ولی می انا ولی می انا ولی می انا ولی می ان می کا می کا می کا عنى. و مان مرسى ماد تلكون من أى مخالوا عما . بولس والم 1.60-13in. a. du 185 Wy Tout-lesje · bilizion Esocial. Estouco ا وركما - كرم اسلوس واله كردو - اورع ط سك سو. ملكوس انارى عا . يوس في ١٥٠٥ كان بى تانا الى سائ سرفارى 11-82-12 FIR - NO Low 11. W. Landy والمرت من من والم المن عبر من حبل مل الرومان 6 5 (w) - ii 6 i 2 6 5 JM-II 5 24 = 3 15 15 1 In Lit by by by Land & Evelor is the liverie c=14160-1:00 9-2/2 de 10 lis. - 0000 - 16/2 - 1/11 co -تَ ۔ آ۔ کہ لولس کورس س کورگ ہوئے ؟ P-T-0

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الزام: ميرب خلاف الزام عائد بك.

تھانہ کی ٹنگ پولیس نے پراناٹول پلازہ کوہاٹ بہ دوڑ ان ناکہ بندی بیرے قبضہ سے کل 9 ضرب پہتول 30 bore 6 Nos 1 3 Nos 9 mm) براآ مد کر کے میرے خلاف مقدمہ نمبر 90مور خد 15AA/ 2013 جرم 15-03 جرم 15AA/ 2013 درج رجسٹر ڈیکیا ہے۔ علاوہ ازیں سابقہ شہرت بھی داغدار ہے۔ جناب عالی!

الزام بے بنیاد ہے ، جس کی میں تردید کرتا ہوں۔ مور خة 2015-03-16 جبکہ میں دولیوم شب باش مور خه 2015-03-201 جبکہ میں دولیوم شب باش مور خه 2015-03-201 جبکہ میں دولیوم شب باش مور خه 2015-03-101 جار خور گیا تھا۔ میں علاج کے لیے بیٹاور گیا۔ بعد وَاکٹری معائنہ میں نے جان سزآر مز بالقابل تھانہ کی بہار جی ۔ ٹی۔ روڈ پٹاور سے رسید نمبر 100،109،108 چار خور بیٹ کی سرچ کر سے دوائی کا مدر ایک 9mm اورایک 30 Bore بر بیٹاور ہا تا عدہ ان کا اندرائ لائسنس ہا میں کیا۔ پٹاور سے دائی پر بہقام پر انا ٹول بلازہ کوہائ تھانہ بلی ننگ پولیس نے نگر بندی کر رکھی تھی۔ فلا ننگ کوچ کی سرچ کر سے بھیے مشکوک حالت میں نیچ تنار دیا۔ حلاقی کے دوران پٹتول میں خود بیٹ کے اور ساتھ لاکسنس کا بیال بھی بیٹن کئے۔ لیکن انچاری افر سے بھے کہا اسلحہ میر ہے حوالے کرواور تم جاسکتے ہو۔ میں نے جانے سے انکار کر دیا۔ اسخ میں انکاری تھا۔ بالائج ان کا مراد کر رہے تھے۔ لیکن میں انکاری حوالہ کرنے اور مجھے جانے کا اصراد کر رہے تھے۔ لیکن میں انکاری حوال نیا تھا۔ بالائج ان کا کہا کہ کہا کہ کہا کہ دورے کے دورائ بیٹ تورید کے کا دورائی میں بند کیا۔ اور میر کے حوال کردور سیدات کوالٹ میں بند کیا۔ اور میر کے حال نیا مقد مہ درج کرکے کے عدد در نیک کیا۔ اور کی ماری بات نہیں مانے تنگے۔ گیا۔ انہام خود دیکھا۔ میں نے کہا کہ یہ تو تم نے میر کی منانت ہوئی۔ ساتھ ملا۔ جہن نے کہا کہ یہ تو تم نے میر کی منانت ہوئی۔ ساتھ ملا۔ جہن نے کہا کہ یہ تو تیم نے میں مانے سے میر کی عنانت ہوئی۔ ساتھ ملا۔ جہن نے کہا کہ یہ تو تیم نے میں مانے سے میر کی عنانت ہوئی۔ میں نے کہا کہ یہ تو تیم نے میرے ساتھ

عالى حاد!

میرے پاس 4 قطعات لائسنس کا پیال NP بور پستول موجود ہیں۔ جنگاندراج اسلحہ لائسنس کلرک کے ریکارڈ پر درج ہے۔ اور بیس با قاعدہ 3 کا پیول کی سالانٹ فیس حکومت پاکستان کوادا کرتا ہوں۔ جبکہ ایک کالی لائسنس مریکے۔

SHO تھانہ بلی ٹنگ نے میرے ساتھ زیادتی گئے ہاتی 5 عدد پستول دلی ساخت اس نے اپنی طرف سے میرے خلاف ٹی کی ہے باق 5 عدد پستول دلی ساخت اس نے اپنی طرف سے میرے خلاف ڈوا نے ہیں۔ جو عدالت میں ان پستول کو جج صاحب نے میرے خلاف گؤرج کر ائی ہے۔ جنگی کوئی قمیت نہیں صرف ڈھانچ ہیں۔ جو عدالت میں ان پستول کو جج صاحب نے میں۔ ملاحظہ کیے ہیں۔

استدعا کرتاہوں کہ عدالتی فیصلہ تک میرے خلاف کارروائی ملتوی رکھی جاوے۔ فیصلہ عدالت کے آنے پر مناسب تھم صادر فرمایا جاوے۔ ماتحت پروری ہوگی۔

سائل نوجوان ہے اور انتہائی شریف خاندان سے تعلق رکھتا ہے۔ سائل این ڈیوٹی نہایت ایمانداری کے ساتھ انجام دیتا ہے۔ سائل اپنے بوڑھے والدین اور بہن بھائی ہیں۔ علاوہ ازیں سائل ائندہ کے لیے مختاط رہے گا۔

生活是20%/第1

بر المعالی المعام 1647 مو باكل نمبر: 0336-9092587

CHARGE SHEET:

- I, ABDUR RASHID, District Police Officer, Bannu, as competent authority, hereby charge you, Anam Sattar No. 1647 Constable as follows:
 - That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from your possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against you.
 - > That your previous record is also tainted regarding such like activities.
- 2. By reason of the above you appear to be guilty of misconduct under the police Rules 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
- 3. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
- 4. Your written defense, if any, should reach to 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 be taken against you.
- 5. You are directed to intimate whether you desire to be heard in person.

6. A statement of allegation is enclosed.

(ABDUR RASHID)PSP District Police Officer, Bannu.

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I, Abdur Rashid, District Police Officer, Bannu as competent authority, am of the opinion that Anam Sattar No. 1647 Constable has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of police rules (Amended vide Khyber Pakhtunkhwa gazette Notification, 27) the August 2014).

SUMMARY OF ALLEGATIONS

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No. 90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- That his previous record is also tainted regarding such like activities.
- For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations DSP/Cantt: is appointed as Enquiry Officer.
- The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and finding s within (17 days) after the receipt of
- The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

(ABDUR RASHID)PSP District Police Officer,

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/03/2015 Copies to :.

The Enquiry Officer(DSP Cantt)

The Accused Officer.

18950V 21-11712 51 40.90 W28 000 UND/O/BXU by wla andmed behore. Attach with the Somo ISC DAININA Not / ASO m/m/ DPO, Bannu. hod on dots APPROVED 00/1540 51.50-08-11 E08 01/810 2118/48 Mile 1 (115/88 21/18A. 100 who have a lot of the office - 14 double De De De La Serie 10 Jose Now To Ord or blocker ed of solve the soul the soul 0 mo 10 /2/2/12 /2/ 10 m 0 (16 major pro TRAP

Ujuglio 23 ما 12 روزنافيم عاديم عاديم (م) تولان Cign Los 7-2 = 09=10 cis 23 03 1/2 ho ilistro by على الله المستارة والمقرص السالم المالية المال (1/69/ les les y int 3/ Islace leves 1647 , life) مَدُورِ مِ حَمْلُ لُوتِ مِنْ حَوْرٌ بُدُرًا لَو لَنِكُ حَرْبُ خَلَا شَكُولُ مِنْ نر 573 معر دير على منازين الليلا ليروز صيد. على الله الم 3900591 العسر للا لما قا - جونكم حركوره كالبل كو كوالم سيج ب عرف موري ino e des que colo DPO _ lo Lis 183 mo 175 فلاف قبل ازال بي مر 46 روز الحدِم قروا دلورط درج روز الحدِم يو عين سامل اورين على البرط سامه و المراس فان بيلى قفيل مله تو مهاط مين كرندار به وهام من تفاف FIR بعى درج مقدم بلو حقام عي ر برطلاف مركوره كالبل ت طلاف ربورط درج روزاني مور مانوره كانسل وعيم ساطاليم Alle The wind while will of the e de los colles des mm Police him 23-03-015

19 03 3 July 46 Nie 15:05 109 19 03 por do while the legels when the 17 03 per 276 when the 17 15 17 15 per 276 when the 18 17 15 per 276 when the second the secon 1647 2 rad sto of of the 20 5 1647 متلور ے لولس لائل س نا مال مامنری این صَلَ علاف راورك درم روزناتي بيور لف كار لعبال प्रकारण करा ग्रेंगित है। कि भागा कि का का कि 1316 Uh لفل عطالق اجل ا 19-03.15 Forwarded S 19-3-15

CHARGE SHEET:

- I, ABDUR RASHID, District Police Officer, Bannu, as competent authority, hereby charge you, Anam Sattar No.1647 Constable as follows:-
 - That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from your possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against
 - That your previous record is also tainted regarding such like activities.
- 2. By reason of the above you appear to be guilty of misconduct under the police Rules 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) and have rendered yourself liable to all or any of the penalties specified
- 3. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
- 4. 🔛 Your written defense, if any, should reach to 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 be taken against you.
- 5. You are directed to intimate whether you desire to be heard in person,

A statement of allegation is enclosed.

(ABDUR RASHID)PSP District Police Officer, (Bannu.

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STATEMENT OF ALLEGATIONS:

I, Abdur Rashid, District Police Officer, Bannu as competent authority, am of the opinion that Anam Sattar No. 1647 Constable has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of police rules (Amended vide Khyber Pakhtunkhwa gazette Notification, 27

SUMMARY OF ALLEGATIONS:

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No. 90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- That his previous record is also tainted regarding such like activities.
- 2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations DSP/Cantt: is appointed as Enquiry Officer.
- The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and finding s within (17 days) after the receipt of
- 4. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer. . .

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(ABDUR RASHID)PSP District Police Officer,

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/03/2015 Copies to:

- The Enquiry Officer(DSP Cantt) 1.
- 2. The Accused Officer.

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ORDER.

Constable Annam Sattar No. 1647 of police lines, Bannu is hereby suspended, due to his involvement in case vide FIR No. 90 dated 16-03-2015 u/s 15AA/2013 KPK PS Belli Tank with immediate effect.

OB No. Dated 1/8 /03/2015.

District Police Officer, Bannu.

No. 3862 66 /dated Bannu, the 19 /03/2015

Copy of above is submitted to the :-3

- 1. Regional Police Officer Bannu Region Bannu. 2.
- DSP/HQ Bannu.
- 3. Pay Officer.
- 4. OASI.

<u>:</u>

5. SRC with the direction to draft charge sheet based upon summery of allegations under police Rules 1975 against the above accused police

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· 建二字 注

District Police Officer, Bannu.

وليس حويرسره واركم ترااء ابترائي اطلاعي ركور ے اندازی بولیس دہورٹ شکھ تھے کونعم بھا انجھ عرصا بعار فوج لام وسخينت اطلاع دبنده ومتنيث. لخفر كمينة حرى دمودند) حال اكر كهديا كربار عام وتوعرفا ملر تقام سے اورسیت رفين توقف ہوا ہوتو دہر جا ن کرو-مقان ر رواحی کی حاری ووقت A05005, A03900. AJ-00475. 9mm Jimes 4/1/10 33007152, 33007395, 33007371, 224268 ع سے رہے تھے مزور مان در ان کی انہا کا جار الم عدان المن فالعرمان علون على ترويدا عن ماس كن م كالانس لمرمد في من الما مريد مريد المرام المرساط المرار المرساد ا ارسال بهانب معراند لرسام والمراه على المالي معاد . دينط أنكري ساس المعرفية المروان فعام آلاه مرام وروع الما المراب وروعي المعال فعال المرا عمر المرام المر 16-3-15

APP for the state. Petitioners through counsel present.

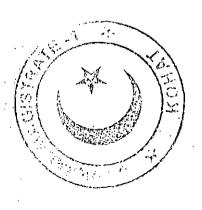
Petitioner Muhammad Anam Sattar seeks the Superdari of Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 /P48, Pistol 9MM Foreign Made No.T636814A05005 alongn with License Book No.143/P113, Pistol 9MM Foreign Made No.T636814A03900 along with License Book No.189/P206 and 30 bore Pistol No.224268 along with License Book No.57/P656 detained by the police in case FIR No. 90 dated 16.03.2015 registered U/S 15AA with PS Bellitang, Kohat.

Arguments heard and record perused with valuable legal assistance of learned counsel representing the petitioner and learned state counsel.

The local police was taken the above mentioned Arms and ammunition along with licenses etc in question on recovery memo.

There is no rival claimant and the case property is no more required to the local police for the purpose of further investigation. No better purpose shall be served rather weapon would deteriorate and its condition would be damaged due to climatic effect.

Therefore, the instant petition is allowed and Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 /P48, Pistol 9MM Foreign Made No.T636814A05005 along with License Book No.143/P113, Pistol 9MM Foreign Made No.T636814A03900 along with License Book No.189/P206 and 30 bore Pistol No.224268 along with License Book No.57/P656 and ammunitions etc in question be returned to the petitioners on superdari on furnishing bonds to the tune of Rs, 30,000/+ (Eighty (continued)





Order (09.04.2015)

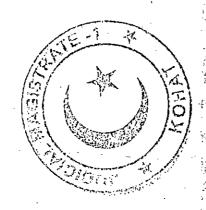
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thousands) with two sureties each in the like amount to the satisfaction of SHO concerned. Copy of this order be placed on judicial file. Petitioners are directed to produce the same before court/local police, whenever required. Police record be returned to PS concerned. This file be consigned to record room.

ANNOUNCED:

09.04.2015

Syed Mudassir Shah Termizi Judicial Magiatrate-I, Kohat



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(1647)

ORDER:

This order of the undersigned will dispose off the departmental proceeding, initiated against accused Constable Anam Sattar No.1647 S/O Abdul Sattar R/O Sokari Zabta Khan, under general proceeding of police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) for committing the following commissions/omissions.

- > That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- > That his previous record is also tainted regarding such like activities.

DSP/Cantt, Bannu conducted the enquiry and after through probe into the allegation and submitted his findings report. As per findings report, the accused is parasite for the force. He is smuggler and is involved in other suspected and shocking activities. In the last, the enquiry officer has suggested in his finding that the accused be dispelled from the force and competent authority may be addressed to cancel all a the arms licences issued in the name of accused constable.

Opportunity of personnel hearing was provided to the accused in the orderly room held on dated 08-06-2015, but he badly failed to rebut the charges.

Keeping in view the above I, Abdur Rashid, District Police Officer, Bannu in exercise of the power vested in me under police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014), hereby remove the accused Constable Anam Sattar No.1647 from the service as recommended by the enquiry officer. The period he remained under suspension i.e with effect from 19-03-2015, is treated as without pay.

OB No. <u>\$54</u> Dated: 19-06- /2015.

(ABDUR RASHID)PSP District Police Officer, Bannu.

No. 2418-23 __dated Bannu, the 191

/2015

Copies to:

2.

The Regional Police Officer Bannu Region Bannu for favour of information

The Deputy Commissioner, Bannu with the request that licences bearing No. 493/P -48 dated 11-11-2011, No. 189/P-206 dated 06-12-2013, 57/P-656 dated 25-10-2013, No. 143/P-113 dated 03-08-2009 issued in the name of accused official namely Anam Sattar S/O Abdul Sattar bearing NIC No 11101-0715907-1 R/O Sokari Zabta Khan Bannu may be cancelled under intimation to this office please.

The SRC, DPO Office, Bannu.

The Pay Officer, DPO Office, Bannu with the directions to recover the amount of monthly salaries taken by the accused during suspension.

The OASI, DPO Office, Bannu (along with complete enquiry file).

Ann

(ABDUR RASHID)PSP District Police Officer, **发**Bannu.

di:

<u>انڈ کس انگوآئری</u>

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ڈی ایس پی کینٹ بنوں

(2)

از دفتر دٔی ایس پی کینٹ ضلع بنول بخدمت جناب دسٹر کٹ بولیس آفیسر بنول

نبر؛ <u>309 مو</u>رند 05/2015<u> 8-2</u>

فائنل ريورث

عنوان: <u>انکوائری برخلاف اذار کنسٹیبل آثم ستار نمبر1647متعینه پولیس لائن بنول</u>

النواج: كه پوليس تفانه بلى ننگ نے دوران ناكه بندى اے و بے بمقام پرانا ٹول پلاذه كو بات فلائنگ كوچ نمبر 4284/LES ندكوره كے قبضه سے بيك بيس موجود 9 ضرب پستول برآ مدكر كے جنكے خلاف مقدمه علت 90 مور ند 515-03 جرم 15AA/2013KPK تھانہ بلى ننگ رجٹر ہوكيا گيا ہے۔

کی انوائری ہذا کے سلسے میں کنٹیم انم ستار نمبر 1647 حال معطل لائن طلب کر کے جسکا بیان لیا گیا۔ ندکورہ نے اپنے بیان میں وضاحت کی کہ میں مورخہ 51-03-01 کوجائے تعیناتی سے دویوم شب باشی پر گھر خودگیا تھا۔ میں علاج کیلئے پٹاورگیا۔ بعد ڈاکٹری معائینہ جان آرمز بالمقابل تھا نہ گل بہار کی روڈ پٹاور سے دسید نمبر 109، 108, 107 پرچارضرب پستول 3 ضرب ۱۹۸۸ اور ایک 20 بورقیمتا خرید کرمیر نے پاس موجود 4 عدد اکسنس ہائے گا سالا نہ فیس اواکرتا ہوں۔ جبکہ ایک عدد لاکسنس فری ہے۔ میر سے ساتھ صرف 4 پستول تھے۔ بقایا 5 ضرب پستول عدالت سے دہا ہوکہ 4 ضرب پستول عدالت نے بیر داری کیا ہے۔ پستول عدالت نے دومقد مدیس میر نے خلاف شامل کئے ہیں۔ مورخہ 24-3-25 کو برضانت عدالت سے دہا ہوکہ 4 ضرب پستول عدالت نے سپر داری کیا ہے۔ پروائیس کیا ہے۔

ر من النجاری گارومحرر کینٹ نفری حمید خان 385/LHC کا بیان لیا جاکر ندکورہ نے وضاحت کی۔ کہ بمطابق ڈیوٹی پر چیکنٹیمل انم ستار 1647 مورخہ 015-3-15 دویوم شب باشی پر چھوڑا گیاتھا۔ مورخہ 015-03-17 کو واپسی مطلوب تھی۔ کافی انتظار کے بعد جب کنٹیمل ندکور حاضرآیا۔ تو با قاعدہ ندکورہ کے خلاف رپورٹ بوساطت آرمی آفسران 325 بر گیڈ 38 کیولری جناب DPO صاحب کو بھیجوایا گیاتھا۔ ڈیوٹی پر پے مور نے 015-3-15 تا 015-3-17 شامل انکوائزی شدہ۔

ور روں اور دوں اور دوں اور دوں اور دوں اور میں اور کا ایک میں اور کہ اور دوں 17-06-10 کوایک ضرب کلاشکوف نمبر 573 کے ایک ضرب کلاشکوف نمبر 573 کے ایک خرب کلاشکوف نمبر 573 کے دور جات کے دور جات کے دور جات کی میں معد ہیلہ ہے۔ معد میں معد ہیلہ ہے۔ معدد چار جریر کارتوس معد ہیلہ ہے۔ مور خدکورہ نے مور خدکورہ کے مور خدکورہ کے دور کی دور کارتوس معد ہیلہ ہے۔ معدد چار جریر کارتوس معد ہیلہ ہے۔ مور خدکورہ کے مور خدکورہ کے مور خدکورہ کے دور کی دو

ہے۔ برطابق بیان نعت اللہ ASI محرر لاکن شلیل فہ کوربصورت تبادلہ مورخہ 014-06-18 کو بحوالہ مد74 پولیس لائن ہے آرمی کینٹ روانہ کیا گیا تھا۔ برطابق نقلمدات نہ کورہ مورخہ 015-03-17 تا 015-03-25 مسلسل ڈیوٹی خودسے غیر حاضر رہا ہے۔ جملہ نقلمدات لف انگوائزی نبذا ہے۔

کی معلاوہ آزیں بمطابق ریکارڈ نہ کورہ کنٹیل انم ستار کے خلاف مقدمہ علت 325 مورخہ 29-06-29 جرم 29-420-406 PPC مقرد ہے علاوہ آزیں بمطابق ریکارڈ نہ کوروک کے متذکرہ مقدمہ بعدالت شجاعت الکی درج ہوکرریکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت الکی درج ہوکرریکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت الکی درج ہوکرریکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت اللہ علی اللہ بھی درج ہوکرریکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت اللہ بھی درج ہوکر دیکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت اللہ بھی درج ہوکر دیکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت اللہ بھی ہوگر دیکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت ہوگر دیکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت ہے۔ جسمیں آئید ہوگر دیکارڈ پرموجود ہے۔ متذکرہ مقدمہ بعدالت شجاعت ہوگر دیکارڈ پرموجود ہے۔ متذکرہ ہوگر دیکارڈ پرموجود ہوگر دیکارڈ پرموجود ہوگر دیکارڈ پرموجود ہے۔ متذکرہ ہوگر دیکارڈ پرموجود ہوگر دیکارڈ پرموجود ہوگر دیکارٹ ہوگر دیکارڈ پرموجود ہوگر ہوگر دیکارڈ پرموجود ہوگر دیک

المجمع المستوري الم متارنمبر 1647 دوران انگوائزی نقول 4عددنقول لائسنس کا پیاں دربارہ 8 N پستول بنام خودنمبری 189/P-206 مورخہ 143/P-113(3)25-10-056(2)06-2009 مورخہ 03-143/P-113(3)25-00-056(2)06-2019 مورخہ 93/P-48(4)2011-11-11 بنام خود پیش کرنے گف انگوائزی شد۔
میر (4)48-493/P-48 مورخہ 2011-11-11 بنام خود پیش کرنے گف انگوائزی شد۔

بوب ماريد جوب ماريد که اسکے علاوہ نقول لائسنس کا پيال ملاحظه شده - لائسنس نمبر 189/P-206 پرمور ند 10-20 کو The Hunt سمپنی جی کی روڈ روڈ پیٹا ورسے ایک ضرب پیتول 9MM ترکی میڈ - اس طرح لائسنس نمبر 656-57/P پرمور ند 15-01-28 کو United Arms سمپنی جی کی روڈ

پٹاورےا کیے ضرب پیتول 9MM چائنامیڈ (3) لائسنس نمبر 113-P-143/P پرمورخہ 01-01-28 کواکیے ضرب پیتول 9MM چائنامیڈ اور لائسنس نمبر 48-493/P پرمور حد 01-01-28 كوايك ضرب پستول 30 بور چائناميذ مذكوره يونا ينيذا ٓ رمز كمپنى پشاور ئے فريد چكا ہے۔ يعنى بمطابق ر یکارڈ نہ کورہ لنظیل ماقبل بھی پشاور سے بنول اسلح مگل کرنے میں کا میاب ہوچکا ہے۔

یہاں پر بیآ مرقابل ذکر ہے۔ کہ نسٹیل مذکورہ کی عام چال چلن انتہائی مشکوک اور داغ دار ہونے کےعلاوہ بحسثیت کنسٹیل جسکا سابقہ آل مقاتلہ کا وشنی بھی نہ ہو۔ چیوٹی سی گھر کے علاوہ کوئی جائر ادبھی نہ ہو۔ بیک وقت 4 لائسنس ہائے بنام خود پر اسلحدر کھنا نا قابل فہم ساہے۔

اسکےعلاوہ اگرغور کیا جاوے یو بمطابق ریکارڈ تمام پیتول ہائے فارن میڈ ہے۔جسکا کم از کم مارکیٹ ریٹ 50 ہزار ہے۔یعن کل ملاکر کم از کم 2 لا کھ روپیہ بیک وقت خریداری کرناشک کویقنی میں لاتا ہے۔

لہذااے رہ مر مانع نہیں رہا۔ کهنشبیل ندکور کی خلاف کاروائی تحکمانہ تا فیصلہ عدالت پینیڈ نگ رکھے جاوے۔

🖈 🛚 اسکےعلاوہ ندکور کنسٹیبل کو بار بار ہدایت کی گئی۔ کہاصل اسلحہ لائسنس کا پیاں بمعدرسیدات آ رمز ڈیلر میں من E.O کو پیش کریں۔ مگر تا حال ندکورہ مختلف ہیلے بہانے و هونڈ کر پیش کرنے سے بھی قاصر رہاہے۔

🛣 اسکے علاوہ بذریعیفون SHO تھانہ بلی ننگ ضلع کوہاٹ کیساتھ رابطہ کیا گیا۔ SHO نے وضاحت کی۔ کہنسلیل ندکورے 4 نہیں بلکہ 9 ضرب پىتول بوقت گرفتارى برآ مدموچكى ـ

رائے انکوائری آفیسر:

کردہ انکوائری، بیانات، نقلمدات اور جملہ دہتاویزات سے بیآ مرعیاں ہے۔ کہ سٹیل انم ستار نمبر 1647 محکمہ پولیس کیلئے ناسور سے کم نہیں ہے۔اور با قاعدہ اسلحہ مگانگ کےعلاوہ تحسشیت جوئئیر کنشیل انتہائی مشکوک اور بڑے جال چلن کاعادی ہے۔

اله نارش كياتى ميك المعلى المرور و كالم المحال المرور المان المراق المان المراق كالم المحالك المحالك المان الم جاری ہو چکا ہو۔ بوساطت جناب DC صاحب بنوں منسوح کرسنے کی سفارش کیجا وے۔

ر بور ہے عرض ہے۔

ڈی ایس پی کینٹ بنوں o period of suspending is also converted als a period of as with out Pay mashed Do Bannel

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19 5 15 20 283 WHJ100101647~11~ (1) الح فررنس برواية محرمرالامال كال اللولسلد قد الماتكونزي عراه الرصل ニッションラックトリケット ニットリケット。 معرب الله عامل DSP Contt.

Just wourds 10 15 bos 325 (Cw \$ 489-4 406 15 evilla 61. (e) 2,21 3 Eurs wow Coffee Jrs 105/10 Sed Cslan 07/11/2012

خله نبرن العلاية معروض موں کہ مالیاں نم سارے بر توللرفعدہ = July 1898-420 = 29-2 2012 228 - Province die 50/1. ناب لوب لعدالت عالمهم على تورك لناور سيم لوه i early is continued in which mHe cantl 12-05-2015 Attested

- 15/15 Da ا ندازی کیس دیورست شرّه دیمیوفتر 451 محبستوعه خاب وفائل ابترال اطلاع بت ارج دون دلار شد (325 من عام 15 من الم 15 من Scy - Scy حد30 روسي جرمام رحم الله وسكوت اطلاع ديمذه وستنبث عمد للكريم وبدفت الملاع ديمذه وستنبث عمد للكريم أروب مالفومذللابي تعرفيت جم امعد دفعه عال الريم المالي بور ا 489F-420 - 406 إلى الم تعنق رق الا الطلاع الله المعنى المراس وحرال المراس م برختین کے اور اور میان کرو. می توقف ہوا ہو تو وجہ بیان کرو. انفار سدردانی کی اربح درقت 8401/2/culus/2 ابتداق العلامية ورح كو ستمة وندرم من المنارف 157W 27 12 12 12 15 15 15 29 6 ی کرنی چاپیش وندراج متعلقه كادرواني حفظامن الماره المراج ا to Jos de sa de la sala de la la como de la المن على ولا معا والدين سوركان مع ما و 10000 من ما دير ما عال المورس المعالمة في ما ما ما ما ما ما ما ما ما والما 1272 per son de la la de la Company de la co Who will a let of the control of the ا ما الله ظار مواد م وعرد مع منه از فاری م العصال کان ا الله ي حيال ديم و من الله و المالية و المالية و الله القوا

short Beat Dois holy will Standolises of Lange Ville & Con al 6 157 COP (Par Souper 2006) Oto Row It free bush that 2(2) j to/ Cully 2-8-7-12 indend ASI car work of 8 - 12 O-12 weelen Aff ind coop of the 13 8 Fet a (b (1) the side, the your) prof 3 ch cors 24 % 11/12 to copy of the second of 1/2 JWI LIAN WING SO 18 TO 2/6/18/10/12 21/3 2/6/18/10/12

(m) (m) 23 = 36,000 me de 100 23 /3 is solo 100 /)((jolo/2)/, عرا نار المحتما كري أركاله المعامة الم الوحداد الركام المركز والمحرود و معدوم المراكز المركز المراكز المركز الم من 3 عدد فل سيكر في الكري الكر دولم، وكور كيشم كو كوالم حسل كر عاد وه يهم مسالحكم السران مناب مول ما ما ما الما مي موساك من ما والور مي مع الموليس والموليس وال المراقعات الورن كسي فتم ما الطركيات . جونكركيل مركزه وقعان الم المراكيل ولا الما المعامل ا سری درواست افسال بالی عربیت بس ارسال کیمانی ، قفظ ، دن 25 36 36 15 02:10,35 19:45 - 25 - 3 MM C 19:45 - 3 C (E - 3 19: 45 - 3 C) ٠٠(٥٠٠١٥)٠٠ 1023 35 136) 12 ml Sairon de 1641 ling 1973/16/10/00 - NO (10 20) - NO (10 10) ON (10) مين افسان ما لذكر ورور ورا مرواك J36 10 الم المالي الم يك And Attach with enquiry forwarded
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نان ا دان الحمال را الحمال مال مطلوس لرن 10 - 1/40 216 20 16 20 16 - 0 more ولان من و الكرس من من ار ولان من ولان من المرولان المرولا سزارت بعدر ترل فرمرت . واس سرا مرس ان عره المراج كل - لوروع بي سي سي سي سي عول على المراجع المست مع بنا الول بلزه کو سے می کو بندی کا والی و کو عقى. و عال در مسى ماد تدكر ح من آل مخالوا عما . فولس و الله 1.60-13in. a. d. 135 Wy Thurst. lesse · Will ion Exection. 8- Anounce ا وركما - كرم اسلومبر من واله كردو . اورع ط سك مو . منكرمان انارى تى . يوسى قى الله دى چىلى بى ئانا ابى سائع كرفارى 11-0210 FIR-26 Cy 31. W. Low 576 والمرتبي سركا - إلى كسيس حبل جل كل الرويمال ك 6 26 1 10 10 10 10 5 11 1 1 324 = 3 Um 13. Lil, holy our & Liebon ache livere 1647, ho (1) - 1/2 (1) - 1/2 (1) - 1/2 (1) - 1/2 (1) 9- 2 2 Le 10 list - Oddinier en in com تى : أ - كب لولى كورس س كورى بوء ؟

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الزام: ميرك فلاف الزام مائذت كه:

تفائه بلی ٹنگ پولیس نے پراناٹول پلازہ کوہائ بدو ڈران ناکہ بندی میرے قبضہ سے کل 9 ضرب بستول مقائمہ بنگ پولیس نے پراناٹول پلازہ کوہائ بدو ڈران ناکہ بندی میرے خلاف مقدمہ نمبر 90 مور خد مور خد 100 مور خد میرے خلاف مقدمہ نمبر 90 مور خد 15 میرے خلاف مقدمہ نمبر 90 مور خد 15 میرے خلاف مقدمہ نمبر 15 میں داغدار ہے۔ علاوہ ازیں سابقہ شہر ت بھی داغدار ہے۔ جناب عالی!

الزام کے بنیاد ہے ، جس کی بین تروید کرتا ہوں ۔ مور خو 2015-03-16 جبلہ بین دو ایڈم شب باشی مور خد 2015-03-10 جبلہ بین دو ایڈم شب باشی مور خد 2015-03-15 ہے۔ خور خور گیا تھا۔ بین علاج کے لیے بیٹاور گیا۔ بعد ڈاکٹری معاننہ بین نے جان سز آرسز بالاتقابل تھانہ کی بہار جی۔ ٹی۔ روڈ پٹاور سے رسید نمبر 107،108،107 چار ضرب پسٹول جن بین بالاتقابل تھانہ کی بہار جی۔ ٹی۔ روڈ پٹاور سے دائیک اور با قاعدہ ان کا اندراج لائسنس ہا بین کیا۔ پشاور سے وائیک کے معرفی کی برج کر کے بیجھے کہ بہتا ہوں تھانہ بلی ٹنگ کوچ کی سرچ کر کے بیجھے کہ بہتا ہو یا۔ تلاث کے دوران پسٹول بین خود بیش کئے اور ساتھ لائسنس کا پیال بھی بیش کئے۔ لیکن انچار کی افر نے بیچھے کہا اسلحہ میرے حوالے کرواور تم جاسکتے ہو۔ بین نے جانے سے انکار کر دیا۔ استے بین میں انکار ک تھانے بالا خر کا اس کی بیٹس نے جانے کا اصراد کر دے جھے۔ لیکن میں انکار ک حوالے ناد بالا خر کا کہ کہ کہ کہ کہ کہ کہ کیا۔ اور میرے کا در ایک کا میں نے جانے کا احراد کر دیا۔ اور میرے حوالے ناد بالا خر کا کہ کہ کہ کیا۔ اور بیکھے اپنے ساتھ گاڑی بیس بھی کیا۔ اور بیکھے والات بیس بند کیا۔ اور میرے حوالے ناد کو الٹ بیس کیا۔ اور بیکھے دالت سے میر کی خان سے اور کی حالے کیاں مور نہ 5 آری۔ 20-24 مدالت سے میر کی خان سے تو تیم نے میرے ساتھ میں بند کیا کہ بیا تو تیم نے میرے ساتھ میں نے کہا کہ بیا تو تیم نے میرے ساتھ میں نے کہا کہ بیا تو تیم نے میرے ساتھ میں نے کہا کہ بیا تو تیم نے میرے ساتھ

عالى جأه!

رف کے باق 5 عدد پیتول دیسی ساخت اس نے ایک طرف سے SHO تھانہ بلی ٹنگ نے میرے ماتھ زیاد فی گئے ہیں۔ جو عدالت میں ان پیتول کو جج صاحب نے میرے خلاف درج کرائی ہے۔ جنگی کوئی قمیت نہیں صرف وہانچ ہیں۔ جو عدالت میں ان پیتول کو جج صاحب نے ملاحظہ کیے ہیں۔

اتد عاکر تاہوں کہ عدالتی فیصلہ تک میرے خلاف گارروائی ملتوی رکھی جاوے۔ فیصلہ عدالت کے آنے پر مناسب تھم صادر فرما یا جاوے۔ ماتخت پروری ہوگی۔
مناسب تھم صادر فرما یا جاوے۔ ماتخت پروری ہوگی۔
مناسب تھم صادر فرما یا جاور انتہائی شریف خاندان سے تعلق رکھتا ہے۔ سائل اپنی ڈیوٹی نہایت ایمانداری کے ساتھ انجام دیتا ہے۔ سائل اپندہ کے لیے مخاطر ہے گا۔
انجام دیتا ہے۔ سائل اپنے بوڑھے والدین اور بہن بھائی ہیں۔ علاوہ ازیں سائل ائندہ کے لیے مخاطر ہے گا۔

جمال محمد المعمد المساور المساور المساور المساور 1647 من المساور 1336-909 من الل نمبر: 9336-909

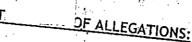
CHARGE SHEET:

- I, ABDUR RASHID, District Police Officer, Bannu, as competent authority, hereby charge you, Anam Sattar No. 1647 Constable as follows:
 - That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from your possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against you.
 - > That your previous record is also tainted regarding such like activities.
- 2. By reason of the above you appear to be guilty of misconduct under the police Rules 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
- 3. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
- 4. Your written defense, if any, should reach to 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 be taken against you.
- 5. You are directed to intimate whether you desire to be heard in person.

6. A statement of allegation is enclosed.

(ABDUR RASHID)PSP District Police Officer, Bannu.

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I, Abdur Rashid, District Police Officer, Bannu as competent authority, am of the opinion that Anam Sattar No. 1647 Constable has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of police rules (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014).

SUMMARY OF ALLEGATIONS:

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No. 90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
- > That his previous record is also tainted regarding such like activities.
- For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations DSP/Cantt: is appointed as Enquiry Officer.
- The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and finding s within (17 days) after the receipt of
- The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

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(ABDUR RASHID)PSP District Police Officer,

72 Bannu.

No. 95-96 /EC Copies to :-/03/2015

The Enquiry Officer(DSP Cantt)

The Accused Officer.

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نفير 12 روزناجم جر 33 (الماليكن Chel 209=10 cis 23 03 ils ho ilistic | bed على كارز الله كوت عزر تدورنا في سى آك نلايا ممانيك (1)69/. les les de dit 3/1 de lucas leur 1647 , lipes مذكور مر صنرال و سع مورم بهرا كو الل صرب حد شناوف بط العسر لل لا تعالى جونكم و المراك و حوالم سيم لا عام و حوالم ino voles que co colo DPO lo los los 1703 فلاف الله الله المعربي الله المعربية على المعربية المعربي حقام عائل من تور ما مال رسلم عظر الموسين وسيره كامال ععين سامع اور اللي تساط والبط سامه جوند كافل وزوره قطانه سلى فقنك فله قومها طل مين كرمنار مهو خفام من عرفاف FIR بعى درج مقدم بلوجها مع . برطارف مركوره كالبل سي طارف ربی در در داد می می در مانوره کانی دی در المانی می المانی می در در داد در می در می در می در می در می دانی می در می Elle The wind while will of the en los albertes mm Police him 23-03-015

19 03 3 July 46 Mil Rs 3: 15:05 vies 19 03 pos do its listo & byds ling 21/1. 17 03 es 276 pb 1/2 pue La 1647 6 cap 20 20 20 10 1647 منافر ے لولس لائل س نامال مامبری این صلاملاف راورط درم روزاتي مو لفكالم سوه سرس والهالعبالي رفتر اي مامى رسال IBLUL لول عطالق اجل ا 510 Forwarded m m P Ce 19-03 15 S LO-Bornuc 19-3-15

CHARGE SHEET:

- I, ABDUR RASHID, District Police Officer, Bannu, as competent authority, hereby charge you, Anam Sattar No.1647 Constable as follows:-
 - That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from your possession at highway near old toll plaza Kohat and a proper case vide FIR No.90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against you.
 - That your previous record is also tainted regarding such like activities.
- 2. By reason of the above you appear to be guilty of misconduct under the police Rules 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
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- 5. You are directed to intimate whether you desire to be heard in person.

6. A statement of allegation is enclosed.

(ABDUR RASHID)PSP District Police Officer, Bannu.

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STATEMENT OF ALLEGATIONS:

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I, Abdur Rashid, District Police Officer, Bannu as competent authority, am of the opinion that Anam Sattar No.1647 Constable has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of police rules (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014).

SUMMARY OF ALLEGATIONS:

- That on dated 16-03-2015, the local police of PS Bili Tang District Kohat recovered 09 pistols (03 9MM bore and 06 30 bore) from his possession at highway near old toll plaza Kohat and a proper case vide FIR No. 90 dated 16-03-2015 U/S 15AA/2013 KPK PS Bili Tang was registered against him.
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(ABDUR RASHID)PSP District Police Officer, 2 Bannu.

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The Enquiry Officer(DSP Cantt)

2. The Accused Officer.

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क्षेत्रेमेश्वर राज्य हर PAR No.

ORDER:

Constable Annam Sattar No. 1647 of police lines, Bannu is hereby suspended, due to his involvement in case vide FIR No. 90 dated 16-03-2015 u/s 15AA/2013 KPK PS Belli Tank with immediate effect.

OB No. Dated 1/8 /03/2015.

District Police Officer, Bannu.

No. 3862-66_/dated Bannu, the 19 /03/2015

Copy of above is submitted to the :--

- 1. Regional Police Officer Bannu Region Bannu.
- 2. DSP/HQ Bannu.
- 3. Pay Officer.
- OASI.

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1. SRC with the direction to draft charge sheet based upon summery of allegations under police Rules 1975 against the above accused police

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District Police Officer, a Bannu.

ابترائي اطلاعي راورط وبير موربسرونار) بمر٢٧ د قانین) ابترالی افغان است ایرم تابل دست اندازی بولیس داورت شکن درجی و میما در ایران ایرانی ایرانی در ایرانی د قانین) ابترالی افغان است ایرم تابل دست اندازی بولیس داورت شکن درجی و میماند و ایران ایران ایران ایران ایران لم وسخيت اطلاع دسنده ومشفيث. of Sily in a charing فتفركيفيت حرّم (معددنس) حال اگرکھ دیاگر ہو بعاش وقوع فاصله تقام سا احرميت ن می وسکونت ملزی کاردوانی می تفیش کے متعلق کی مجمع اگراط لماع درست كم في الوقف بوايوتو وجر بيان كروila le silvertino مقادر رامحى كوحارك ووقت من عام الا تشاور به طاب المعامل المعا معند السيم المحتمدة متكورت والمحتدد من والمسلسان وودنا F A05005, A03900. AJ-00475. 9mm Just 1/1/10 33007152, 33007395, 33007371, 224268 11030 Just عدان المن و فازه فالطرخان على أر عدام الله الم على ماس كما كالاس المرمان الله المعالى الله المالية المالية الم من مربع المربع ا ارسال نواند بعراند لرسام والراه الما شاف مارد . « تنط أنارين ساس المودور الم مراسر الاما مان سياماني . المراق المر MIC-PBF 16-3-15

(a)

Petitioner Muhammad Anam Sattar seeks the Superdari of Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 /P48, Pistol 9MM Foreign Made No.T636814A05005 alongn with License Book No.143/P113, Pistol 9MM Foreign Made No.T636814A03900 along with License Book No.189/P206 and 30 bore Pistol No.224268 along with License Book No.57/P656 detained by the police in case FIR No. 90 dated 16.03.2015 registered U/S 15AA with PS Bellitang, Kohat.

Arguments heard and record perused with valuable legal assistance of learned counsel representing the petitioner and learned state counsel.

The local police was taken the above mentioned Arms and ammunition along with licenses etc in question on recovery memo.

There is no rival claimant and the case property is no more required to the local police for the purpose of further investigation. No better purpose shall be served rather weapon would deteriorate and its condition would be damaged due to climatic effect.

Therefore, the instant petition is allowed and Pistol 9MM Foreign Made No.T636814A100475 along with License Book No.493 / P48, Pistol 9MM Foreign Made No.T636814A05005 along with License Book No.143/P113, Pistol 9MM Foreign Made No.T636814A03900 along with License Book No.189/P206 and 30 bore Pistol No.224268 along with License Book No.57/P656 and ammunitions etc in question be returned to the petitioners on superdari on furnishing bonds to the tune of Rs, 80,000/- (Fighty (continued)



9/4/15

Order (09.04.2015)

Continued

thousands) with two sureties each in the like amount to the satisfaction of SHO concerned. Copy of this order be placed on judicial file. Petitioners are directed to produce the same before court/local police, whenever required. Police record be returned to PS concerned. This file be consigned to record room.

ANNOUNCED:

09.04.2015

Syed Mudassi Shah Termizi Judicial Magistrate-I, Kohat



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OFFICE OF THE DEPUTY COMMISSIONER BANNU

NO: __/DC/Arms/Bannu Dated

To,

The Senior Supdtt: of Police, Investigation Wing Kohat.

Subject:

CASE FIR NO. 90 DATED 16.3.2015 U/S 15 AA POLICE STATION BILLITANG

Memo:

Reference your office memo No. 1404/GC/ Dated Kohat the 19.03.2015

In the letter cited above, you have requested for verification of the following Licenses in connection with case FIR Case FIR No. 90 Dated 16.3.2015 U/S 15 AA Police Station Billitang.

- 1. License No. 57/P-656 dated 25.10.2013 2.
- License No. 493/P-48 dated 11.11.2011 3.
- License No. 143/P-113 dated 03.08.2009
- 4, License No. 189/P-206 dated 06.12.2013

According to record of Arms Branch of this office all the licenses have actually been issued in the name of Muhammad Anam Sattar s/@ Abdul Sattar Khan r/o

> Peputy Commissioner, WBannu

Investigation Lyapi

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No 296 /ST

Dated 08 / 02 / 2018

То

The District Police Officer,

Government of Khyber Pakhtunkhwa,

Bannu.

Subject:

ORDER/JUDGEMENT IN APPEAL NO. 975/2015, MR. ANAM

SATTAR.

I am directed to forward herewith a certified copy of Judgment/Order dated 26/01/2018 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

OU/