

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

Service Appeal No. 525 /2020

Shafi ur Rehman son of Sarfaraz (Ex-Head Constable), resident of Malkot  
Cum Gijbori, Tehsil & District Battagram.

...APPELLANT

**VERSUS**

Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others.

...RESPONDENT

**SERVICE APPEAL**

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...APPELLANT

Through

Dated: 26/11 /2020

  
(HAMAYUN KHAN)

Advocate High Court, Abbottabad

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA**  
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Cum Gijbori, Tehsil & District Battagram.

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**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer/ DIG Hazara Region at Abbottabad.
3. District Police Officer Battagram.

...RESPONDENTS

**APPEAL** AGAINST THE IMPUGNED ORDER  
DATED 09/07/2020 PASSED BY RESPONDENT NO.  
1 AND ORDER DATED 13/03/2015 PASSED BY  
RESPONDENT NO. 3 ARE AGAINST THE LAW,  
FACTS CIRCUMSTANCES AND NATURAL  
JUSTICE AND LIABLE TO BE SET-ASIDE.

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**PRAYER:-** ON ACCEPTANCE OF INSTANT  
APPEAL ORDER DATED 09/01/2020 PASSED BY

RESPONDENT NO. 1 AND ORDER DATED 13/03/2015 PASSED RESPONDENT NO. 3 BE DECLARED NULL AND VOID-AB-INITIO AND APPELLANT BE RE-INSTATED IN SERVICE WITH ALL BACK BENEFITS.

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Respectfully Sheweth;-

This appeal mainly proceeds on bellow stated factual and legal grounds.

1. That appellant was appointed as Constable on 24/01/1995.
2. That due to good progress and performance in the year 2007 passed the lower course and similarly in 2014 passed intermediate.
3. That due to personal grudges on the direction of SHO Police Station Battagram firstly SHO P.S Cantt. Abbottabad lodged FIR NO. 553 under Section 9C-CNSA dated 27/05/2013 P.S Cantt. Abbottabad and thereafter on 31/10/2014 SHO P.S Shinkiari lodged another FIR No. 392 dated

31/10/2014 under Section 9C-CNSA P.S Shinkhari  
Mansehra. Copy of FIR is annexed as Annexure  
"A".

4. That on 12/11/2014 Superintendent of police CTD  
Hazara Region Abbottabad issued charge sheet  
alongwith statement of allegation. Copy of charge  
sheet is annexed as Annexure "B".
5. That on 18/11/2014 appellat submitted reply of  
the same. Copy of reply is annexed as Annexure  
"C".
6. That after lodging of FIRs respondents conducted  
inquiry against the appellat in respect of offences  
mentioned in FIR, in consequence of the inquiry  
report and statement of witness appellat was  
declared innocent by the inquiry officer. Copy of  
inquiry report is annexed as Annexure "D".
7. That after lodging FIR I.Os of both the police  
station filed challan for trial before the learned  
Additional Sessions Judge-II, Abbottabad and  
Additional Sessions Judge-II, Mansehra.

8. That on 27/02/2015 respondent No. 3 issued final show cause notice against the appellant and on 05/03/2015 appellant submitted reply of the same. Copies of show cause notice is annexed as Annexure "E".
9. That on 12/03/2015 respondent No. 3 issued impugned order, whereby appellant was dismissed from service. Copy of order is annexed as Annexure "F".
10. That on 17/01/2018 after recording of evidence of the prosecution, but during trial prosecution fail to proof allegation and on 17/01/2018 learned Additional Sessions Judge-II, Abbottabad announce judgment and appellant was acquitted and similarly on 22/12/2018 learned Additional Sessions Judge-II, Mansehra passed judgment and appellant was acquitted from the charges leveled against him by the local police. Copy of judgment is annexed as Annexure "G".
11. That on 20/03/2015 appellant filed departmental appeal against the impugned order dated 13/03/2015 before the respondent No. 2 and

similarly on 21/06/2019 filed another appeal before the respondent No. 1. Copy of appeal is annexed as Annexure "H".

12. That on 09/01/2019 respondent No. 1 passed impugned order on the appeal of the appellant whereby respondent No. 1 modified order dated 13/03/2015 and punishment was converted from dismissed to compulsory retirement. Copy of order is annexed as Annexure "I".

13. That feeling aggrieved from the above said impugned orders appellant filed this appeal on the following grounds;-

**GROUND:-**

- a. That both the impugned orders are against the law fact, have liable to be set-aside.
- b. That all proceeding were conducted with malafide intention, against the principle of natural justice.

- c. That respondents are miserably failed to proved allegation against the appellant.
- d. That respondent No. 1 passed impugned order dated 13/03/2015 before the final judgments of courts of competent jurisdiction.
- e. That after acquittal from charges leveled against the accused in the FIR, thereafter respondents have no power to issued impugned order, whereas it come to classically example of misuse of authority and power.
- f. That at the time of passing impugned orders respondents ignored all basic principle of natural justice and equity.
- g. That respondent ignored the finding of inquiry committee and evidence of the record, and issued impugned order, hence both orders are liable to be set-aside.

- h. That respondent No. 3 adopted his own procedure and passed impugned order against the E&D Rules.
- i. That the other points would be urge at the time of Arguments with the kind permission of this Honourable Court Tribunal.

It is, therefore, humbly prayed that on acceptance of instant appeal order dated 09/01/2020 passed by respondent No. 1 and order dated 13/03/2015 passed respondent No. 3 be declared null and void-ab-initio and appellant be re-instated in service with all back benefits. Any other relief which this Honourable Tribunal deems fit and proper in the circumstances of the case may also be granted to the appellant.

  
...APPELLANT

Through

Dated: 26/1 /2020

  
(HAMAYUNKHAN)  
Advocate High Court, Abbottabad

**VERIFICATION:-**

*Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.*

  
...APPELLANT





نام خانوادگی  
نام پدر

لیم ملزم و بیباک حسن <sup>۱۰/۱۰/۱۰</sup> سال قد ۶-۵ مغبوب دین گورابندگ نافرده  
 ۰۳۰۱-۸۱۳۸۲۲۰ و اید کلمه ۰۷۳۳۷۴۱۸-۱۳۲۰۲  
 ناصح مادرش ۰۳۰۱-۸۱۳۰۳۴۶ در کوه اندری بستری شد  
 شفیع الرقان عمر ۳۸/۳۹ سال قد ۶-۵ مغبوب دین گورابندگ نافرده  
 مادرش ۱۳۲۰۲-۵۰۸۷۱۵۸ و اید کلمه ۰۳۰-۱۰-۰۱۴  
 مارون کمالی کمان آرد کلمه ۰۳۰-۱۰-۰۱۴  
 صدیق حماله در کوه اندری بستری شد  
 شایک حاجی <sup>۱۰/۱۰/۱۰</sup> سال قد ۶-۵ مغبوب دین گورابندگ نافرده

SHK  
 ۰۳۰-۱۰-۰۱۴



CHARGE SHEET

ANNEXURE B-11

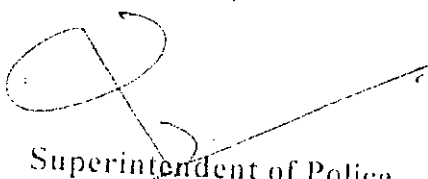
I, Malik Ahjaz Khan Superintendent of Police CTD Hazara Region Abbottabad being competent authority is hereby charge you Head Constable Shafi Ur Rehman No.237 as explained in the attached statement of allegation.

You are therefore, directed to submit your written defence within seven days on the receipt of this charge sheet to the enquiry officer.

Your written defence, if any should reach the enquiry officer within the specified period, failing which it shall be presume that you have no defence to put in and in that case Ex-parte action will be taken against you.

Intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.

Attested  


12

DISCIPLINARY ACTION

I, Malik Ahjaz superintendent of Police, CTD Hazara Region Abbottabad is competent authority of the opinion that you Head Constable Shafi ur Rehman No.237 of CTD District Battagram have rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

STATEMENT OF THE ALLEGATION

As per report received from Dsp CTD Battagram, on 30-10-2014, you Head Constable Shafi ur Rehman No.237 along with another person namely Zaib Ur Rehman were on way from Battagram to Mansehra Travelling in Alto Motor car bearing registration number 4797/RNG. You were stopped by SHO Shankiari near Khanpur and carried out your personal search. One Kg chaise along with one 30 bore Pistol and 12 rounds were recovered from your possession while 2 Kg chaise was also recovered from your companion a proper case Vide FIR No.392 dated 30-10-2014. U/S 9C-CNSA Police Station Shinkari was registered against you, which is a gross misconduct on your part. For the purpose of securitizing the conduct of said accused official with the reference of above allegation Mr. Muhammad Nawaz Dsp CTD is deputed to conduct departmental enquiry against you.

The enquiry officer shall in accordance with the provision of P.R 1975 Rules provide reasonable opportunity of hearing the defaulter, furnish findings within 30 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

The accused and a well conversant representation of the departmental shall in the proceeding on the date, time and place fixed by the Enquiry officer.

Superintendent of Police,  
CTD, Hazara Region Abbottabad.

No. 455-56 /R dated Abbottabad the 12-11-2014.

Copy of above is forwarded to:-

1. Mr. \_\_\_\_\_ (Enquiry officer) for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975.
2. Head constable Shafi Ur Rehman No.237 through reader CTD Hazara region with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry officer on the date, time and place fixed for the purpose of departmental proceedings.

Superintendent of Police,  
CTD, Hazara Region Abbottabad.

*Attested*

تحوال چارج شیٹ نمبری R/56-455 خروردہ 12/11/2014 بجاریہ جناب قابل احترام SP صاحب CTD: بیڈ کو اور ہزار ڈیٹ آباد سروس  
ہوں کہ اندر میں بارہ سال ذیل عرض گزارش ہے۔

۱۔ یہ کہ سال 1995 میں گلہ پولیس میں بحیثیت کاٹھنیل بھرتی ہو کر سروس کے دوران ترقی کے مختلف مراحل طے کرتے ہوئے اب حال ہی میں انٹرمیڈیٹ  
کورس PTC: ٹکو سے واپس آیا ہے۔ سروس کے دوران سال نے ہر گھڑی ٹکڑے کے دوران عزت اور وقار کو بلند رکھنے کی ہر ممکن کوشش کی ہے اور کبھی کسی  
ایسی حرکت نہیں کی ہے جسے ٹکڑے پر کوئی آج آیا وہاں سال نے ہر لمحہ کارسہ کار کو مقدم سمجھ کر ترجیح دی ہے بلکہ کسی انسرو کو شکایت کا موقع نہیں دیا ہے۔

۲۔ یہ کہ سال ایک غریب اور باعزت خاندان سے تعلق پذیر ہے سال کے خلاف کوئی جوڈیشل ثبوت موجود نہ ہے اور نہ کوئی غیر جانبدار شہادت موجود ہے  
بلکہ سال کو غلام طور پر منشیات جیسے ناسور کے مقدمہ میں ملوث کیا گیا ہے حالانکہ ایک مخالف ذیل کے ناٹے سال اس طرف سوچ بھی نہیں سکتا ہے۔

۳۔ یہ کہ سال اور سال کا رشتہ دار مورخہ 30/10/2014 کو بذریعہ نوٹ کار نمبری RNG 4797 گاڑی س کے ذریعے ایٹ آباد جا رہے تھے راستہ  
میں حدود شنکاری اپتھریاں کے قریب پانچ اشخاص جلے ساتھ سفید رنگ کی ALTO گاڑی تھی اور پانچ اشخاص سفید پرجات میں ملبوٹ تھے عقب جانب  
سے آ کر ہماری گاڑی کے بالکل سامنے اپنی گاڑی کھڑی کی اور کہا کہ ہم شنکاری تھانہ کے پولیس والے ہیں اور ایک دم ہمیں قابو کر کے سال سے دو عدد موبائل  
ایٹم NOKIA 1208 اور Q E-440 رشتہ دار ام زیب الزحمان سے ایک موبائل X-1 اور سال کے جیب سے پہلے 28500/= رشتہ دار کے جیب  
سے 35000 روپیہ زبردستی نکال کر اپنے قبضے میں کی اسی طرح سال سے ایک عدد پستول 30bore نمبر 6931 اور 23 عدد کارٹوس بعد لائسنس اور سال  
کی گاڑی درج بالا جی زبردستی لے کر اپنے تحویل میں کی اور پھر ہمیں تھانہ شنکاری لے جا کر وہاں پر پہلے سے تھانہ موجود SHO شیراز احمد کو پیش کیا اور کہا کہ ہم  
نے دو بد معاش پکڑے ہیں اور کہا کہ ہر دو نے ان کے ساتھ مزاحمت بھی کی ہے۔ متعلقہ اشخاص کے کہنے پر SHO کالی غصہ ہوا گاڑیاں دینا شروع کی اور پھر  
ماریا پنا اور اس کے بعد SHO نے غصے میں کہا کہ اب آپ لوگوں کے ساتھ سختی سے نٹا جائے گا اور ہمیں الگ الگ حوالات میں بند کر دیا۔

۴۔ یہ کہ SHO شنکاری اور ان کے کچھ اہلکاران موقع پر موجود نہ تھے اور نہ ہی ہم سے موقع پر اور نہ ہی تھانہ میں کوئی منشیات برآمد ہوئی ہے SHO شنکاری نے  
سال کے کھاتے میں ایک ہزار گرام اور رشتہ دار کے کھاتے میں دو ہزار گرام جس ڈال کر ہمیں لے جا اور بے بنیاد مقدمہ میں پھنسا یا جو کہ انصاف نہیں ہے اس  
حوالے سے SHO شنکاری اور گواہان فرد کو طلب کیا جا کر ان سے قرآن پاک پر حلف لینے کے بعد باز پرس کیا جائے کہ وہاں SHO مذکورہ اور ان کے متعلقہ  
شٹاف موقع پر موجود تھے یا نہیں یا ہم سے اس نے موقع پر یا تھانہ میں کوئی منشیات برآمد کی ہے یا نہیں تاکہ یہ ثابت ہو جائے کہ وہ واقعی برصداقت ہے یا نہیں۔  
یہ کہ سال بے گناہ اور ناکارہ ہے۔

۵۔ یہ کہ سال کے خلاف کوئی غیر جانبدار اور لائق گواہ موجود نہ ہے بلکہ گواہان پولیس کے ہیں۔

۶۔ یہ کہ سال کے خلاف درج رجسٹر FIR میں کوئی صداقت نہ ہے مٹی بر حقیقت نہ ہے بدیتی اور سازش ہے۔

۷۔ یہ کہ سال اور سال کے رشتہ دار سے کوئی برآمدگی نہیں ہوئی ہے نام نہاد برآمدگی سے سال کا اور سال کے رشتہ دار کا دور کا واسطہ اور تعلق نہ ہے۔

۸۔ یہ کہ سال اور سال کے رشتہ دار سے کوئی برآمدگی نہیں ہوئی ہے نام نہاد برآمدگی سے سال کا اور سال کے رشتہ دار کا دور کا واسطہ اور تعلق نہ ہے۔

۹۔ یہ کہ FIR میں جملہ کہانی خود ساختہ ہیں جملہ واقعات کو SHO صاحب شنکاری نے حقیقت کارنگ دینے کی ناکام کوشش کی ہے حالانکہ جملہ کہانی  
غلام بنیاد میں گھڑت اور فرضی جھوٹ پر مبنی ہے اور صداقت سے اس کا کوئی واسطہ نہ ہے۔

۱۰۔ یہ کہ SHO شنکاری نے شخص اپنی کارکردگی دکھانے کے لئے سال اور سال کے رشتہ دار کو منشیات جیسے مقدمہ میں ملوث کیا جو کہ انصاف نہ ہے۔ SHO نے  
میرا واسطہ لائسنس نمبر 302 مورخہ 10/11/2014 کو ایٹ آباد جاتے ہوئے تھانہ شنکاری میں مجھے واپس دیا اور لائسنس یافتہ پستول پر 15AA کا  
غیر قانونی مقدمہ درج کیا ہے جو کہ ظلم ہے۔

۱۱۔ یہ کہ ایٹ اپنی طور پر سفید پرجات میں ملبوٹ افراد کے ساتھ کچھ ٹکڑے ہوئی تھی بائیں ہاتھ شاکہ یہ پولیس والے نہیں ہے حالانکہ انہیں جاتے ہوئے نہ پکڑا گیا اور نہ  
بائی ہاتھ انہوں کی معاشی لینا اور پھر انہیں نہ صرف تھانہ خلاف درج ہے بلکہ قانونی جرم ہے۔

۱۲۔ لہذا حالات بالا کے پیش نظر سال کے حال پر رحم فرما کر ماتحت پروری اور خدا ترسی کے بناء پر اصل حقائق کی روشنی میں انکو امری کر کے چارج شیٹ فائل فرما کر  
داخل دفتر کیا جا کر مشکور فرمائیں۔ سال ناحیت دعا گو رہے گا۔

العارض

سال شفیع الرحمن نمبر HC/237 متعینہ ctd بیڈ کو اور ہزار ڈیٹ آباد ہزارہ

Link

المرقوم 18/11/2014

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ANNEXURE "D"

FINDINGS OF THE ENQUIRY

14

Against Head Constable Shafi ur Rehman No. 237 DCIO ABBOTTABAD,  
DCT/SB Peshawar

Respected Sir,

The undersigned were entrusted with an enquiry against the above captioned head constable with the following allegation:-

1. He was arrested by the police of PS Cantt Abbottabad on 26.05.2013 and recovered hashish from his possession when he was charged in a case vides FIR No. 553 dated 27.05.2013 u/s 9CCNSA.
2. He remained absent from his lawful duties since 27.05.2013 to 08.06.2013, and was confined to Abbottabad prison by Magistrate Abbottabad in the said case.
3. His pay has already been stopped in this regard.
4. He was served with a Show Cause Notice No. 2899/EC dated 05.06.2013 by the Worthy SSP Admin DCT, SB.
5. He submitted his written reply to the show cause notice but failed to satisfy the high ups.
6. He was then charge sheeted with charge sheet No. 3087-90 dated 05.06.2013 by the worthy SSP Admin DCT/SB for allegations, leveled against him (mentioned above) and an enquiry was initiated against him.

During the course of enquiry the defaulter head constable was summoned and his statement was got recorded, stating thereby that he had gone to Rehmat Hospital Abbottabad for medical treatment on 26.05.2013 and had an altercation with a police personnel, dressed in civvies near the said hospital over body search. He was arrested by the police and was shifted to PP Sikandar Abad from where he was then shifted to PS Cantt, after a night confinement in PP Sikandar Abad, where the mentioned case was registered against him.

The witnesses were summoned through summon.no. 493/INV dated 19.06.2013 to record their statements but except DCIO Battagram, Inspector Humayun Khan, no one bother to record their statements.

Later on, the statements of ASHO PS Cant Mr. Niaz Mohammad Khan, SI Tariq Mehrnood, Constable Tauqir No. 505 were got recorded by the undersigned, which are quite different from each other.

Moreover, who states that during the course of interrogation, the ASHO PS Cantt Niaz Mohammad Khan confirmed his confinement in the cell on 26.05.2013 and lodging of FIR on 27.05.2013.

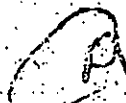
Attested


Attested  
[Signature]

In the light of the above facts, it is stated that the defaulter head constable seems to be innocent as he was arrested on 26.05.2013 and was charged on 27.05.2013, and the statements of the witnesses are different which speaks highly adverse on the part of police.

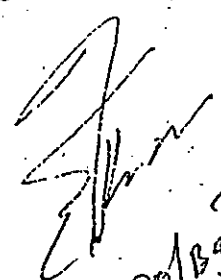
Therefore it is recommended that if approved, the enquiry in hand may be hanged till the decision of district Courts Abbotabad, releasing his pay.

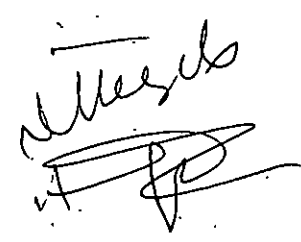
~~Submitted~~ Submitted Please.

  
ABDUR REHMAN  
Inspector DCT, SA  
Peshawar. 2/8/13

  
SYED LIAQAT SHAH  
RCIO Peshawar, DCT, SB  
Peshawar. 2-8-13

AHEAD

  
DPO Ballagram  
District Police Officer  
Ballagram





ORDER

16

My this order of today on 5/11/2013 will dispose off the departmental proceedings initiated against Head Constable Shafi-ur-Rehman No 237 of this Unit on the score of allegations that:-

The DCIO, DCT, SB: Battagram, was reported that he absented himself intentionally and deliberately from his lawful duties without any kind of leave or permission from his superiors since 26-05-2013. Due to his absence his pay was stopped vide this office OB. No. 268 dated 28.05.2013.

During his absence, he was arrested by Sub Inspector Mohammad Tariq Khan of Police Station Cantt: Abbottabad recovering 1050 gram of "Hashish" from his possession and a Case vide FIR No. 553 dated 27-05-2013 under section 9CNSA PS Cantt: Abbottabad was registered against him and he was sent to District prison Abbott Abad. Being a Police Officer his such act was against Police Rules, 1975 read with Police Ordinance 2002.

He was charge sheeted and an Enquiry Committee was constituted consisting upon the following Officer of this Unit to proceed him against departmentally.

1. Mr. Syed Liaqat Shah, DSP, RCIO Peshawar.
2. Mr. Abdul Rehman, Inspector, DCIO-III Peshawar.

During the course of enquiry the defaulter Head Constable was summoned and his statement was got recorded. The following Police Officers/Officials of Abbottabad district were also summoned and their statements were got recorded which are placed on file:-

1. SI Niaz Muhammad Khan, ASHO PS Cantt, Abbottabad (Annexed F/A),
2. SI Tariq Mehmood, PS Cantt, Abbottabad. (Annexed F/B),
3. FC Tauqir, PP Sikandarbad, PS Cantt, Abbottabad.
4. (Annexed F/C),

After perusal of recorded statement of above mentioned officers/officials a contradiction was found present amongst the statements of the Officers in the case against HC Shafi Ur Rehman No 237.

Finding of the Enquiry Committee was also perused. The Enquiry Committee stated that "During the course of interrogation, the ASHO PS Cantt Niaz Muhammad Khan confirmed his confinement in the cell on 26-05-2013 and lodging of FIR on 27.05.2013." m/o

In the light of the above facts, it is stated that the defaulter Head constable seems to be innocent as he was arrested on 26.05.2013 and was charged on 27.05.2013, and the statements of the witnesses are different which creates doubtfulness in the matter on the part of defaulter Head Constable. dp

درم 26 5 2013  
درم 27 5 13  
م/و  
دپ

Attested

[Signature]

Dist. Police Officer

[Signature]

The Enquiry Committee recommended that the enquiry may be stopped till the decision of the Criminal Case registered against defaulter Head Constable so that the facts.

In view of above, consequent upon the finding of the Enquiry Committee, the Enquiry is hereby ordered to be stopped till the decision of the Criminal Case registered against Head Constable Shafi-ur-Rehman. However, his pay is hereby released.

Order announced.

Dated 8/11/2013

(SHAH ALI KIYANI) PSP  
Sr. Superintendent of Police,  
Admin. DCT, SB: Khyber Pakhtunkhwa,  
Peshawar.


Dated Peshawar the 8/11/2013

No. 5570/PA/DCT

Copy of above is forwarded to all concerned in DCT-SB, Khyber Pakhtunkhwa, Peshawar.

Attested

  
District Police Officer  
02013129

Attested  


STATEMENT OF SI NIAZ MUHAMMAD ADL: SHO, PS LORA ABBOTTABAD

Stated on oath that during the days of registration of case FIR No. 553 dated 27-05-2013 u/s 9 CNSA PS Cantt, Abbottabad against Constable Shafi ur Rehman s/o Sarfaraz, I was posted as Additional SHO PS Cantt Abbottabad. I was present in PS on 26-05-2013. I returned from my routine patrolling on 26-05-2013 at about 23:45 hrs and found one Shafi ur Rehman, Police constable of DCT inside the Police station. I shake hand with Shafi ur Rehman and left for my room. At this time neither Shafi ur Rehman was confined in lock up nor any case was registered nor Murasila was drafted. On the next day on 27-05-2013 I received a Murasila report drafted by SI Tariq Mehmood, incharge PP Sikandar Abad at about 16:30 hrs in which he had recorded the time of incident at 15:30 hrs. I cannot say that whether the accused Shafi ur Rehman was released from PS or taken by the SI Tariq Mehmood, for making a false case against the Constable. However it is conformed that I have personally seen Constable Shafi ur Rehman s/o Sarfaraz caste Swati r/o Malkot, Ps Koza Banda, District Battagram.

R.O.A.C



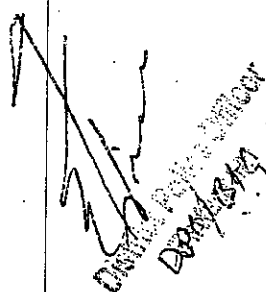
SI Niaz Muhammad

(Attested)



Enquiry Officer

Attested



Attested  
H [Signature]

STATEMENT OF Constable Taugeer No. 505 presently under training  
Traffic School Peshawar

19

Stated on oath that during the days of registration of case FIR No. 553 dated 27-05-2013 u/s 9 CNSA PS Cantt, Abbottabad against Constable Shafi ur Rehman s/o Sarfaraz, I was posted as constable in FP Sikandar Abad PS Cantt Abbottabad. A few days before Inspector Abdul Rehman of DCT recorded my statement on 04-07-2013 in the presence of RCIO Peshawar Syed Liaqat Shah. It is correct that I have signed sentence serial No. 01 in which I declared disclosed that Mr. Shafi ur Rehman was arrested on 26-05-2013. It is also correct I have stated in my statement that it was Sunday and constable Imtiaz, IHC Khan Afsar, SI Tariq Mehmood were roaming in cives not in uniform. It is also correct that I have stated in my statement that I do not know about the fard (recovery memo). It was remained about 16:00 hrs on 26-05-2013 where we arrested Mr. Shafi ur Rehman. We were not on patrolling but were walking in cives. I have seen the Hashish recovered from the possession of Shafi ur Rehman but did not noticed regarding its weighting. He took a simple from the Hashish in my presence on 27-05-2013.

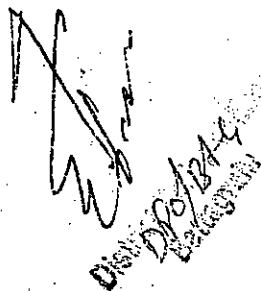
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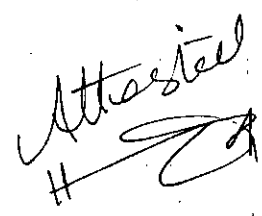
(Attested)

  
Constable Taugeer No 505

Enquiry Officer

Attested

  
Distt. Peshawar

Attested  


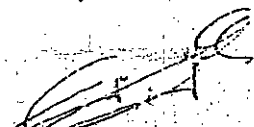
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STATEMENT OF SI TARIQ MEHMOOD, INCHARGE PP SIKANDAR ABAD  
NOW ADDL. SHO PS HAVELIAN, ABBOTTABAD

Stated on oath that during the days of registration of case FIR No. 553 dated 27-05-2013 u/s 9 CNSA PS Cantt, Abbottabad against Constable Shafi ur Rehman s/o Sarfaraz, I was posted as incharge PP Sikandar Abad, PS Cantt Abbottabad. On 26-05-2013, again added 27-05-2013 I was on routine patrolling in near Rehmat Hospital Abbottabad at about 13:30 hrs, when I saw a suspicious person want to arrest him and hence succeeded in his arrest who declared his name as Shafi ur Rehman s/o Sarfaraz caste Swati. I took his personal search and recovered Hashish weighting 1050 gram from his possession. I had taken the scale in my possession and weight about 1050 gram. It is incorrect to suggest I had weight the Hashish in Police station. It is also incorrect to suggest that I have prepared only two parcel. It is also incorrect to suggest that Shafi ur Rehman was brought on 26-05-2013. It is also incorrect to suggest that the case was planted by me. It was also incorrect to suggest that I have person grudges with Shafi ur Rehman HC of DCT for sending a report to the headquarter DCT. It is also incorrect to suggest that constable Tauqeer does not know what is fard (recovery memo)

R.O.A.C,

(Attested)

  
Sub Inspector Tariq Mehmood,

Enquiry Officer

Attested

  
Enquiry Officer

To RCIO Hazara.  
DCIO Abbottabad.  
DCIO Battagram.

Subject: SUMMON UNDER CHAPTER VII- SECTION 94 CR.PC

Memo:

A departmental enquiry is initiated in this Unit against Shafi ur Rehman No. 237/HC of DCT, in which the statement of the following person is required to be recorded in case FIR No. 553 dated 27-05-2013 u/s 9 CNSA PS Cantt, Abbottabad.

- i. Inspector Hamayun Khan DCIO, Battagram. Along with Attested copy of DD report.
- ii. Sub Inspector Tariq Mehmood, PS Cantt Abbottabad.
- iii. Sub Inspector Niaz Khan, PS Cantt, Abbottabad.
- iv. Sub Inspector Ayub Khan OII, PS Cantt presently PS Lora, Abbottabad. Along with attested copy of FIR and recovery memo.
- v. IHC Khan Afsar, PS Cantt Abbottabad.
- vi. Constable Imtiaz No. 182, PS Cantt Abbottabad.
- vii. Constable Toqeer No. 505, PS Cantt, Abbottabad.
- viii. Head Constable Shafiq ur Rehman No. 237, DCT/Hqr.

You are hereby directed to inform the above mentioned person to attend this office on 25-06-2013 (Tuesday) at 10:00 am in connection with enquiry without fail.

(Syed Liaqat Shah), DSP  
DCT, SB: Khyber Pakhtunkhwa  
Peshawar.

No. 493/INV/DCT,SB

Peshawar the 19/06/2013.

Copy to SSP/Admin, DCT-SB for information.



ANNEXURE E 23

OFFICE OF THE DISTRICT POLICE OFFICER, BATTAGRAM

FINAL SHOW CAUSE NOTICE

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

I, Jehanzeb Khan, District Police Officer, Battagram, as Competent Authority under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules-1975, Removal from Service do hereby you **Head Constable Shafi Ur Rehman No. 14** as follow:-

1. As per report received from DSP CTD Battagram on 30.10.2014, you Head Constable Shafi ur rehman No. 14 alongwith another person namely Zaib ur Rehman were on way from Battagram to Mansehra traveling in Alto Motor Car bearing registration No. 4797/RNG. You were stopped by SHO Shinkyari near Khanpur and carried out your personal search. One KG Charras alongwith one-30 Bore Pistol and 12- rounds were recovered from your possession while 2-KG Charras was also recovered from your companion a proper case vide FIR No. 392 dated 30.10.2014 U/S 9C-CNSA Police Station Shinkiari against you.
2. During interrogation you disclosed that you are earlier remained in another case of smuggling vide case FIR No. 553 dated 02.05.2014 U/S 9C-CNSA Police Station Cantt Abbottabad. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against you Head Constable for your direct involvement in 2- different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfillment of all codel formalities and you Head Constable Shafi ur Rehman were found guilty of the allegation leveled against you the enquiry officer recommended you for the major penalty. Your this act is gross misconduct and liable to be punishment.
3. On going through the findings and recommendation of the enquiry officer, material on the record, reply of the charge sheet/summary of allegations and other connected papers, I am satisfied that you have committed the following acts/omissions specified in rule 5 (3) KPK, Police Rules-1975.

Attested  
H



ORDER

ANNEXURE

24

HC Shafi ur Rehman No. 14 was enlisted in Police Department on 24.01.1995. While he was posted at CTD Battagram involved in case FIR No. 553 dated 02.05.2014 U/S 9CNSA Police Station Cantt Abbottabad and Case FIR No. 392 dated 30.10.2014 U/S 9-CNSA PS Shinkiari District Mansehra.

Charge sheet was issued along with the summary of allegation Mr: Muhammad Nawaz DSP CTD was appointed as enquiry officer by the Superintendent of Police CTD, Hazara Region Abbottabad vide Endst: No. 455-56/R dated 12.11.2014.

The enquiry Officer in his findings found him guilty and recommended him for the major Punishment. Final Show Cause Notice was also issued to him vide this office Endst: No136/PA, dated 27.02.2015 as per direction of Addl: Inspector General of Police Enquiry & Inspection, Khyber Pakhtunkhwa, Peshawar office Endst: No. 122-25/E&I dated 13.01.2015.

After perusal of enquiry and other relevant papers available on the record, I, Jehanzeb Khan, PSP, District Police Officer, Battagram, as competent authority, Dismiss from service HC Shafi ur Rehman No.14 under Police Rules-1975, with immediate effect.

OB No. 13  
13-03-2015

Announced.

(JEHANZEB KHAN)PSP,  
District Police Officer,  
Battagram  
(Competent Authority)

No. 177/DA /Dated Battagram the, 12 - 03 /2015.

Copy submitted to the Regional Police Officer, (Hazara) Region Abbottabad for favour of information with reference to his office Endst: No. 45/C, dated 19.01.2015 and diary No. 152/C, dated 19.01.2015.

Attested  
H



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*Annexure 'G'*

**IN THE COURT OF INAM ULLAH WAZIR,  
ADDITIONAL SESSIONS JUDGE-II ABBOTTABAD**

Case No. 18/III-S of 2013

Date of Institution ..... 25.06.2013  
Date of Decision ..... 17.01.2018

THE STATE  
VERSUS

SHAFI-UR-REHMAN S/O SARFRAZ CASTE SWATI AGED  
ABOUT 39/40 YEARS R/O MALKOT, GABORI POLICE STATION  
KOZA BANDA, BATTAGRAM.

..... (ACCUSED FACING TRIAL)

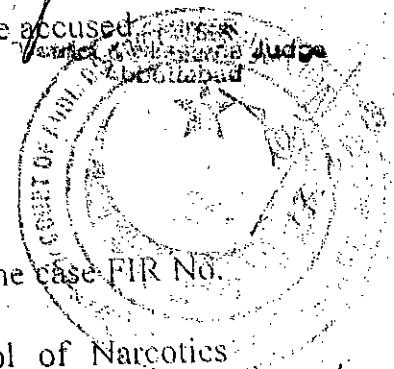
CASE FIR NO.553 DATED 27.05.2013 U/S 9 (C) CNSA,  
POLICE STATION CANTT: ABBOTTABAD.

**PRESENT:**

Mr. Masood-u-Rehman Tanoli advocate for the accused  
Miss: Bushra Ashraf APP for the State.

Attested to be a True Copy

12 JAN 2018



**JUDGMENT**  
**17.01.2018**

Accused Shafi-ur-Rehman has faced trial in the case FIR No. 553 dated 27.05.2013 under Section 9 (c) of Control of Narcotics Substances Act, of Police Station Cantt, Abbottabad.

2. Succinctly, facts of the case as depict in the FIR Ex-PA/1 are that, on the relevant date and time, Tariq Mehmood SI, PS Cantt along-with police personnel comprising Khan Afsar HC, constable Imtiaz No.182 and constable Tauqeer No.505 reached near Rehmat Hospital in connection with search of drug paddlers. There, a person seeing the police party ran

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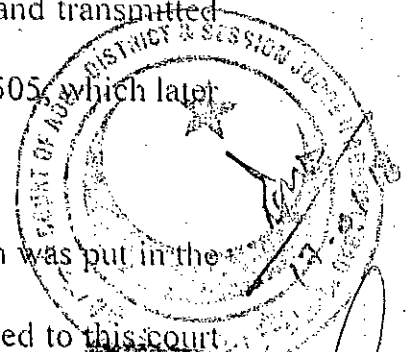
2-6

towards the street, who was chased and overpowered. On query, said person disclosed his name as Shafi-u-Rehman son of Sarfaraz whose body search was conducted, and from the folds of his trouser a plastic bag of black colour containing five packets of charas was recovered. The contraband was weighed which was found to be 1050 grams. Five (05) grams of contraband charas were separated from each slab of the contraband and were made into five parcels for chemical analysis, whilst remaining charas, weighing 1025 grams, was sealed in parcel No. 6. Further body search of the accused led to recovery of Rs.20,000/- and a Nokia mobile set with SIM No.0341-9086635, Q mobile set with SIM No. 0301-8130346 and mobile set N-73 without SIM. Complainant drafted the Murasila and transmitted the same to the police station through Constable Tauqeer # 505, which later culminated into instant FIR.

3. After completion of investigation in the case, challan was put in the court of learned Sessions Judge, where from it was entrusted to this court for trial and decision thereon. After delivering copies to the accused under Section 265-C Cr.P.C, he was formally charged for the offence, to which, however, he pleaded not guilty and rather claimed trial. Accordingly,

prosecution was asked to adduce its evidence in support of the charge and its proof against the accused. As a consequence, prosecution produced as many as four (04) PWs, brief resume whereof is as under:

4. PW-1 is Tariq Mehmood, SI ASHO PS Cantt who, during the relevant days, was posted as In-charge Police Post Sikandar Abad. He had apprehended the accused and thus recovered 1050 grams charas which was



Attested to be a true Copy

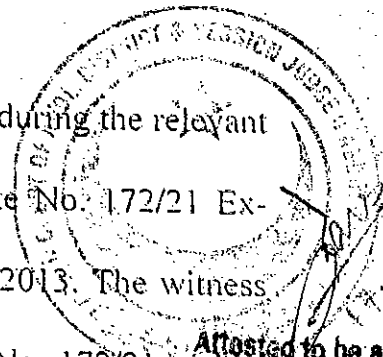
District & Sessions Judge

Handwritten signature and initials.

in form of slabs five in number. 5/5 grams of the contraband were separated from each slab for FSL analysis and were sealed in parcels No. 1 to 5, while the remaining proscribed item was sealed in parcel No. 6. That he also recovered cash amount of Rs. 20,000/- and mobiles, three in number, from possession of the accused. That he drafted the Murasila, which was sent to the P.S for registration of FIR Ex-PA through constable Tauqeer No. 505. Recovery memo, site plan and docket for transmission of the samples to the FSL were also prepared, which are Ex-W1/1, Ex-PW1/2 and PW-1/3 respectively. The witness, being conversant, also verified the signature of cadet Chanzeb, who had submitted complete challan Ex-PW1/4, and Niaz Khan SI who incorporated FIR Ex-PA/1.

PW-2 is constable Jehanzeb # 101. The witness, during the relevant days was posted in the PS Cantt. Vide road certificate No. 172/21 Ex-PW2/1 he had taken the samples to the FSL on 29.05.2013. The witness had brought original register pertaining to the receipt No. 172/21 and so verified his signature thereon as correct.

PW-3 is Muhammad Ayub, then SI police station Cantt: who testified in the witness box that he conducted investigation in the instant case and recorded statement of PWs in the police station. That he prepared his card of arrest, which is Ex-PW3/1. That he also produced the accused before the concerned Illaqa Magistrate for obtaining his police custody vide his application Ex-PW3/2 and after expiry of the same accused was produced again before the court for judicial remand vide his application Ex-PW3/3. He placed FSL report on file, which is Ex-PW3/4. After



Attested to be a True Copy

12 JUN 2013

District Court, Abbottabad

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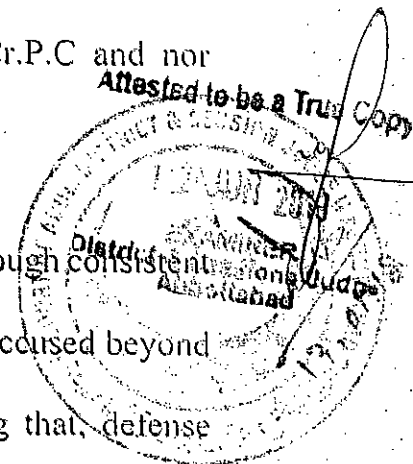
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completion of investigation, he handed over the case file to SHO for submission of complete challan. The PW also verified his signature upon the above mentioned documents as correct.

PW-4, Khan Afsar IHC police station Nawanshehr is the witness of recovery memo already exhibited as Ex-PW1/1. He verified his signature thereon as correct.

5. Prosecution closed its evidence on 19.08.2017 and thereafter statements of accused u/s 342 Cr.P.C. was recorded wherein he again professed innocence and refuted the charge levelled against him. However, he neither wished to be examined on oath u/s 340(2) Cr.P.C and nor produced evidence in his defense.

6. Learned State counsel argues that the prosecution, through consistent and coherent evidence, has established its case against the accused beyond shadow of any reasonable doubt. She goes on contending that, defense couldn't have made any substantial dent in the case, and while further elaborating her point, she refers to the different documents like; the recovery memo, site plan, and FSL report etc., which, according to her, support each other and thus leave no room so as to cast doubt on the charge against the accused. She also argues that, the PWs have been consistent in their testimony and that they have nowhere fumbled substantially so that defense could claim benefit out of their deposition. She underscores that accused was found involved in a crime which weakens fabric of the society by distracting people, especially young segment of the society, and while

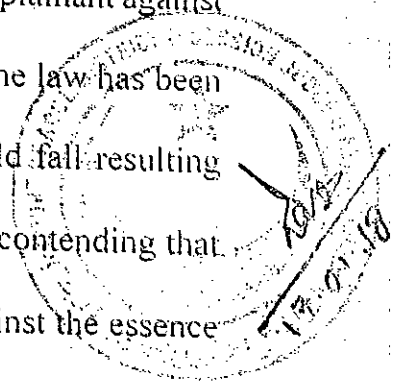


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concluding her arguments in the cited fashion, the learned counsel calls upon the court to pronounce conviction on the accused and sentenced him to the maximum under the law.

7. Conversely, the learned defense counsel controverts the foregoing contentions of the learned state counsel and argues that, the record is bereft of anything substantial against the accused. The learned counsel further argues that there is not one lacuna but, according to him, the prosecution case is replete with many. He contends that how could names of those witnesses appear on the recovery memo who admittedly were not accompanying the complainant during the relevant time. The learned counsel is also critic of investigation by seizing officer/ complainant against the spirit of the Police Order, 2002. According to him, as the law has been violated hence the entire edifice of the investigation would fall resulting into acquittal of the accused. The learned counsel goes on contending that complainant did not issue card of arrest of the accused against the essence of the Police Order. Being skeptical of recovery of the proscribed item, the learned counsel maintains that no private witness was associated during the exercise of recovery of the contraband. He underscores that how could transmission of the samples take two days when the same were dispatched to the FSL on the same day of registration of FIR. Lastly, the learned counsel argues that accused has fallen victim to vendetta of the seizing officer, who once was penalized by accused in the PTS Hangu. In this regard he refers to the Ex-D1, copies of the documents relating to an inquiry into the allegation against the accused, and asserts that accused was



Attest  
[Signature]

Attested to be a True Copy  
12 JULY 2019  
EXAMINER  
District & Sessions Judge  
Abbottabad

innocent. The learned counsel while wrapping up his arguments entreats for extending benefit of doubt to the accused and acquit him accordingly.

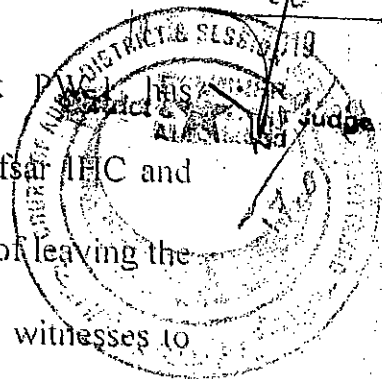
8. Arguments heard and record perused.

9. The court, having appraised record of the case with a discerning eye, is of the considered view that the prosecution's case is not laden with a single, but many defects to count. Having so, the claim that the charge has been proven against the accused beyond shadow of doubt, is an out-of-place assertion owing to the following anomalies and aberrations.

- It is admitted by the Investigation Officer (IO)/ PW-3 that the daily diary showing departure and arrival of the complainant hasn't been made part of the judicial file.

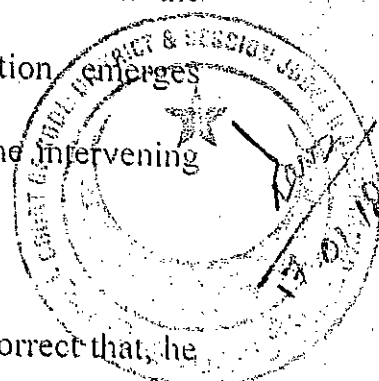
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- It is also relevant to state that complainant PW-1 has acknowledged in his statement that PWs Khan Afsar IFC and Imtiaz FC were not accompanying him at the time of leaving the police station but still, admittedly, they are shown witnesses to the recovery proceedings and so their names appear on the recovery memo Ex-PW1/1. Albeit the witness tried to clarify that departure of the said witnesses had been recorded in separate daily diary but, proof in this regard is not forthcoming. It also goes without saying that, the detail of the personnel who accompanied the complainant during the relevant time is contradictory in the FIR and the copy of the daily diary showing



departure of the seizing officer. Thus the cited paradox cannot be discounted.

- PW-1, the complainant acknowledges that application dated 27.05.2013 Ex-PW1/3 correctly shows that the samples of the contraband were dispatched to the FSL on the same date of occurrence, but the report of the laboratory Ex-PW3/4 depicts that the same were received there on 29.05.2013. Keeping in view that the laboratory is situated at Peshawar, then how could the parcels of the samples take two days to reach its destination, is a question which puts the prosecution's case in quandary and make the recovery doubtful. Furthermore, another question emerges pertaining to the custody of the samples during the intervening two days, which though is not plausibly answered.



- During his statement, complainant admitted it as correct that, he always keep investigation bag. However, he was not sure as to how many items it contains. Furthermore, he admitted that it is nowhere mentioned in his departure entry that during the referred time he was carrying investigation bag.

*Account to be a True Copy*  
 [Signature]  
 District Judge

- It needs merit to mention that accused produced copies of documents relating to the inquiry, which he alleges to have been initiated at his request. Complainant/PW-1 has admitted that such inquiry had been conducted. It is one of the many defences of the accused that once he was instructor in the PTS Hangu while,



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during those days, complainant Tariq Khan was a recruit, and owing to misconduct, complainant was front rolled (penalized). It is for this reason that, complainant trapped him in the instant case and so on his application the matter was probed by a team of officers who, finding him innocent, his salary was released.

As depicts from the copies of the inquiry documents Ex-DWI and also that factum of inquiry has not been denied, a departmental inquiry was conducted against the accused for his involvement in the case. Findings of the inquiry refer to the statement of Niaz Muhammad, then ASHO PS Cantt where he confirmed confinement of the accused in the cell on 26.05.2013 and lodging of the FIR on the subsequent date i.e. 27.05.2013. The inquiry committee comprising of two police officers viewed that accused was innocent as he had been arrested on 26.05.2013 while he was charged on 27.05.2013, but didn't conclude the inquiry till court's decision in the case.

Since the factum of inquiry in the matter has not been denied by the prosecution hence, the defence taken by accused appeals to a prudent mind which further augments the defence's stance that the prosecution has not been able to prove its case beyond shadow of reasonable doubt.

10. It is, thus, safely gathered from the foregoing discourse that, the prosecution has been unable to come up with a well knitted and corroborated evidence, and thus while extending benefit of doubt, the accused namely Shafi-ur-Rehman is hereby acquitted from the charge leveled against him in case FIR No. 553 dated 27.05.2013 under Section 9-C CNSA, Police Station Cantt, Abbottabad. He is on bail, his sureties are discharged from their liabilities of bail bonds.

Case property be dealt with as per law after expiry of period of appeal/revision. File be consigned to the record room after necessary compilation.

Announced  
17.01.2018

*[Signature]*  
Inam Ullah Wazir  
ADDITIONAL SESSIONS JUDGE-II  
ABBOTTABAD

*[Signature]*  
Attested to be a True Copy  
EXAMINER  
& Sessions Judge  
Abbottabad

CERTIFICATE

Certified that this judgment consists of nine (09) pages, and each page has been read, checked, corrected and signed by me where ever necessary.



*[Signature]*  
Inam Ullah Wazir  
ADDITIONAL SESSIONS JUDGE-II  
ABBOTTABAD

No. 8498 Date 10-6-19  
 D of Presentation Application \_\_\_\_\_  
 No of \_\_\_\_\_  
 Copy of \_\_\_\_\_ *[Signature]*  
 Unrecorded \_\_\_\_\_  
 Total \_\_\_\_\_  
 Name of \_\_\_\_\_  
 Date of Presentation of Copy 12-6-19  
 Date of Delivery of Copy 14-6-19

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**BEFORE THE COURT OF SADIA ARSHAD  
ADDITIONAL SESSIONS JUDGE-II/JUDGE SPECIAL  
COURT, MANSEHRA**

Case No. .... 10/9C-CNSA of 2015

Date of Institution: ..... 17.02.2015

Date of Decision: ..... 22.12.2018

The State through Sheeraz Ahmed Khan, SHO, P.S Shinkhari,  
Mansehra.....(Complainant)

VERSUS

(1) Zeb-Ur-Rehman s/o Abdur Rayyan (2) Shafi-Ur-Rehman  
s/o Sarfaraz, both Caste Swati, residents of Malkot Gajbori  
P.S Kuzabanda District Battagram.....(Accused facing trial)

Case FIR No.392, Dated 31.10.2014,  
U/S 9C-CNSA of P.S Shinkhari, Mansehra.

**JUDGMENT:**

Accused Zeb-Ur-Rehman and Shafi-Ur-Rehman have faced trial in the instant case for the offence under section 9(C) of the Control of Narcotics Substances Act, 1997 registered at Police Station Shinkhari, Mansehra vide FIR No.392 dated 31.10.2014 for recovery of 3000 grams Charas.

2) Precisely narrated facts as mentioned in the F.I.R are that on 30.10.2014, on receiving spy information, Complainant Sheeraz Ahmed SHO P.S Shinkhari alongwith other police officials laid a barricade at KKH Road near Khanpur Doraha, when a Motorcar No.4797-RNG, white color, came from Ichhrian side, which was stopped. The driver disclosed his name as Zeb-Ur-Rehman, while

Attest  
H S

ATTESTED  
Examiner of Court Mansehra  
19 APR 2019

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person sitting with him disclosed his name as Shafi-Ur-Rehman. They both were got alighted from the vehicle. On search of accused Zeb-Ur-Rehman, 02 packets of contraband Charas (Garda) weighing 2000 gram (1000 each), one Nokia Mobile (Xi) and cash amount of Rs.19,170/- was recovered. Similarly, during search of accused Shafi-Ur-Rehman, one .30 bore pistol loaded with magazine containing five live rounds, seven other live rounds of same bore kept in bandolier and one packet Charas (Garda) weighing 1000 grams, two mobiles and cash amount of Rs.18,320/- were also recovered. Accused Shafi-Ur-Rehman disclosed that he is owner of the vehicle, <sup>armed were arrested and</sup> Murasila was drafted on the spot, which resulted into registration of instant FIR.

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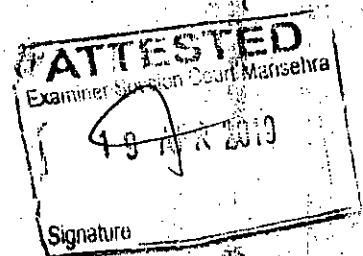
3) After completion of investigation, complete challan against the accused U/S 9C-CNSA was submitted before the Court of learned Sessions Judge, Mansehra on 17.02.2015, who entrusted the same to this Court for disposal. (It is pertinent to mention here that u/s 15-AA KPK, separate challan was submitted against the accused Shafi-Ur-Rehman). Accused were summoned, who attended the Court on 06.04.2015 and provisions of section 265-C Cr.PC were compiled with and the case was fixed for framing of charge.

4) Charge under section 9C-CNSA was framed against the accused on 08.05.2015, to which they pleaded not guilty and claimed

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trial. The prosecution was then given the opportunity to produce evidence collected during investigation.

5) Prosecution produced (07) witnesses in support of its charge against accused facing trial. Brief of the prosecution evidence is as under:-

Constable Naseer No.101, P.S Shinkiari appeared and examined as PW-1. He took the case property/parcels of the instant case to FSL Peshawar, vide Road Certificate No.252/21 Ex.PW-1/1 and on return, he handed over the receipt to the Muharrir of the PS.

Gul Muhammad Khan, SI (Rtd.) appeared and examined as PW-2. He conducted investigation of the instant case. He recorded the statements of PWs U/S 161 Cr.PC. He produced the accused before the court for obtaining their custody through application Ex.PW-2/1 and one day police custody was granted. He interrogated the accused and recorded his statement u/s 161 Cr.PC. After the expiry of police custody, he again produced the accused before the court for further police custody vide application Ex.PW-2/2. He also received the FSL report Ex.PW-2/3. After completion of investigation, he handed-over the case file to SHO for submission of complete challan against the accused.

Muhammad Waheed, ASI Police Line Mansehra was examined as PW-3. This PW incorporated the contents of Murasila into FIR Ex.PA/1 in verbatim order, which is correct and correctly bears his signatures. He also handed-over the case property of the instant case to Constable Naseer for safe transmission to FSL vide Road Certificate No.252/21.

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Hammad Niaz OHC, DPO Office, Mansehra was examined as PW-4. He handed-over the case property of the instant case alongwith the parcels of other cases to Constable Naseer No.101 for safe transmission to FSL vide Road Certificate No.252/21.

Shoukat Hussain, SI, appeared in the witness box as PW-5. He is the marginal witness of recovery memo Ex.PW-5/1 vide which the SHO took into possession the contraband Charas, mobile phones and cash amount from possession of both the accused. The recovery memo correctly bears his signature and that the signature of other marginal witness.

Habib-Ur-Rehman, Armourer Police Line, Mansehra, was examined as PW-6. He examined pistol 30 bore No.6931 in P.S and made his report on the application (already exhibited as Ex.PW-2/4). His report is Ex.PW-6/1.

Sheeraz Ahmed Khan Inspector/SHO, was examined as PW-7. He was complainant of the instant case, who supported the contents of Murasila in his examination-in-chief. Out of the recovered contraband, he separated 5/5 grams from each packet and sealed into parcels No.1, 2 & respectively, while remaining quantity was sealed into parcels No.3 & 5 respectively as case property. He drafted Murasila Ex.PW-7/1, prepared recovery memo, recovery sketch Ex.PW-7/2. He also drafted application for sending parcels to FSL, which is Ex.PW-7/3. On completion of investigation by the SHO, he submitted complete challan against both the accused facing trial on 13.11.2014. He also submitted separate challan under section 15-AA KPK against accused Shafi-Ur-Rehman on 13.01.2014.

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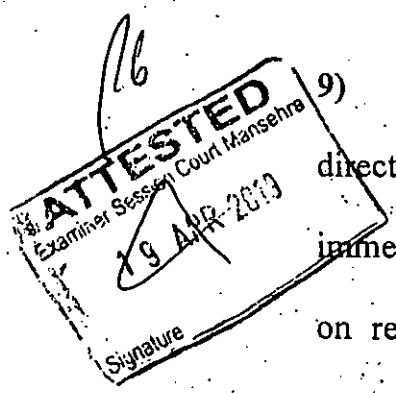
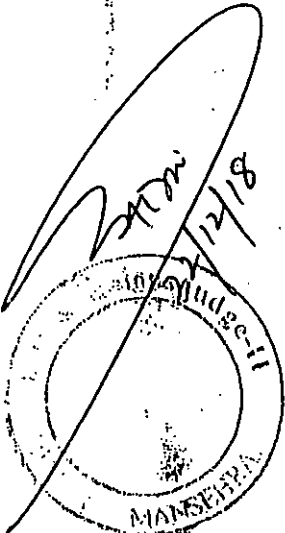
6) Prosecution produced the following documents in support of its case.

- i. Murasila Ex.PW-7/1.
- ii. FIR Ex:PA/1.
- iii. Recovery memo Ex.PW-5/1.
- iv. Recovery sketch Ex.PW-7/2.
- v. Application for physical custody Ex.PW-2/1.
- vi. Application for confessional statement Ex.PW-2/2
- vii. Application for FSL analysis Ex.PW-7/3.
- viii. Copy of Road Certificate Ex.PW-1/1.
- ix. Application for armourer report Ex.PW-2/4.
- x. Report of armourer Ex.PW-6/1.
- xi. FSL report Ex.PW-2/3.

7) The prosecution closed its evidence against the accused facing trial on 29.11.2018 and thereafter statements of both the accused were recorded u/s 342 Cr.PC, wherein they professed their innocence, however, accused neither opted to be examined on oath u/s 340(2) Cr.PC, nor wished to produce evidence in their defence.

8) Valuable arguments of learned APP for the State and learned counsel for the accused heard.

9) Learned APP for State argued that the accused have been directly charged for recovery of 3000 grams Chars from their immediate possession. Recovery memo and other material available on record fully support the prosecution version; the prosecution examined 07 PWs in support of its case and all of them were consistent on the material points and there is no major contradiction.



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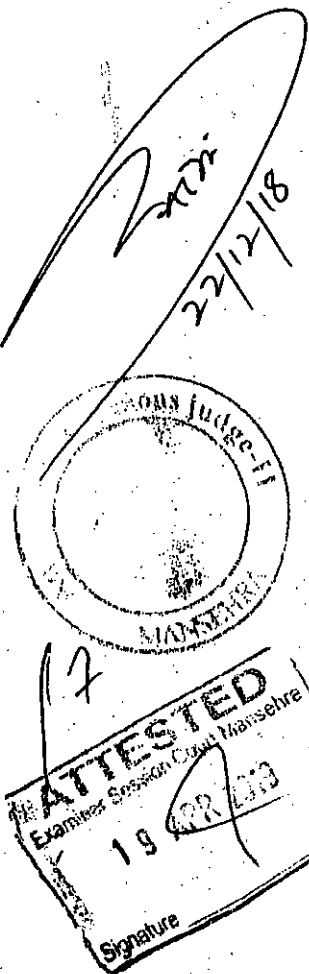
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in the statements of PWs. It was further argued that FSL report has established that the recovered contraband was Charas which was recovered from the personal and immediate possession of the accused. That the prosecution has proved its case against the accused by producing oral and documentary evidence, hence, requested for conviction of both the accused facing trial.

10) On the other hand, learned defense counsel argued that the accused are innocent and have falsely been implicated in the instant case; that the prosecution has failed to establish its charge against the accused through cogent, convincing and confidence inspiring evidence. That all the witnesses examined by the prosecution in the instant case, contradict each other on material points, hence, requested for acquittal of the accused facing trial.

11) After hearing learned APP for the State and defense counsel, available record perused.

12) In the instant case, charge against accused facing trial is that on 30.10.2014 at 17:00 hours, complainant Sheeraz Ahmed Khan SHO alongwith police party on spy information regarding trafficking of Charas through Alto-Mehran Motor Car No.4797-RNG made Nakabandi at KKH near Khanpur Doraha. During Nakabandi, the vehicle Alto-Mehran (mentioned-above) coming from Ichhrian side was stopped. During search of the said vehicle, <sup>and accused,</sup> from accused Zeb-Ur-Rehman sitting on driving seat, 2000 grams Charas (two packets,



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each of 1000 grams) was recovered from his trouser fold, while 1000 grams Charas was recovered from the trouser fold of accused Shafi-Ur-Rehman. Thus total recovered Charas from both the accused was 3000 grams for which they are booked u/s 9C-CNSA. Since prosecution has charged the accused facing trial for alleged possession of 3000 grams of Charas, therefore, burden rested upon the prosecution to prove the same, for which, prosecution produced & examined 07 witnesses; out of whom, PW-7 is the statement of Complainant Sheeraz Ahmed Khan, PW-5 Shoukat Hussain ASI is the marginal witness of recovery memo, while PW-2 Gul Muhammad Khan, SI is Investigating Officer of the case.

13) Since, PW-7 & PW-5 are star witnesses of the case, therefore, their statements are most important for establishing guilt of the accused facing trial, however, if their statements are gone through, they are full of contradictions and lacunas, which are discussed herein below:-

i) As per Murasila and FIR, place of occurrence is mentioned as KKH Road near Khanpur Doraha, which is a very busy road but despite of that they have not associated any private witness to the recovery proceedings nor have given any plausible explanation for their non-association, thus violating the mandatory provisions of section 103 Cr.P.C.

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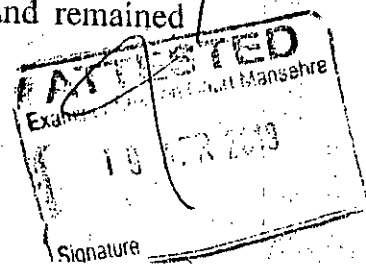
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ii) Though police officials are as good witnesses as any others but the requirement of association of private witnesses with the recovery proceedings especially in those cases wherein there is prior information is for ruling out chances of false implication of the accused in a criminal case. In this case all the witnesses are police officials who being subordinates of the complainant have though supported the stance of the complainant in their examination-in-chief but when they were put to test of cross-examination, they could not stand the same, rather there are number of discrepancies in their statements. As per Murasila Ex.PW-7/1, the date of occurrence is 30.10.2014, time of occurrence is 17:00 hours, the time of report is 17:45 hours, while report is lodged on 31.10.2014 at 18:20 hours despite of the fact that complainant was a police official and the distance between the place of occurrence and the police station is 3/4 km, this inordinate delay is nowhere explained and is sufficient to create clouds of doubt on prosecution case.

iii) Not only there is inordinate and unexplained delay in the registration of FIR but record transpires that vide Register No.19, complainant of the case Sheeraz Khan SHO handed-over parcels to Muharrar of the P.S on 02.11.2014 i.e. after delay of about three days. There is no explanation on the record, as to where these parcels of alleged recovered contraband remained lying from 30.10.2014 to 02.11.2014.

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iv) The matter does not end here, rather another intriguing aspect of the prosecution case is that the parcels to the FSL were sent on 11.11.2014 i.e. with delay of about 11 days. This delay has not only created doubt with regard to the sample so received by the FSL but is also violation of the mandatory rules on the subject, according to which, sending of samples for chemical analysis within 72 hours is a must.

v) The inconsistency in the statements of prosecution witnesses coupled with unexplained inordinate delay in lodging of FIR and other proceedings of the case are instances making doubtful the mode & manner of occurrence and the alleged recovery from the accused facing trial which is further supported from the fact that there is no card of arrest of both the accused available on the record. Similarly, the site-plain does not carry the proper points showing presence of police officials accompanying the complainant at the time of occurrence.

vi) Another fatal discrepancy in the prosecution case cutting its very roots is that the case property produced in the court was incomplete i.e. only one parcel No.3 allegedly shown to be recovered from accused Zeb-Ur-Rehman were produced, while the case property seized on the spot from accused Shafi-Ur-Rehman was not produced nor any plausible explanation was given for its non-production.

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vii) Another lacuna in the prosecution case is that admittedly complainant belongs to Preventive Staff and investigation of the case is required to be conducted by independent Investigation Officer, while in this case the recovery of alleged contraband was effected from possession of the accused by police officer, who was seizing officer, complainant as well as investigation officer in the case in the sense that per record though a formal IO has been shown to have conducted investigation in the case but factually entire proceedings i.e. from seizing of the contraband till preparation of recovery sketch etc were conducted by same Police Officer, meaning thereby that he was three in one. Under the law complainant and accused were two opponents and contesting parties. Role of an Investigation Officer was of a neutral authority, whose object was to unearth the truth and he cannot be part or a member of party in a case, which he was investigating. Concept of honest investigation was based on non-partisanship and neutrality. Reason and spirit of separating Investigating Wing from the Operation Wing of Police also emanated from the said fact, which reflected in Article-18 of the Police Order, 2002. Element of honest, transparent and fair investigation lacked in the present case, as IO of the case (PW-2) has not bothered to either independently prepare the site-plan in the case after verifying the spot from the complainant and the marginal witnesses nor has even made any

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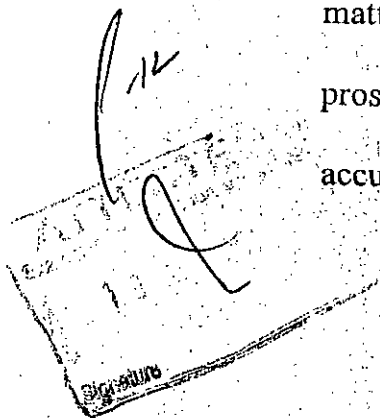
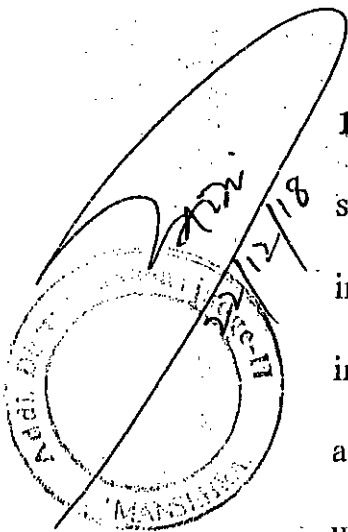
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addition in the recovery sketch after spot inspection, rather it appear that he by considering all that is done by complainant as Gospel truth has endorsed the same without independently verifying the veracity of the allegations. The Hon'ble Supreme Court has analyzed the above point from another angle also. According to the Hon'ble Supreme Court, Investigating Officer is an important witness for the defense also and in case he acts as a complainant and raiding officer, the defense is deprived of his very precious right at the same time and is forced not to depend upon the same. (*Aashiq alias Kalu VS The State 1989 P.C.L.J 601*).

14) In criminal cases, heavy responsibility rests upon the shoulders of prosecution to prove its case by producing coherent, independent, reliable and confidence inspiring evidence but in the instant case, the prosecution has miserably failed to prove its charge against the accused facing trial beyond any reasonable doubt and it is well settled principle of law that it is not necessary to have many facts for disbelieving the story of the prosecution but even a single slightest circumstance creating reasonable doubt in the prudent mind makes the accused entitled to the benefit of doubt, not only as a matter of grace but as a matter of right; while in the instant case, prosecution has totally failed to establish any charges against accused facing trial and whole prosecution case is full of doubts.



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what to say of a single slightest doubt, in this respect reliance is placed on 2009 SCMR 230 (Supreme Court of Pakistan).

15) In the light of above detailed discussion, it is held that prosecution has badly failed to prove its case against the accused facing trial beyond reasonable shadow of doubt, hence, both the accused Zeb-Ur-Rehman s/o Abdur Rayyan and Shafi-Ur-Rehman s/o Sarfaraz are hereby acquitted of the charges levelled against him u/s 9C-CNSA. Accused are on bail, therefore their bail bonds are cancelled and sureties are discharged from liabilities under the bail bonds.

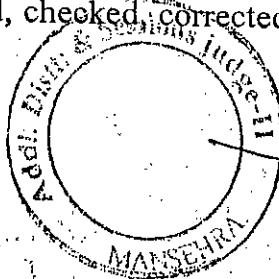
16) Case property i.e. contraband be destroyed in accordance with law after expiry of period of appeal/revision. Record be returned alongwith copy of this Judgment. File be consigned to record room after necessary completion and compilation.


Announced  
22.12.2018

  
(SADIA ARSHAD)  
Additional Sessions Judge-II/  
Judge Special Court,  
Mansehra.

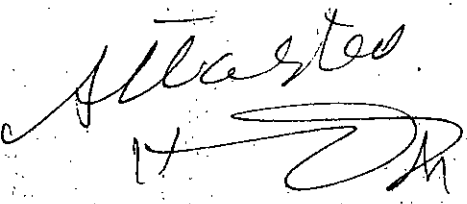
**CERTIFICATE**

Certified that this judgment consists (12) pages. Each page has been read, checked, corrected wherever necessary and signed by me.



  
(SADIA ARSHAD)  
Additional Sessions Judge-II,  
Judge Special Court,  
Mansehra.

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# ANNEXURE 'A'

محضور جناب قابل احترام پراونشل پولیس آفسر صاحب بھادر صوبہ خیبر پختونخواہ پشاور

46

اپیل بر خلاف حکم ڈی پی او صاحب ضلع بگلگرام محررہ 13/03/2015

عنوان:

بجالی ملازمت، ادائیگی واجبات

جناب عالی!

سائل ذیل عرض گزار ہے۔

- ۱۔ یہ کہ سائل عرضہ طویل سے محکمہ پولیس میں اپنی ڈیوٹی نہایت دیانت داری، خوش اسلوبی اور جان فشانی سے سرانجام دیتا چلا رہا تھا۔ سروس کے دوران سائل نے ہر لمحہ محکمہ کے وقار و مورال اور عزت کو قائم رکھا تھا۔ کبھی بھی لاپرواہی حکم عدولی اور عدم دلچسپی کا اظہار نہیں کیا ہے۔ اسی طرح حتی الوسع کوشش رہی تاکہ افسران بالا کو شکایت کا موقع نہ ملے۔
  - ۲۔ یہ کہ سائل نے 2014 میں انٹرمیڈیٹ کورس پاس کیا تھا انٹرمیڈیٹ کورس پاس ہونے کے ناطے ایک پولیس آفسر اس طرف سوچ بھی نہیں سکتا ہے لیکن سائل کو ذاتیات کے تحت ایک ایسے گناہ دانے جرائم میں ملوث رکھا۔ جو افسران بالا کے ظاہری نظر میں ناقابل معافی ہے۔ لیکن خدا کے نزدیک سائل بے گناہ ہے۔
  - ۳۔ یہ کہ سائل کے خلاف وقتاً فوقتاً بے جا اور بے بنیاد مقدمات علت نمبر 553 مورخہ 27/05/2013 جرم 9C.CNSA پولیس سٹیشن کینٹ ضلع ایبٹ آباد مقدمہ علت نمبر 392 مورخہ 30/10/2014 جرم 9C.CNSA پولیس سٹیشن شکاری ضلع مانسہرہ درجن رجسٹر ہو کر جس میں سائل کو ذہنی گرفت مالی اور جانی تکالیف پہنچایا گیا ہے۔
  - ۴۔ یہ کہ زیر بحث بالا ہر دو مقدمات میں سائل بری ہو چکا ہے عدالتی حکم نامہ جات ہمراہ لف قابل ملاحظہ ہے۔
  - ۵۔ یہ کہ سائل نہایت ہی غریب ہے ملازمت واحد ذریعہ معاش تھا جس سے بمشکل بچوں کا پیٹ پال رہا تھا۔
  - ۶۔ یہ کہ سائل بے گناہ اور تکررہ جرم ہے سائل کے خلاف لگا ہوا الزام بالکل غلط من گھڑت ہے بنیاد اور اصل حقائق سے کافی دور ثابت ہوا ہے۔
  - ۷۔ یہ کہ سائل نے قبل ازیں جناب RPO صاحب ایبٹ آباد کو بروقت اپیل کی تھی تقریباً 4 سال بعد کورٹ کے فیصلہ جات کے آنے پر سائل کو OR میں طلب فرمایا اور بعد میں ڈی پی او صاحب بگلگرام کی کمنٹس کو ترجیح دیتے ہوئے عدالتی فیصلہ جات کو نظر انداز کرتے ہوئے سائل کی اپیل خارج کی۔ جو کہ انصاف کا تقاضا نہیں ہے۔ حکم RPO صاحب مورخہ 31/05/2019 ہمراہ لف درج ذیل ہے۔
  - ۸۔ یہ کہ سائل کی تکالیف جملہ اختیار کیا ہوا لاکھ عمل عدالت میں ثابت نہ ہو سکا اور سائل عدالت سے بری ہو چکا ہے۔
- لہذا ملتجیانہ استدعا ہے کہ حالات، واقعات بالا کے پیش نظر سائل کے حال پر رحم فرما کر ماتحت پروری اور خدا ترسی کے بنا پر سائل کو عدالتی فیصلہ جات کی روشنی میں ملازمت پر بحال فرما کر سائل کو جملہ واجبات عنایت فرما کر مشکور فرمائیں سائل تاحیات دعا گو رہے گا۔

العارض


سائل شیخ الرحمن سابقہ HC نمبر 14 ڈسٹرکٹ بگلگرام

شناختی نمبر: 13202-5087158-7



موبائل نمبر: 0301-8130346

الرقم 21 جون 2019

Attested  


بخدمت جناب DIG صاحب ہزارہ ڈویژن ایبٹ آباد

عنوان: اپیل برخلاف آرڈرنگ نمبر 13 محرمہ 13.03.2015 منجانب جناب DPO صاحب بگرام

جناب عالی! سائل/اپیلانٹ شفیع الرحمن سابقہ HC نمبر 237 ذیل عرض پرداز ہے:-

۱- یہ کہ مورخہ 30.10.2014 کو من سائل/اپیلانٹ بمعہ زیب الرحمن رشتہ دارام بسواری موٹر کار نمبر 14797-RNG ایبٹ آباد آ رہا تھا۔ بمقام نزد چھڑیاں حدود تھانہ شنکیاری پنچے تو عقبی جانب سے ایک ALTO گاڑی میں 5 نفر افراد سفید پرچات میں آئے اور ہمارا راستہ روک کر کھڑا ہونے پر مجبور کیا اور اپنے آپ کو پولیس تھانہ شنکیاری کے ملازم ہونا بتلایا۔ ان کے طرز عمل اور طریقہ کار کے باعث ان سے تلخ کلامی ہوئی جس کے نتیجہ میں ہمیں تھانہ شنکیاری لے جایا گیا اور ہم دونوں سے 3 عدد موبائل فون اور رقم مبلغ 37,500 روپے نقد اور ایک عدد 30 بور پستول نمبر 6931 بمعہ 23 عدد کارتوس پرمعہ لائسنس اور موٹر کار متذکرہ بھی اپنی تحویل میں لے کر علیحدہ علیحدہ حوالات تھانہ میں بند کر کے مقدمہ علت نمبر 392 مورخہ 30.10.2014 پر 9.C/CNSA,15AA/KPK تھانہ شنکیاری جھوٹا بنیاد قائم کر دیا۔

۲- یہ کہ قبل ازیں یکے بعد دیگرے موصولہ چارج شیٹ و آخری شوکار نوٹس کی روشنی میں من اپیلانٹ تھانہ شنکیاری جواب دے چکا ہے جن کی نقولات لف ہذا قابل ملاحظہ ہیں۔

۳- یہ کہ من سائل نے اپنے تحریری جواب میں استدعا کی تھی کہ مقدمہ متذکرہ بالا کے فیصلہ تک انکو آڑی کو Pendign رکھا جائے مگر کوئی شنوائی نہ ہوئی اور بے بنیاد یکطرفہ انکو آڑی کر کے من اپیلانٹ کو بحوالہ آرڈرنگ نمبر 13 محرمہ 13.03.2015 جناب DPO صاحب بگرام نے Dismiss from Service کر دیا اور اردلی روم میں برائے زبانی عرض معروض پیش ہونے کا موقع بھی نہ دیا اور اس طرح انصاف کے تقاضے بھی پورے نہ کئے۔

عالی جاہ! من اپیلانٹ سال 1995ء میں محکمہ پولیس ضلع بگرام میں بطور کنسٹیبل بھرتی ہو کر حکمانہ قواعد و ضوابط کے مطابق امتحانات پاس کر کے پرموشن لسٹ D پر CTD بگرام میں تعینات تھا۔ اس عرصہ کے دوران من اپیلانٹ کی

Attested  
[Signature]



کوئی عوامی و حکمانہ شکایت نہیں ہوئی اور کارسرا کار انتہائی جانفشانی اور محنت سے سرانجام دیتا رہا۔ مقدمہ متذکرہ بالا انتہائی جھوٹا، بے بنیاد اور انتقامی کارروائی کا نتیجہ ہے جو زیر سماعت عدالت مجاز ہے جس میں من اپیلانٹ کو اپنی بے گناہی ثابت کرنا درپیش ہے۔

جناب عالی! DPO صاحب بلگرام نے غلت میں بغیر نتیجہ مقدمہ فیصلہ عدالت کے من اپیلانٹ کو Dismiss from service کر دیا ہے جو قانون اور انصاف کے تقاضوں کی تکمیل نہیں کی گئی۔ (نقل آرڈر لف ہذا ہے) حضور والا! من اپیلانٹ ایک غریب اور باعزت خاندان کا فرد ہے اور چھوٹے چھوٹے بچوں کی تعلیم و تربیت کا ذریعہ یہی ملازمت اور تنخواہ تھی دیگر کوئی ذریعہ آمدن نہ تھا اور نہ ہے۔ مجھ پر منشیات جیسے گھناؤنے کام کا بے بنیاد اور جھوٹا الزام لگایا گیا ہے جو یقین واثق ہے کہ عدالت سے مجھے انصاف مل جائے گا۔

لہذا استدعا ہے کہ من سائل / اپیلانٹ کو اپنے عہدہ اور ملازمت پر تلافیصلہ مقدمہ بحال فرمایا جاوے تاکہ من سائل کے بچوں کی کفالت اور تعلیمی سلسلہ جاری رہ سکے۔ سائل حضور والا شان کی اس مہربانی کا تازینست مشکور و ممنون رہے گا۔

المرقوم: 20.03.2015

*Prudh*

سائل / اپیلانٹ:

شفیع الرحمن سابقہ HC No.237 ولد سرفراز

سکنہ ملکوٹ گجھوڑی، تحصیل ضلع بلگرام

شناختی کارڈ نمبر: 13202-5087158-7

موبائل نمبر: 0301-8130346

Attested  
H



ANNEXURE  
o j .

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

49

No. S/ 519

/20, dated Peshawar the 09/07/2020.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-HC Shafi-ur-Rehman No. 14. The petitioner was dismissed from service by District Police Officer, Battagram vide OB No. 13, dated 13.03.2015 on the allegations of involvement in two criminal cases vide FIR No. 553, dated 02.05.2014 u/s 9 (C) CNSA Police Station Cantt: Abbottabad and FIR No. 392, dated 30.10.2014 u/s 9C CNSA Police Station Shinkiari, Mansehra. His appeal was filed by Regional Police Officer, Hazara at Abbottabad vide order Endst: No. 1951/PA, dated 31.05.2019.

Meeting of Appellate Board was held on 27.12.2019 wherein petitioner was heard in person. During hearing petitioner denied the allegations leveled against him and contended that he has been acquitted from the charges by the court.

The petitioner has long service of 20 years, 01 month & 20 days at his credit. Keeping in view his long service, the Board decided that penalty of dismissal from service is hereby converted into compulsory retirement from service.

**This order is issued with the approval by the Competent Authority.**

(ZAIB ULLAH KHAN)  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

No. S/ 520-26 /20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Hazara at Abbottabad. One Service Roll and one Fauji Missal containing enquiry file of the above named Ex-HC received vide your office Memo: No. 3370/PA, dated 24.09.2019 is returned herewith for your office record.
2. District Police Officer, Battagram.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl. IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

Attested  
H

# وکالت نامہ

کورٹ فیس

Before the Honourable Mte Justice Tahir  
Shafi-ur-Rehman 1.67.P ع. م. ن. : عنوان  
Appellant : منجانب  
Civil Appeal : نوعیت مقدمہ

باعت تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسے پیروی و جواب دہی کل کاروائی متعلقہ آن مقام  
مقدمہ مندرجہ میں اپنی طرف سے واسے پیروی و جواب دہی کل کاروائی متعلقہ آن مقام  
کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب  
موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء  
وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور  
کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار  
بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و  
قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔  
نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف  
پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف  
مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت ناش بصیغہ مفلسی کے دائرہ کرنے اور اس کے  
پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: 20/1/2020

بمقام:

Accepted by

M. A. Shafi

11/1/2020

شفیق الرحمن

11/1/2020

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR.

SERVICE APPEL NO. 525/2020

Shafi ur Rehman son of Sarfaraz (Ex-Head Constable), resident of  
malkot Cum Gijbori Tehsil & District Battagram.  
.....Appellant

**VERSUS**

- 1) Inspector General of Police Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police officer, Hazara Region Abbottabad
- 3) District Police Officer, Battagram.

..... Respondents

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**Deponent**

①

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA**

**PESHAWAR.**

**SERVICE APPEL NO. 525/2020**

Shafi ur Rehman son of Sarfaraz (Ex-Head Constable), resident of  
malkot Cum Gijbori Tehsil & District Battagram.  
.....Appellant

**VERSUS**

- 1) Inspector General of Police Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police officer, Hazara Region Abbottabad
- 3) District Police Officer, Battagram.

..... Respondents

**Parawise Comments On Behalf Of Respondents**

**RESPECTFULLY SHEWETH:-**

**PRELIMINARY OBJECTION:-**

- a) The appeal is not based on facts and appellant has got no cause of action or locus standi.
- b) That appeal is not maintainable in the present form.
- c) The appeal is bad for non-joinder of necessary and mis-joinder of unnecessary parties.
- d) The appellant is estopped by his own conduct to file the appeal.
- e) The appeal is barred by the law and limitation.
- f) The appellant has not come to the Honorable Tribunal with clean hands.

**FACTS:-**

1. Pertains to record.
2. Pertains to record.
3. On 27.05.2013, Tariq Mehmood SI incharge Police Post Sakandarabad PS Cant along with police party were present near Rehmat hospital Abbottabad. The appellant When saw the police party he tried to escape from the spot but police party over powered him and recovered 1050 gram chars from his possession and a case FIR No. 553.

dated 27.05.2013 u/s 9C-CNSA PS Cant District Abbottabad. Similarly, SHO PS Shankiari Mr. Sheraz Ahmad along with police party were present Nakabandi, at Khan Pur Dhoraya Mansehra a motorcar No. 4797-RNG was coming from Battagram side, two person was setting in this car and police party searched both the accused, and recovered 3000 gram chars & Pistol 30 bore alongwith 12 rounds from appellant and co-accused. **(copies of FIRs are enclosed as annexure A)**

4. It is correct. The appellant was served with charge sheet and departmental enquiry was initiated against the appellant. **( copy of charge is enclosed as annexure B)**
5. It is correct. The appellant was reply to the charge sheet.
6. Incorrect. The involvement of appellant in both FIRs were proved after departmental enquiry and appellant was found guilty. The DIG/Enquiry & inspection for Inspector General of Police KPK vide his office letter No. 122-25 E&I dated 13.01.2015 send to the respondent No. 03 for further departmental action and to remove the appellant from service in the light of finding of enquiry officer. **(copy of enquiry finding report is enclosed as annexure (C) & copy of letter No. 122-25 E&I is enclosed as annexure D).**
7. Pertains to enquiry record.
8. In the directions of DIG/Enquiry & inspection for Inspector General of Police KPK, A final Show Cause Notice was issued to the appellant but his reply was found unsatisfactory. **(copy of Final Show Cause Notice is attached as annexure E)**
9. It is correct. The appellant was guilty and involved in narcotics smuggling due to which the appellant was dismissed from service from vide OB No. 13 dated 13.03.2015. **(copy of dismissal order is enclosed as annexure F)**
10. The appellant was acquitted by the Honorable Additional Session Judge II Abbottabad and similarly,

Additional Session Judge II Mansehra on the ground of doubt.

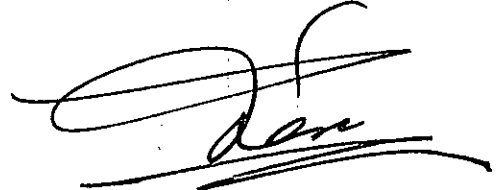
11. The departmental appeal was rejected by respondent No. 02 on the ground of punishment being genuine.
12. Incorrect. The respondent No. 01 decided that penalty of dismissal from service is converted into compulsory retirement from service due to benefit of long service was given to the appellant.
13. The appeal is not maintainable on the following grounds:-

**GROUND:-**

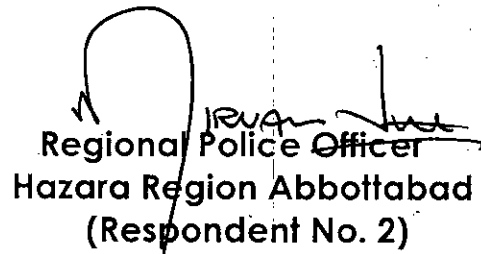
- a. Incorrect. The orders of respondents are valid, legal, speaking and in accordance with facts and circumstances of the case.
- b. Incorrect. The appellant was treated in accordance with law and departmental rules.
- c. Incorrect. The appellant was properly proceeded against departmentally and all the allegation were proved against the appellant.
- d. The impugned order is legally correct and in accordance with law & Rules.
- e. Incorrect. The appellant was treated in accordance with law and departmental rules.
- f. Incorrect. All the orders of respondents against the appellant are legal and in accordance with law and rules.
- g. Incorrect. The appellant was found guilty by the enquiry officer.
- h. Incorrect. The respondent No. 03 passed the order as per Law & Rules.
- i. The respondents seek leave to raise additional grounds at the time of arguments.

**PRAYER:**

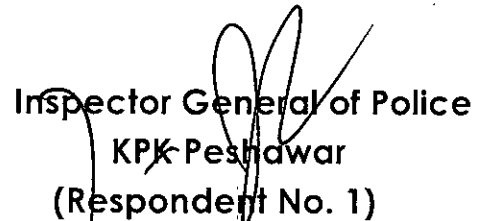
In view of the above mentioned facts, the appeal in hand may kindly be dismissed being devoid of any legal force.



**District Police Officer  
Battagram  
(Respondent No. 3)**



**Regional Police Officer  
Hazara Region Abbottabad  
(Respondent No. 2)**



**Inspector General of Police  
KPK Peshawar  
(Respondent No. 1)**



5

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA**

**PESHAWAR.**

**SERVICE APPEL NO. 525/2020**

Shafi ur Rehman son of Sarfaraz (Ex-Head Constable), resident of  
malkot Cum Gijbori Tehsil & District Battagram.  
.....Appellant

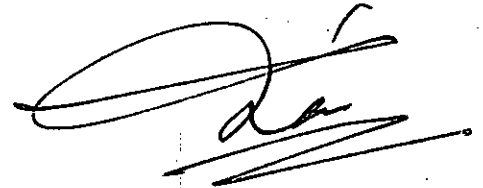
**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Regional Police officer, Hazara Region Abbottabad
3. District Police Officer, Battagram.

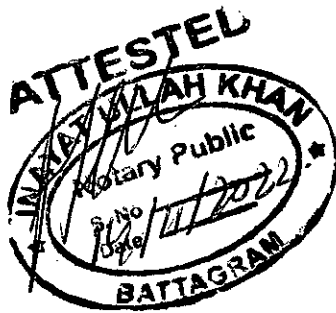
..... Respondents

**AFFIDAVIT**

I do hereby affirm and declare that the contents of the  
reply/comments are true and correct to my knowledge and belief  
and that nothing has been concealed from this Honorable tribunal.



**District Police Officer  
Battagram**



6

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR.

SERVICE APPEL NO. 525/2020

Shafi ur Rehman son of Sarfaraz (Ex-Head Constable), resident of  
malkot Cum Gijbori Tehsil & District Battagram.  
.....Appellant

**VERSUS**

- 1) Inspector General of Police Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police officer, Hazara Region Abbottabad
- 3) District Police Officer, Battagram.

..... Respondents

**AUTHORITY LETTER**

Mr. Muhammad Asif Inspector Legal  
Battagram is hereby authorized to appear and submit  
comments/reply in SERVICE APPEL NO. 525/2020 Titled Shafi ur  
Rehman VS Provincial Police Officer KPK & Others on my behalf.



**District Police Officer  
Battagram**







9

3

CHARGE SHEET

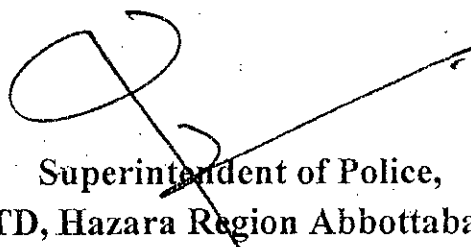
I, Malik Ahjaz khan superintendent of Police CTD Hazara Region Abbottabad being competent authority is hereby charge you Head Constable Shafi Ur Rehman No.237 as explained in the attached statement of allegation.

You are therefore, directed to submit your written defence within seven days on the receipt of this charge sheet to the enquiry officer.

Your written defence, if any should reach the enquiry officer with in the specified period, failing which it shall be presume that you have no defence to put in and in that case Ex-parte action will be taken against you.

Intimate weather you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.

Handwritten notes in Urdu:  
حضرت صاحب  
مذکورہ نوٹس کے مطابق  
مذکورہ نوٹس کے مطابق  
237  
112  
18-11-2014

(C-2) (10)

**DISCIPLINARY ACTION**

I, Malik Ahjaz superintendent of Police, CTD Hazara Region Abbottabad is competent authority of the opinion that you Head Constable Shafi Rehman No.237 of CTD District Battagram have rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

**STATEMENT OF THE ALLEGATION**

As per report received from Dsp CTD Battagram, on 30-10-2014, you Head Constable Shafi ur Rehman No.237 along with another person namely Zaib Ur Rehman were on way from Battagram to Mansehra Travelling in Alto Motor car bearing registration number 4797/RNG. You were stopped by SHO Shankiari near Khanpur and carried out your personal search. One Kg chaise along with one 30 bore Pistol and 12 rounds were recovered from your possession while 2 Kg chaise was also recovered from your companion a proper case Vide FIR No.392 dated 30-10-2014, U/S 9C-CNSA Police Station Shinkari was registered against you, which is a gross misconduct on your part. For the purpose of securitizing the conduct of said accused official with the reference of above allegation

Mr. Muhammad Nawaz Dsp/CTD is deputed to conduct departmental enquiry against you.

The enquiry officer shall in accordance with the provision of P.R 1975 Rules provide reasonable opportunity of hearing the defaulter, furnish findings within 30 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

The accused and a well conversant representation of the departmental shall in the proceeding on the date, time and place fixed by the Enquiry officer.

~~Superintendent of Police,  
CTD, Hazara Region Abbottabad.~~

No. 455-56 /R dated Abbottabad the 12-11-2014.

Copy of above is forwarded to:-

1. Mr. \_\_\_\_\_ (Enquiry officer) for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975.
2. Head constable Shafi Ur Rehman No.237 through reader CTD Hazara region with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry officer on the date, time and place fixed for the purpose of departmental proceedings.

~~Superintendent of Police,  
CTD, Hazara Region Abbottabad.~~

C-3

11

**FINDING REPORT OF ENQUIRY AGAINST HEAD CONSTABLE  
UR -REHMAN NO.237 CTD STAFF PS PAZANG DISTRICT BATTAGRAM**

**BRIEF ALLEGATION:**

Allegations against Head constable Shafi Ur Rehman No.237 CTD Battagram are that when he was posted beat officer CTD in Police station pazang of District Battagram, left the station without any leave or permission on 30-10-2014 and left towards Mansehra. On the same day he along with his relative Zaib Ur Rehman of the village started his journey in own Alto Motor Car bearing registration No.4797/RNG. When they reached near Khanpur, they were dropped by Police party headed by SHO Shinkhari. The Police party conducted their personal search and recovered 3 kilogram charrs from the possession of Head constable Shafi Ur Rehman and his companion. One 30 Bore Pistol No.6931 along with 12 round, 3 Mobile Phones and cash amount Rs 37490/- were also recovered from the possession of defaulter Head constable, and his companion on the spot. The SHO Shinkhari drafted Marasla and a case vide FIR No.392 dated 30-10-2014 U/S 9C-CNSA/15-AA was registered in PS Shinkhari. On receipt of this information the said Head constable was placed under suspension by worthy Deputy Inspector General of Police CTD KPK Peshawar vide his office letter No. 11168-72/PA dated 31-10-2014 and he directed the Superintendent of Police CTD, Hazara Abbottabad to initiate the enquiry against accused Head constable Shafi Ur Rehman. The accused was served with charge sheet, summary of allegations and I was appointed as enquiry officer.

**ENQUIRY PROCEEDING:**

I started the proceedings of said enquiry, reply to the charge sheet and statement of allegation served upon Head constable Shafir Ur Rehman were received in this office on 18-11-2014, there after Sheraz Ahmed SHO Shinkhari, Asi Shoukat Hussain, Asi Aslam of CTD Battagram and accused Head constable Shafi ur Rehman were Summoned for recording their statements. Their statements were recorded in this office on 21-11-2014. During the course of enquiry, the accused Head constable Shafi Ur Rehman was provided the chance of cross-examination but he could not rebut the charges regarding recovery of charrs leveled against

(C) 4

(12)

him. During cross examination, Head constable Shafi ur Rehman asked SHO that on the place of occurrence his pistol and Licence were produced to him by the constable but the SHO denied this question. Again Head constable Shafi Ur Rehman asked the SHO that you returned back the license of pistol to him on 10-11-2014 in presence of one Taj Ur Rehman resident of Malkot of Battagram who accompanied with him to Police station on the same day. I summoned the witness Taj ur Rehman to prove this fact his statement was recorded on 24-11-2014 who admitted that the pistol licence was hand over back to accused Shafi ur Rehman by SHO Shinkiari on 10-11-2014 in his presence. It also came to light that a slight altercation also took place between the police personnel and accused Head constable Shafi Ur Rehman at the place of occurrence.

**FINDING:**

During the course of enquiry it has been observed that on the day of occurrence Head constable Shafi Ur Rehman left the station of duty without any leave or permission and proceeded towards Mansehra only for the accomplishment of his mission.

It is also pertinent to mention here that previously he was arrested by local Police Ps Cantt Abbottabad and recovered 1050 gram chars from his possession. A case vide FIR No.553 dated 27-05-2013 U/S 9C-CNSA was registered in PS Cantt which is still under trial in the court of ASJ-II Abbottabad. It shows that he is the habitual peddler of narcotics and was dropped by local police PS Shinkiari on prior information of the informer.

Keeping in view the statements of witnesses, relevant documents and his previous involvement in similar case, I come to the conclusion that the allegation of possessing chars against defaulter Head constable Shafi Ur Rehman No.237 are based on fact and he is proved guilty of the charges.

Submitted please.

*Give with report*

*vi*

*[Handwritten signature]*

SP, CTD Hazara  
Abbottabad  
3-12-14

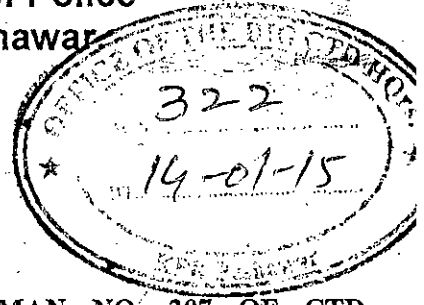
*[Handwritten signature]*

Muhammad Nawaz Tanoli,  
DSP/CTD Hazara Region,  
Abbottabad.  
02-12-2014.



13

Office of the Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar



No. /E&I, dated Peshawar the 13 /01/2015  
To: The Regional Police Officer,  
Hazara.

The Assistant Inspector General of Police,  
Establishment, CPO Peshawar.

Subject: **COMPLAINT AGAINST IHC SHAFI-UR-RAHMAN NO. 207 OF CTD, HAZARA REGION FOR HIS INVOLVEMENT IN SMUGGLING OF CHARS AND POSSESSING A MOTORCAR OF TEMPERED CHAISES NUMBER**

**Memo:**

In continuation this office letter No. 43-44/E&I dated 06.01.2015, on the subject cited above.

2. It has reliably reported that on 30.10.2014 during Nakabandi local Police of Police Station Shinkairi has recovered 03 Kg Chars and 01 Pistol 30 bore from the possession of Zaib-ur-Rahman and Shafi-ur-Rahman (an employee of CTD Battagram). During interrogation accused Shafi-ur-Rahman disclosed that he is serving in CTD and has earlier remained in another case of smuggling vide case FIR No. 553 dated 02.05.2014 u/s 9C-CNSA Police Station Cantt: Abbottabad.

3. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against Head Constable for his direct involvement in two different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfillment of all codal formalities Head Constable Shafi-ur-Rahman was found guilty of the allegations leveled against him and the enquiry officer recommended him for major punishment. During enquiry Head Constable Shafi-ur-Rahman is found guilty of gross misconduct and he is recommended for major penalty, but Head Constable Shafi-ur-Rahman is serving on deputation basis in CTD and FRP is his parent department.

4. On perusal the above report the Worthy IGP has passed the following remarks:-  
❖ Orders be issued for repatriation to district Battagram with direction to DFO Battagram to issue him Show Cause Notice and to remove him from service in the light of findings of enquiry officer.

❖ He is placed under suspension.

5. It is therefore, requested that above directions may be complied and report/final outcome be communicated to this office for the perusal of Worthy IGP.

AZAD KHAN TSt, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

No: 122-25 /E&I,  
Copy of above is forwarded for information to:-

1. The Addl: IGP/Operations, Khyber Pakhtunkhwa with reference to his letter No. 4315-16/R/Ops dated 11.11.2014.
2. The Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa with reference to his letter Endst: No.20606/EC/CTD dated 11.12.2014.  
The Deputy Commandant FRP with reference to his letter No. 14/PA dated 08.01.2014.
4. The PSO to Worthy IGP.

SP/Admn:  
PA/EC  
F  
F  
DIA/CTD  
13/1/15

AZAD KHAN TSt, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

SP Admin  
CTD HQ  
Khyber Pakhtunkhwa

(E) (14)

**OFFICE OF THE DISTRICT POLICE OFFICER, BATTAGRAM**

**FINAL SHOW CAUSE NOTICE**

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

I, Jehanzeb Khan, District Police Officer, Battagram, as Competent Authority under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules-1975, Removal from Service do hereby you **Head Constable Shafi Ur Rehman No. 14** as follow:-

1. As per report received from DSP CTD Battagram on 30.10.2014. you Head Constable Shafi ur rehman No. 14 alongwith another person namely Zaib ur Rehman were on way from Battagram to Mansehra traveling in Alto Motor Car bearing registration No. 4797/RNG. You were stopped by SHO Shinkyari near Khanpur and carried out your personal search. One KG Charras alongwith one-30 Bore Pistol and 12- rounds were recovered from your possession while 2-KG Charras was also recovered from your companion a proper case vide FIR No. 392 dated 30.10.2014 U/S 9C-CNSA Police Station Shinkiari against you.
  
2. During interrogation you disclosed that you are earlier remained in another case of smuggling vide case FIR No. 553 dated 02.05.2014 U/S 9C-CNSA Police Station Cantt Abbottabad. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against you Head Constable for your direct involvement in 2- different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfillment of all codel formalities and you Head Constable Shafi ur Rehman were found guilty of the allegation leveled against you the enquiry officer recommended you for the major penalty. Your this act is gross misconduct and liable to be punishment.
  
3. On going through the findings and recommendation of the enquiry officer, material on the record, reply of the charge sheet/summary of allegations and other connected papers, I am satisfied that you have committed the following acts/omissions specified in rule 5 (3) KPK, Police Rules-1975.

E ① 15

that consequent upon the completion of enquiry conducted against you by the enquiry officer or which you were given opportunity of hearing but you failed to defend the enquiry proceedings. The enquiry deemed it necessary to take ex parte action against you.

5. As a result thereof, I as competent authority have tentatively decided to impose upon you the penalty of major punishment under the above rules.

6. You are therefore directed to Final Show Cause as to why the aforesaid penalty should not be imposed upon you.

7. If no reply to the notice is received within seven days of its delivery in the normal course it shall be presumed that you have no defense to put in and in the case an ex parte action shall be taken against you.

~~\_\_\_\_\_~~  
(JEHAN ZEB KHAN)  
District Police Officer,  
Battagram.

H (Competent Authority)

NO. 136/PA

Received By: HC Shafi ur Rehman No. 14

Dated. 27 / 02 / 2015

(F)

(16)

# ORDER

HC Shafi ur Rehman No. 14 was enlisted in Police Department on 24.01.1995. While he was posted at CTD Battagram involved in case FIR No. 553 dated 02.05.2014 U/S 9CNSA Police Station Cantt Abbottabad and Case FIR No. 392 dated 30.10.2014 U/S 9-CNSA PS Shinkiari District Mansehra.

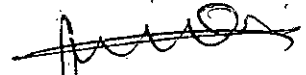
Charge sheet was issued along with the summary of allegation Mr: Muhammad Nawaz DSP CTD was appointed as enquiry officer by the Superintendent of Police CTD, Hazara Region Abbottabad vide Endst: No. 455-56/R dated 12.11.2014.

The enquiry Officer in his findings found him guilty and recommended him for the major Punishment. Final Show Cause Notice was also issued to him vide this office Endst: No136/PA, dated 27.02.2015 as per direction of Addl: Inspector General of Police Enquiry & Inspection, Khyber Pakhtunkhwa, Peshawar office Endst: No. 122-25/E&I dated 13.01.2015.

After perusal of enquiry and other relevant papers available on the record, I, Jehanzeb Khan, PSP, District Police Officer, Battagram, as competent authority, **Dismiss** from service HC Shafi ur Rehman No.14 under Police Rules-1975, with immediate effect.

3 No. 13  
- 03-2015

**Announced.**

  
(JEHANZEB KHAN)PSP,  
District Police Officer,  
Battagram  
(Competent Authority)

No. 177/PA /Dated Battagram the, 12 - 03 /2015.

Copy submitted to the Regional Police Officer, (Hazara) Region Abbottabad for favour of information with reference to his office Endst: No. 45/C, dated 19.01.2015 and diary No. 152/C, dated 19.01.2015.

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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. S/ 519 /20, dated Peshawar the 09/07 /2020.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-HC Shafi-ur-Rehman No. 14. The petitioner was dismissed from service by District Police Officer, Battagram vide OB No. 13, dated 13.03.2015 on the allegations of involvement in two criminal cases vide FIR No. 553, dated 02.05.2014 u/s 9 (C) CNSA Police Station Cantt: Abbottabad and FIR No. 392, dated 30.10.2014 u/s 9C CNSA Police Station Shinkiari, Manshra. His appeal was filed by Regional Police Officer, Hazara at Abbottabad vide order Endst: No. 1951/PA, dated 31.05.2019.

Meeting of Appellate Board was held on 27.12.2019 wherein petitioner was heard in person. During hearing petitioner denied the allegations leveled against him and contended that he has been acquitted from the charges by the court.

The petitioner has long service of 20 years, 01 month & 20 days at his credit. Keeping in view his long service, the Board decided that penalty of dismissal from service is hereby converted into compulsory retirement from service.

This order is issued with the approval by the Competent Authority.

(ZAIB ULLAH KHAN)  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

No. S/ 520-26 /20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Hazara at Abbottabad. One Service Roll and one Fauji Missal containing enquiry file of the above named Ex-HC received vide your office Memo: No. 3370/PA, dated 24.09.2019 is returned herewith for your office record.
2. District Police Officer, Battagram.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

SRC  
For  
MA  
132  
24/01/2020  
14/1/2020

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انڈیکس ①

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②

حوالہ انٹوائری بر طرف بعد از طلب ششمنع الرحمن 337.1 حضرتہ رحمن

کیفیت	تعداد صفحات	قسم کاغذات
30 صفحات 01 صفحات 01 = نظم	30 صفحات 01 صفحات 01 = نظم	ڈائری و رپورٹ DSP سڈرام فور 30/014 نسبت وقوع مرادھا جس انڈیکس اور آرڈر (CTD) کاپی FIR ختم وقت 392 جرم 9.C UNISA قیامت سبب 15AA 2014 کاپی چھاپی فی 1168-75/PA قیامت قیامت CTD PADIG انٹارنسٹ مسطی 31-10-014
01 = نظم 01 = نظم	01 = نظم 01 = نظم	عدالت ششمنع الرحمن 337 نقل رپورٹ روٹا عدالت ششمنع الرحمن فور 9/014 ایچ 40/10 کاپی چھاپی فی 19134-35/PA فور 24/014 قیامت قیامت CTD لیم مسٹرو انٹوائری عدالت ششمنع الرحمن
02 = صفحات	02 = صفحات	چھاپی فی 455-56/R قیامت SP/CTD سبب حضرتہ رحمن نسبت چارج مسٹ 12-11-014 سیری آف الزامات، حکم انٹوائری
03 صفحات	03 صفحات	ختم چارج مسٹ، سیری آف الزامات حکم کاپی آف چارج مسٹ سیری آف الزامات ازان عدالت ششمنع الرحمن 337
06 صفحات	06 صفحات	کاپی چھاپی فی 468-R فور 18/014 قیامت DSP کما CTD سورہ نسبت طلبی گواہان -HO شکاری و علیہ مع بیانات گواہان مع لیبارٹری رپورٹ کاپی خاصہ انٹوائری ACTO رپورٹ فی 20732 فور 12-11-2014
05 = صفحات	05 = صفحات	بیان قیامت اسم (AS) ششمنع CTD سڈرام مع نقل رپورٹ آڈیو فی ختم پانچ 22/014 ازان عدالت ششمنع الرحمن 337 مع سڈرام قیامت DSP سڈرام نقل رپورٹ روٹا فور 9/014 ششمنع الرحمن 337
03 صفحات	03 صفحات	بیان عدالت ششمنع الرحمن 337 سڈرام
03 صفحات 01 = نظم	03 صفحات 01 = نظم	نقل رپورٹ پانچ روٹا HO شکاری و علیہ نقل رپورٹ فور 30/014 مع کاپی رپورٹ عدالت، عدالت پانچ بیان گواہ تاد الرحمن و مرادھا کما سڈرام
01 =	01 =	کاپی رپورٹ نسبت 553 فور 27/013 9.C UNISA قیامت نسبت ایچ 40/10





# ابتدائی اطلاع ریپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس ریپورٹ شدہ زیر مقدمہ 158 مجموعہ ضابطہ قوجداری

تاریخ و وقت وقوعہ 30/10/2014 وقت 17:50 بجے	محل وقوعہ کراچی
مقدمہ عدالت 392	
تاریخ و وقت ریپورٹ 30/10/14 وقت 17:45 بجے	جاکرئی پورج 30/10/14 وقت 18:20 بجے
نام و سبکت اطلاع دہندہ مستحیث شیخ آزاد احمد SMO	خانہ شکیانی 96925 0333
مختصر کیفیت جرم (معمودہ) حال اگر کچھ لیا گیا ہو۔ GCN-MSA برآمدگی جس میں 3000 روپے اور 30 لیٹر 12 لیٹر	
جائے وقوعہ کا اصل تھانہ سے ادرست KMH نزد حیات پور دورانچ خانہ شمالی لفظ منظر 1/3 km از تھانہ	
نام و سبکت الزم	
کارروائی جو تفتیش سے متعلق کی گئی اگر اطلاع روح کرنے میں وقت ہوا تو وہ بیان کردہ	کوسٹ گارڈ کے ہراسہ میں
تھانہ سے تصانیف کی تاریخ و وقت	روایتین ڈائری

ابتدائی اطلاع نیچے درج گروہ کو وقت حدود کے مطابق ممبرانہ سر پر تھی  
 حمد 510 نہ ست سیکرٹیل یا سر 911 موصول پر گروہ کے ایک ممبر کا نام ہے۔ (فیس انبارج آن ڈیوٹی تھانہ شکیانی جمعیہ ذراخ سے  
 اطلاع لیا گیا۔ ڈاکٹر میران موثر کا نمبر 4797-8465 برٹنٹ مقصد میں شیکام سے چرسہ لطف مالک کو لایا جا رہا ہے  
 1212 فرد حیات پور دورانچ خانہ سے خانہ شکار خانہ، سٹیٹ جسٹس آرڈر 100 کیوں کے دوران سر جانیٹ میں  
 مذکورہ بالا کوئی حکم نہایت ہی سخت محلی سے جمع ہوا تھا۔ دورانے دورانے لہذا وقت محدود ہے اور جیسے ہی خانہ سے موثر جان سیر  
 شخص نے اپنا نام خرید الرجن دلہندہ الرهان اور ایک ساتھی کو فرستے فرستے، بیٹھ واسے شخص نے اپنا نام شفیع  
 الرجن کی یاد تھی، لیکن پر لفظ شکار سے (جسٹس جرس ڈگریا) برآمد ہوئے۔ ممبرانہ تھا کہنے پر اسے دائیں طرف  
 چپ سے موٹا ٹی لہذا 19 اور رقم مبلغ | 170، 190 روپے پر آمد ہوئے۔ جیسے شفیع الرجن کی خانہ سے  
 لیا گیا اور اسکی سبکت کے ساتھ ساتھ سے ہے کہ ایک نمبر 40م نمبریکریں معمولی لٹیروں 30 لود نمبر 6931 لگا  
 نمبر 290 نمبریکریں معمولی لٹیروں 7 عدد کا ادرست لگی ہے۔ عدد کا نمبر 30 لود لیا تھا  
 اور نمبر 5، ڈاکٹر لگا لگا لگا لگا، نمبر 5 عدد کا ادرست لگی ہے۔ عدد کا نمبر 30 لود لیا تھا  
 ماڈل 5-440 لگا لگا لگا لگا اور ساتھ ساتھ جیسے رقم مبلغ 28,320 روپے ہر ماڈل کے شفیع الرجن نے مذکورہ گتے کا زور  
 اپنے ملکیوں سے لگائی۔ مزید الرجن سے مرادہ جیسے پٹی (گروہ) کا وزن لگا لگا لگا لگا 1,020 گرام کل (300 روپے) لگا  
 لگی ہے۔ روپے بیٹھ میں سے 5 گرام چرسہ لگا لگا لگا لگا، اسے لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 1990 گرام چرسہ کا پائل نمبر 3 لگا لگا لگا لگا، اسے لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 رام لگی۔ ساتھ ساتھ سے 5 گرام چرسہ لگا لگا لگا لگا، اسے لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 5 لگا لگا لگا لگا، اسے لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 یا اجازت نام پیش نہ کرنے کے ہم پارسل، مع لیٹری، ایڈریس، نمبر، موبائل نمبر، رقم، نمبر کا نمبر  
 مذکورہ بالا مروت ملکہ، تردقیق پولیس ہوئے پر دو ملکانہ تذکرہ لگا لگا لگا لگا، اسے لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 خانہ سے لگا لگا لگا لگا ہے۔ مراسلہ نمبر لگا لگا لگا لگا، اسے لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 مقدمہ دہندہ رٹن کے نقل اور یہ توہمات لکھی حوالہ لگائی گئیں ساتھ ساتھ لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 درج ذیل ہیں۔ علیہ مقدمہ زمین الرجن نمبر 40/41 ماٹن، نمبر 5-8۔ ممبرانہ لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 لگا لگا لگا لگا۔ 6-7-13202-0737418، رالٹ نمبر 0301-8138220 حلیہ مقدمہ شفیع الرجن  
 نمبر 38/39 سال، نمبر 5-7، ممبرانہ لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 رالٹ نمبر 0301-8130346، نمبر 7-587158-13202۔ لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 خانہ آمدہ مراسلہ حرف بہ حرف دہندہ نا لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی  
 اصل مراسلہ لونی لکھی حوالہ لگائی گئیں ساتھ ساتھ لگا لگا لگا لگا اور باقی ماندہ دو بیٹھ لگی

30-10-2014  
 MHC. PS. JAH. NA  
 SHIKHARI

4

**ORDER**

As reported by DSP/CTD Battagram that Head Constable Shafi-ur-Rehman of CTD Battagram Hazara Region has been involved in case FIR No. 392 dated 30/10/2014 u/s 9-C CCNSA/15-AA Police Station Shikri District Masehra. Therefore, the Head Constable is hereby placed under suspension and closed to Regional HQ CTD Hazara with immediate effect.

SP/CTD Hazara is hereby directed to initiate proper departmental proceedings against the above named HC and final report in the enquiry be intimated to this office within the stipulated period.

O.B.No. 229  
Dated 31/10/2014

Deputy Inspector General of Police,  
CTD Khyber Pakhtunkhwa  
Peshawar

No. 11168-72/PA dated Peshawar the 31/10/2014.

Copy to:-

- ✓ The Superintendent of Police, CTD Hazara Region.
- ✓ The Superintendent of Police, Admn: CTD HQ Peshawar.

recd. OBI & SRC

\*\*\*\*\*

DSP/CTD Battagram  
For information

SP, CTD Hazara  
Abbottabad

3-11-14

6

9/10

FAX NO. : 0997311516

10 Nov. 2014 11:21AM P3

کے دفتر CTD

رجسٹر آف آرڈرنگی محمد اسلم ASI رٹائرڈ 11/09/2014

بیک اسٹورٹ HC تصنیع الرحمن سید محمد

دفتر پید آ یا جیو پوائے آرڈرنگی 11/09/2014

حباب CTD سپر مینٹورنگ 11/09/2014

پید پوائے CTD اسپت آباد آرڈرنگی

رجسٹرنگی - اسلم

AS R DSP CTD ISTS  
09/11/2014

7

8

FROM :



FAX NO. :

24 Nov. 2014 12:02 PM  
Fax: 091-92119

Office of the Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar.

No.

To:

Subject:

Memo:

/E&I, dated Peshawar the 13/11/2014  
The Regional Police Officer,  
Hazara

6785  
19-11-

SPECIAL REPORT CASE FIR NO. 392 DATED 30.10.2014 O/S 9C-CF  
POLICE STATION SHINKIARI, MANSEHRA

1. Please refer to DPO Mansehra letter No. 15157/GB dated 31.10.2014, or subject cited above.
2. While perusing DPO Mansehra letter under reference, the Worthy IGP passed the following remarks:  
"Proper departmental proceedings need to be initiated against the accused Head Constable"
3. It is therefore, requested that above remarks of Worthy IGP may be com and final outcome of the enquiry may be communicated to this office.

Mehd Nawaz DSP CTD

For n/a action

AZAD KHAN TSI, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa,  
Peshawar.

24-11-14 OFFICE OF THE DIG/CTD KHYBER PAKHTUNKHWA PESHAWAR.

No. 19134-35/PA/CTD dated Peshawar the 24-11/2014.

Copy of above is forwarded for information to:-

1. The DIG, of Police, Enquiry & Inspection, CPO, Peshawar, w/r to his office letter No. 1754 quoted above. DT: 12/11/2014.
2. The SP CTD Hazara Region for necessary action with reference to this office order issued over endst: No. 11168-72/PA dated 31-10-2014. He is directed to complete the enquiry proceedings already initiated against the above named HC and final outcome be intimated to this office for onward submission to CPO, Peshawar.

Deputy Inspector General of Police,  
CTD, Khyber Pakhtunkhwa,  
Peshawar.

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7

DISCIPLINARY ACTION

I, Malik Ahjaz superintendent of Police, CTD Hazara Region Abbottabad is competent authority of the opinion that you Head Constable Shafi ur Rehman No.237 of CTD District Battagram have rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

STATEMENT OF THE ALLEGATION

As per report received from Dsp CTD Battagram, on 30-10-2014 you Head Constable Shafi ur Rehman No.237 along with another person namely Zaib Ur Rehman were on way from Battagram to Mansehra Travelling in Alto Motor car bearing registration number 4797/RNG. You were stopped by SHO Shankiari near Khanpur and carried out your personal search. One Kg charse along with one 30 bore Pistol and 12 rounds were recovered from your possession while 2 Kg charse was also recovered from your companion a proper case Vide FIR No.392 dated 30-10-2014.U/S 9C-CNSA Police Station Shinkari was registered against you, which is a gross misconduct on your part .For the purpose of securitizing the conduct of said accused official with the reference of above allegation

Mr Muhammad Nawaz D/S, CTD is deputed to conduct departmental enquiry against you.

The enquiry officer shall in accordance with the provision of P.R 1975 Rules provide reasonable oppertunity of hearing the defaulter, furnish findings within 30 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

The accused and a well conversant representation of the departmental shall in the proceeding on the date, time and place fixed by the Enquiry officer.

~~Superintendent of Police,  
CTD, Hazara Region Abbottabad.~~

No. 455-56 /R dated Abbottabad the 12-11-2014.

Copy of above is forwarded to:-

1. Mr. \_\_\_\_\_ (Enquiry officer) for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975.
2. Head constable Shafi Ur Rehman No.237 through reader CTD Hazara region with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry officer on the date, time and place fixed for the purpose of departmental proceedings.

~~Superintendent of Police,  
CTD, Hazara Region Abbottabad.~~

*NJ  
HC  
12-11-14*

9

8

CHARGE SHEET

I, Malik Ahjaz Khan Superintendent of Police CTD Hazara Region Abbottabad being competent authority is hereby charge you Head Constable Shafi Ur Rehman No.237 as explained in the attached statement of allegation.

You are therefore, directed to submit your written defence within seven days on the receipt of this charge sheet to the enquiry officer.

Your written defence, if any should reach the enquiry officer with in the specified period, failing which it shall be presume that you have no defence to put in and in that case Ex-parte action will be taken against you.

Intimate weather you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.

D J P S  
HC  
12-11-14

بجوالہ چارج شیٹ نمبری R/56-455 محرزہ 12/11/2014 مجاریہ جناب قابل احترام SP صاحب CTD ہیڈ کوارٹر ہزارہ ریجن ایسٹ آباد ہوں کہ اندریں بارہ مسائل ذیل عرض گزارش ہیکہ۔

1- یہ مسائل 1995 میں محکمہ پولیس میں بحیثیت کانسٹیبل بھرتی ہو کر سروس کے دوران ترقی کے مختلف مراحل طے کرتے ہوئے اب حال ہی میں انٹرمیڈیٹ کورس PTC منگوسے واپس آیا ہے۔ سروس کے دوران مسائل نے ہر گھڑی محکمہ کے مورال و عزت اور وقار کو بلند رکھنے کی ہر ممکن کوشش کی ہے اور کبھی بھی ایسی حرکت نہیں کی ہے جسے محکمہ پر کوئی آج آیا ہوا ہو مسائل نے ہر لمحہ کارسز کار کو مقدم سمجھ کر ترجیح دی ہے بلکہ کسی افسر کو شکایت کا موقع نہیں دیا ہے۔

2- یہ کہ مسائل ایک غریب اور باعزت خاندان سے تعلق پذیر ہے مسائل کے خلاف کوئی جوڈیشل ثبوت موجود نہ ہے اور نہ کوئی غیر جانبدار شہادت موجود بلکہ مسائل کو فقط طور پر منشیات جیسے ناسور کے مقدمہ میں ملوث کیا گیا ہے حالانکہ ایک محافظ ہونے کے ناطے مسائل اس طرف سوچ بھی نہیں سکتا ہے۔

3- یہ کہ مسائل اور مسائل کا رشتہ دار مورخہ 30/10/2014 کو بذریعہ موٹر کار نمبری RNG 4797 ایسٹ آباد جا رہے تھے راستہ

میں حدود شنکیاری اچھڑیاں کے قریب چار اشخاص بمعہ بیستول جنکے ساتھ سفید رنگ کی ALTO گاڑی تھی اور چار اشخاص سفید پرچات میں ملوث تھے عقب جانب سے آکر ہماری گاڑی کے بالکل سامنے اپنی گاڑی کھڑی کی اور کہا کہ ہم شنکیاری تھانہ کے پولیس والے ہیں اور ایک دم ہمیں قابو کر کے مسائل

عدد موبائل از قلم NOKIA 1208 اور Q E-440 رشتہ دار ام زینب الرحمان سے ایک موبائل X-1 اور مسائل کے جیب سے مبلغ = 15320 روپے کے جیب سے 19170 روپیہ زبردستی نکال کر اپنے قبضے میں کی اسی طرح مسائل سے ایک عدد بیستول 30bore نمبر 6931 اور 23 عدد کارٹریج بمعہ

سنس اور مسائل کی گاڑی درجہ بالا بھی زبردستی لے کر اپنے تحویل میں کی اور پھر ہمیں تھانہ شنکیاری لے جا کر وہاں پر پہلے سے تھانہ موجود SHO شیراز احمد کیا اور کہا کہ ہم نے دو بد معاش پکڑے ہیں اور کہا کہ ہر دو نے ان کے ساتھ مزاحمت بھی کی ہے۔ متعلقہ اشخاص کے کہنے پر SHO کافی غصہ ہوا گاڑیاں د

شروع کی اور پھر مارا پینا اور اس کے بعد SHO نے غصے میں کہا کہ اب آپ لوگوں کے ساتھ سختی سے نمٹا جائے گا اور ہمیں الگ الگ حوالات میں بند کر دیا گیا اور کہا کہ ہم نے دو بد معاش پکڑے ہیں اور کہا کہ ہر دو نے ان کے ساتھ مزاحمت بھی کی ہے۔ متعلقہ اشخاص کے کہنے پر SHO کافی غصہ ہوا گاڑیاں د

یہ کہ SHO شنکیاری اور ان کے کچھ اہلکاران موقع پر موجود نہ تھے اور نہ ہی ہم سے موقع پر اور نہ ہی تھانہ میں کوئی منشیات برآمد ہوئی ہے۔ SHO شنکیاری مسائل کے کھاتہ میں ایک ہزار گرام اور رشتہ دار کے کھاتہ میں دو ہزار گرام جس ڈال کر ہمیں بے جا اور بے بنیاد مقدمہ میں پھنسا یا جو کہ انصاف نہیں ہے اس

حوالہ سے SHO شنکیاری اور گواہان فرد کو طلب کیا جا کر ان سے قرآن پاک پر حلف لینے کے بعد باز پرس کیا جائے کہ واقعی SHO مذکورہ اور ان کے متعلقہ شاف موقع پر موجود تھے یا نہیں یا ہم سے اس نے موقع پر یا تھانہ میں کوئی منشیات برآمد کی ہے یا نہیں تاکہ یہ ثابت ہو جائے کہ وقوعہ پر برصداقت ہے یا نہیں

یہ کہ مسائل بے گناہ اور ناکردہ جرم ہے۔

یہ کہ مسائل کے خلاف کوئی غیر جانبدار اور لا تعلق گواہ موجود نہ ہے بلکہ جملہ گواہان پولیس کے ہیں۔

یہ کہ مسائل کے خلاف درج رجسٹر FIR میں کوئی صداقت نہ ہے مگر برحقیقت نہ ہے بدنیعی اور سازش ہے۔

یہ کہ مسائل اور مسائل کے رشتہ دار سے کوئی برآمدگی نہیں ہوئی ہے نام نہاد برآمدگی سے مسائل کا اور مسائل کے رشتہ دار کا دور کا واسطہ اور تعلق نہ ہے۔

یہ کہ FIR میں جملہ کہانی خود ساختہ ہیں جملہ واقعات کو SHO صاحب شنکیاری نے حقیقت کارنگ دینے کی ناکام کوشش کی ہے حالانکہ جملہ کہانی غلط بے بنیاد من گھڑت اور فرضی جھوٹ پر مبنی ہے اور صداقت سے اس کا کوئی واسطہ نہ ہے۔

یہ کہ SHO شنکیاری نے محض اپنی کارکردگی دکھانے کے لئے مسائل اور مسائل کے رشتہ دار کو منشیات جیسے مقدمہ میں ملوث کیا جو کہ انصاف نہ ہے۔ SHO نے

بجوالہ ایسٹ ایسٹ نمبر 302 مورخہ 10/11/2014 کو ایسٹ آباد جاتے ہوئے تھانہ شنکیاری میں مجھے واپس دیا اور لائسنس یافتہ بیستول پر 15AA کا غیر قانونی مقدمہ درج کیا ہے جو کہ ظلم ہے۔

یہ کہ ابتدائی طور پر سفید پرچات میں ملوث افراد کے ساتھ کچھ تکرار ہوئی تھی بدیں وجہ شاید یہ پولیس والے نہیں ہے حالانکہ سفید پرچات میں سڑک پر کھڑا ہونا نا کہ بندی کرنا لوگوں کی تلاش لیڈنا وغیرہ وغیرہ نہ صرف محکمانہ خلاف ورزی ہے بلکہ قانونی جرم ہے۔

لہذا حالات بالا کے پیش نظر مسائل کے حال پر جرم فرما کر ماتحت پروری اور خداترسی کے بناء پر اصل حقائق کی روشنی میں انکوائری کر کے چارج شیٹ فائل فرما کر داخل دفتر کیا جا کر مشکور فرمائیں۔ مسائل تاحیات دعا گورہے گا۔

العارض

مسائل شفیع الرحمان نمبر 237/HC متعینہ ctd ہیڈ کوارٹر ایسٹ آباد ہزارہ

*(Handwritten Signature)*

المرقوم 18/11/2014

(11) I, Malik Ahjaz superintendent of Police, CTD Hazara Region Abbottabad is competent authority of the opinion that you Head Constable Shafi ur Rehman No.237 of CTD District Battagram have rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

STATEMENT OF THE ALLEGATION

As per report received from Dsp CTD Battagram, on 30-10-2014, you Head Constable Shafi ur Rehman No.237 along with another person namely Zaib Ur Rehman were on way from Battagram to Mansehra Travelling in Alto Motor car bearing registration number 4797/RNG. You were stopped by SHO Shankiari near Khanpur and carried out your personal search. One Kg charse along with one 30 bore Pistol and 12 rounds were recovered from your possession while 2 Kg charse was also recovered from your companion a proper case Vide FIR No.392 dated 30-10-2014. U/S 9C-CNSA Police Station Shinkari was registered against you, which is a gross misconduct on your part. For the purpose of securitizing the conduct of said accused official with the reference of above allegation

Mr. Muhammad Nawaz Dsp, CTD is deputed to conduct departmental enquiry against you.

The enquiry officer shall in accordance with the provision of P.R 1975 Rules provide reasonable opportunity of hearing the defaulter, furnish findings within 30 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

The accused and a well conversant representation of the departmental shall in the proceeding on the date, time and place fixed by the Enquiry officer.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.

No. 455-56 /R dated Abbottabad the 12-11-2014.

Copy of above is forwarded to:-

1. Mr. \_\_\_\_\_ (Enquiry officer) for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975.
2. Head constable Shafi Ur Rehman No.237 through reader CTD Hazara region with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry officer on the date, time and place fixed for the purpose of departmental proceedings.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.



11

17

CHARGE SHEET

I, Malik Ahjaz Khan Superintendent of Police CTD Hazara Region Abbottabad being competent authority is hereby charge you Head Constable Shafi Ur Rehman No.237 as explained in the attached statement of allegation.

You are therefore, directed to submit your written defence within seven days on the receipt of this charge sheet to the enquiry officer.

Your written defence, if any should reach the enquiry officer with in the specified period, failing which it shall be presume that you have no defence to put in and in that case Ex-parte action will be taken against you.

Intimate weather you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

Superintendent of Police,  
CTD, Hazara Region Abbottabad.

Handwritten notes in Urdu: "صاف جواب" (Clear answer), "میرا کہہ سزا مراد دیکھو" (See my punishment), "شعبہ 112" (Section 112), "237" (Number 237)

18-11-2014

(12)

From: The Superintendent of Police,  
CTD, Hazara Region Abbottabad.

To: The District Police Officer Mansehra.

No: 468 /R dated 18 /11/2014.

Subject: DEPARTMENTAL ENQUIRY.

Memo:

Please direct the following officials of your District to attend this office on 20-11-2014 at 10:00 hrs. The enquiry officer Muhammad Nawaz DSP CTD will record their statements in the presence of accused official Shafi - ur - Rehman involved in Case FIR No. 392 dated 30-10-2014 u/s 9C-CNSA read with section 15AA Police Station Shinkiari.

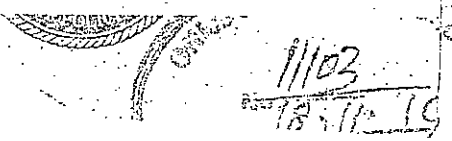
1. SI Sheraz Ahmad SHO Ps Shinkiari.
2. ASI Jan Nisar PS Shinkiari.
3. ASI Shoukat Hussain PS Shinkiari.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.

بیان شیراز احمد 540 تھانہ شکیاریا

بیان پیام نورم 30/10/2014 کو اطلاع وصول ہوئی، اسٹوکلین سٹریٹنگ 4797 RNC  
 نریگ سفیر میں سٹریٹنگ کی طرف سے جو سی مالٹہ لائی جا رہی ہے۔ اس اطلاع پر  
 RKH روڈ پر نریگ جانچور دوریا کے نریگ پولیس ٹیم منڈی لائی۔ دوران نام نریگ  
 کھوٹیاں کی جانب سے جو نریگ نریگ منڈی ماہ آئی حکم روک کر قبضہ کرنے پر ڈیڑھ گھنٹہ  
 سیٹ پر بیٹھے تھے۔ اس نام زیب الرحمن دہر علیہ الریان اور آگے ساتھ فریڈ  
 سیٹ پر بیٹھے تھے۔ شفیق الرحمن ولد سرفراز اقبال ساکنان مالکوٹ کی پوری  
 سٹریٹنگ منڈیا۔ پھر شفیق کو گاڑی سے اتار کر جامع منڈی محل میں لائی زیب الرحمن  
 کو جامع منڈی میں لے کر ڈھاکا سٹار سے دو بیڈنگ جس (گروہ) برآمد ہوئے  
 منڈی منڈی سے زیب الرحمن کی جیب سے ایک عدد سوائیل اور رقم جمع 19170  
 برآمد ہوئے۔ جامع شفیق الرحمن کی جامع منڈی سے ایک کے ساتھ بائوٹھے ہوئے کمر بند  
 سے ایک عدد سٹریٹنگ 30 اور نمبر 6931 دسی سافٹ لوڈ سٹریٹنگ منڈی  
 عدد کارتوس اور سات عدد کارتوس کمر بند سے پیرسٹ کل 12 عدد کارتوس  
 اور ڈھاکا سٹار سے ایک بیڈنگ جس (گروہ) ڈائیل لعلی جیب سے دو عدد  
 سوائیل اور سافٹ والا جیب سے رقم جمع 10320 روپے برآمد ہوئے  
 شفیق الرحمن نے گاڑی منڈی انسی مالک منڈی۔ زیب الرحمن سے برآمدہ  
 دو بیڈنگ جس وزن رے رینا بیڈنگ 11000/15000 راج کل 25000 نریگ راج لعلی  
 اس طرح شفیق الرحمن سے برآمدہ جس وزن رے رینا 15000/15000 نریگ راج لعلی  
 جس برآمدہ از ملطان منڈی راج لعلی کے سے برآمدہ سٹریٹنگ، کارتوس سوائیل  
 فون، رقم اور گاڑی منڈی ماہ آئی نریگ خرد منڈی شفیق پولیس کے سرکار لعلی  
 قائمی صدر تھانہ ایس ایف ایس راج لعلی 392 نریگ 30/10/2014  
 15AA تھانہ شکیاریا کی راج لعلی۔ گاڑی منڈی منڈی کے شفیق  
 منڈی شفیق الرحمن پر موقع کا منڈی حیدرہ میں آکر گاڑی

Allested  
 smattu  
 DSP/CTD  
 Enquiry  
 21-11-



(14) (29) 523/550 سے عدلیہ ضلعی عدالت میں لکھے گئے تعلقہ کے بارے میں  
 دریافت تمام شرکت میں 481 کے بارے میں بیان ہے  
 میں کہہ رہے ہیں

Sho PS SMC  
 21-11-2014

- x x x -

مخالف ملزم ضلعی عدالت

سوال: فراہم کیا گیا ہے جو کہ نوآبادی کے تعلق میں ہے۔ موقع لکھ کر آج ہی موجود ہے  
 جواب: ہم ملزم کے دوران وقوع میں کیا گیا تھا کہ اس کے خود موقع سے لکھا گیا  
 روزنامہ میں کہہ رہے ہیں کہ وہ اس کے لئے لکھی گئی تھیں کہ اس کے لئے لکھی گئی تھیں  
 سوال: میرا تعلق ہے لائسنس SHO کے ساتھ کہ اس کے لئے میں نے  
 جواب: ملزم کے ملزم سے فراہم کیے گئے ہیں کہ اس کے لئے ملزم سے موقع لکھ کر لکھی  
 (پہلے نام میں لکھا گیا)

سوال: اس سے قبل آپ کے تعلق میں درج ہے، لائسنس کے تحت اس کے تحت اس کے لئے  
 ہے۔ جبکہ اس سے فراہم کیا گیا ہے کہ اس کے لئے اس کے لئے اس کے لئے  
 بنا یا گیا ہے اس کے لئے

جواب: ہم ملزم کے اس سے قبل اور لائسنس کے تحت اس کے لئے اس کے لئے  
 جواب: اس کے لئے اس کے لئے اس کے لئے اس کے لئے اس کے لئے

سوال: میرا لائسنس شروع ہوا 15/11/14 کے لئے ہے اور اس کے لئے اس کے لئے اس کے لئے  
 اس کے لئے اس کے لئے اس کے لئے اس کے لئے اس کے لئے

جواب: ہم ملزم کے اس کے لئے اس کے لئے اس کے لئے اس کے لئے اس کے لئے  
 اس کے لئے اس کے لئے اس کے لئے اس کے لئے اس کے لئے

Sho PS SMC  
 21-11-14

RO & AC

Sho PS SMC  
 21-11-14

Attestation  
 DSAJ  
 Enquiry  
 21-11-14

بیان شہادت حسین آئی ایم اے سندھ

بیان شہادت حسین آئی ایم اے کے مدد یافتہ ہاں کیا کہ حوزہ 30/10/2014 کو سن گھاں  
سیہ جوہر تھا۔ کم 5450 نے آواز دیا نام نندی کرن ہے۔ فوراً مانیٹر گنتوں

حق برحق اور جاننا جان آئی ایم اے دیگر کٹیلوں کے پیڑھے KKH اور نزد خانپور  
دوریا جو کلر نام نندی کی 5450 کے ساتھ نام نندی کے ایک لٹو جوڑ مارنڈ Rate  
4797  
ساتھ آئی گاڑی کو روکا گیا جب کہ ایک ڈیڑھ گھنٹہ کے بعد سے ضبط کی

نے ایسا نام زمینداروں اور مسدود رہا اور ان کے ساتھ سے ہر گزٹ سے  
تحتسب نام ایسا نام شفیع الرحمن وہ سرسبز از انواع سرائی سائنس ملکوٹ  
جھیرٹی شہادت شہادت۔ ہر دونوں کو گاڑی سے نیچے (تار کر زبیب الرحمن) کا  
طالع ملدستی لینے پر پٹھا سلوار سے دو سیٹک جس (گروہ) پر آم ہوئے۔

مدد ملدستی لینے پر اسکی دائیں لفظی جب سے وہ اسٹیل فون اور رقم 19170  
پر آم ہوئے۔ صفحہ شفیع الرحمن کی ملدستی سے اسکا لکرنے ساتھ چھینڑا سزا لکرنے  
سے ملو ایک فر۔ پتیل 30 پور علی 9761 کا دسی صاف لوڈ شدہ ملدستی  
کے عدد کارٹوس اور لکرنے سے 7 عدد کارٹوس ملے 12 عدد کارٹوس۔

تڑھا سلوار سے ایک سیٹک جس (گروہ) وزن رکھے پر 1000 تیار لکرنے  
دو عدد وہ اسٹیل اور رقم 18320 بعد پر آم ہوئے۔ پر آم شہادت شہادت  
کا 5450 نے ہر گزٹ خود مرتب کیا۔ خود پر اسکا دستخط وقت صاف سے  
اسی طرح گاڑی جو ملکان سے پر آم ہوئے۔ اور شفیع میں لکھا ہے حکم دیا  
تدوین دیا کا صاف صاف لکرنے ملدستی شہادت سے شروع کیا۔ جو گاڑی

تدوین کو پر لکھے گیا اور شہادت شہادت پر لکرنے چھینڑا لکرنے سے  
سزا لکرنے سے ملدستی سے لکرنے لکرنے سے لکرنے لکرنے سے لکرنے لکرنے سے  
لکرنے لکرنے سے لکرنے لکرنے سے لکرنے لکرنے سے لکرنے لکرنے سے لکرنے لکرنے سے  
لکرنے لکرنے سے لکرنے لکرنے سے لکرنے لکرنے سے لکرنے لکرنے سے لکرنے لکرنے سے

Alles  
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DSR  
21

(16)

(33)

X 29 X

(16)

مفتاح ملزم


سوال 1 آد ASI سے روئے موجود ہے اور اس کے ساتھ جو ہے کو  
میزبان سے برآمد ہوا

جرا - دہلاؤ 2 حیثیت وقت روئے 540 سے مائوے قطر لورک  
روئے موجود تھا - سرکاری روئے سے جمع لورک لورک اس سے برآمد ہوا

RO and A-e



ASI PS Shankiam  
21-11-14



تفہیم الحالی

Alles le

ompetit

dsP/e TL

Empuony

21-11

17

No. 617-SA  
SHKI

17

GS&PD, Khyber Pakhtunkhwa-1064-IGP-20000 Forms-19.5.2011-(69)-IGP Narcotic

**JUSTICE THROUGH SCIENCE**  
**FORENSIC SCIENCE LABORATORY POLICE INVESTIGATION, PESHAWAR.**  
**EXAMINATION REPORT FORM (D2)**  
**REPORT OF CHEMICAL EXAMINER**  
**F.S.L., PESHAWAR.**

Lab. No. .... S.V.: 18-1664-0-14 Dated: 11-11-2014/20  
Received: One Motor Car vehicle Reg. No. ... RNG-4797  
From: District Police Officer Mansehra  
Vide: Letter No. 15501/GB, Dated 10-11-2014. DD. No. 10, P/S Shinkiar Mansehra  
For verification/chemical examination of chassis/Engine numbers.

The vehicle in question was subjected to chemical treatment and observed the following.

No. 8 Before chemical treatment.	No. 8 After chemical treatment.
1. Chassis No.	1. Chassis No.
SB308PK695913	Welded and refitted full chassis sheet piece

Opinion:-

Chemical examination of the chassis number of the vehicle in question revealed that:-  
Welded and refitted full chassis sheet bear the following number :-  
SB308PK695913

*S/O Shinkiar Mansehra*  
*En 14*

*Zahoor Islam*  
(ZAHOOR ISLAM)  
(Chemical Expert)  
FSL, Peshawar.

*D.P.O. Mansehra*  
*14/11*

*Muhammad Zeb Ki*  
(MUNHAMMAD ZEB KI)  
(Chemical Examiner)  
FSL, Peshawar.

No. 20732 /FSL Dated Peshawar the 12-11-2014  
SP Investigation Mansehra.

The opinion of the Chemical Examiner is forwarded to the: .....  
The receipt may be acknowledged and the vehicle in question may be collected from this Laboratory.

Note: this report bears Emboss mark.



1103  
18.11.14

*Director*  
DIRECTOR,  
FORENSIC SCIENCE LABORATORY  
POLICE INVESTIGATION, KHYBER PAKHTUNKHWA, PESHAWAR.

ASI C  
*Billu*  
S/O

بیان محمد اسلم <sup>ASi</sup> متعین CTD سٹاف ٹیگم ڈسٹرکٹ

ی علی ا

فصل اول  
فصل اول میں ضرورت پونہ من Asi کا ماہ جون 2014 کو افویسیشن  
سٹاف ڈسٹرکٹ پولیس ٹیگم سے CTD سٹاف سٹارڈ سٹریٹس پولی  
جس پر میں نے فورم 6/014 کو سٹارڈ / CTD حاضری کرتے کے بعد  
ٹیگم CTD سٹاف میں حاضری کی جیم DSP / DSP / DSP / DSP  
فصل ٹیگم میں بطور سٹریٹس تعینات ہوا۔

میری تعیناتی کے دوران فورم 10/014 کو HC شیخ الرحمٰن بعد  
اختتام انٹرنیٹ کورس PTC پنہلو سے دس CTD سٹاف ٹیگم حاضری آیا  
جبکہ حاضری کی رپورٹ کے اطلاع DSP / DSP اور ریج آفس CTD  
ایٹ آباد کوری۔ جس پر DSP / DSP ٹیگم کے حکم پر ضرورت ملازم  
تعمانہ سٹریٹس میں سٹریٹس آفس تعینات نہ ہوتے کے باعث HC شیخ الرحمٰن  
کو ضرورت تعمانہ سٹریٹس میں بطور سٹریٹس تعینات کر کے پندرہ نومبر  
آگاہ کیا گیا۔ فورم 10/014 کو تعمانہ سٹریٹس میں تعینات کرنے کے سبب  
DSP / DSP نے DSP / DSP ٹیگم کو پندرہ نومبر اطلاع دی HC شیخ الرحمٰن  
اور ایٹ دوسرے شخصوں پر ایٹس کے متعلق سے تعمانہ سٹریٹس پولیس سے جس اور

غیر قانونی اسلم ایٹس پر ان کے ان کے خلاف مقدمہ ملات 292 جی سی ایس ایس  
تعمانہ سٹریٹس ریج رہیں کیا۔ جو اس اطلاع پر DSP / DSP ٹیگم نے بروقت ڈائری  
فرتب کہ اسٹریٹس بالاد صاحبان کو بھیجی گئی  
HC شیخ الرحمٰن مقدمہ عنوان الصبر سٹریٹس تعمانہ سٹریٹس میں سٹریٹس کے  
لے رہتے ہوئے پر دس فورم 11/014 کو دس دس CTD سٹاف ٹیگم آیا جو  
اسی روز بحال آرڈر نمبری 68-72 جون 11/014 کو جاری کیا گیا DSP / DSP  
دفتر ریج CTD / DSP ایٹ آباد درام کلا جائے مذکورہ کی روانگی اطلاع  
ریج آفس CTD ایٹ آباد کوری گئی

(طریقہ)



جہاں تک HC شیفیع الرضی کے ان بے پروا کھڑوں کے بارے علم کا تعلق تو اس بارے میں عرض ہے کہ منہ خواہ HC من آکا سے پہلے اس شعبہ CTD میں تعینات ہے جو ماہ اپریل 2014 میں انٹرنیشنل کورس کے لیے PTE بنایا گیا تھا۔ جبکہ میں 2014 جون 2014 ڈسٹرکٹ پولیس سے تبدیل ہو کر CTD بیگرام تعینات ہوا۔ میری موجودگی میں HC منہ خواہ صرف 8/9 دن CTD میں حاضر رہ کر نوکری کی حالت میں اس سے قبل منہ خواہ HC کے ساتھ نوکری واسطے ہوا۔ اور اب ہی میں اس کے ان کھڑوں سے واقف ہوں۔

علاوہ ازیں HC منہ خواہ کی جس بیٹ ضرورتاً تعینات میں ڈپٹی لگائی گئی وہ بھی پیدائشی بیگرام سے تقریباً 50/55 سالہ عمر کے فاضل ہے۔ عموماً تعینات بین الاقوامی / نیشنل کی ضرورت میں حلیہ ملازمت CTD دو یا تیس دن دفتر کا حکم لگاتے ہیں زیادہ تر شہرچوں پر رابطہ رکھتے ہیں جبکہ دیگر نزدیک تعینات بیگرام۔ جامعہ۔ کوزہ بانڈن اور شملانی کی ضرورت میں شیفیع ملازمت روزانہ ہی بنیاد پر دفتر CTD آتے جاتے رہتے ہیں۔

HC منہ خواہ ایک ذمہ دار پوسٹ ہونے کے ساتھ ہی ایک ذمہ داری کا مظاہرہ کرتے ہوئے اپنی بیٹ سے غیر حاضر رہ کر ایک ایسے فعل / جسم کا قریب ہوا جو تمام پولیس کے فائے بہرہ مندانہ کی فائز ہے۔ میرا ہی بیان ہے۔ تحریری پیش خدمت ہے۔

Handwritten signature and date: 19/11/2014

ت حاضری HC، دوران تعیناتی ڈپٹی پر خلاف HC  
 11/68-72-14 / 31-10-14  
 Di 4 / 15 / 15  
 CTD / HD / ATD  
 یہ بیان لکھ ہے۔

(20)

ضلع مہلکم

(۱۱) ۲۵۹

پورٹ عازمی

(20)

ڈیو  
CTD

پورٹ عازمی / عازمی / ۱۵ / ۲۰۱۴  
 ڈیو / ۲۳۶ / ۱۱ / ۲۰۱۴  
 ضلع مہلکم  
 بعد اختتام زنگرہ کونسل  
 ڈیو / ۲۳۶ / ۱۱ / ۲۰۱۴  
 ضلع مہلکم  
 عازمی / ۱۵ / ۲۰۱۴  
 ڈیو / ۲۳۶ / ۱۱ / ۲۰۱۴

ضلع مہلکم

پورٹ عازمی / عازمی / ۱۵ / ۲۰۱۴

ضلع مہلکم

DCIO CTD  
 BATTAGRAM  
 23-10-2014

۲۳  
۱۱

انجمن قادیان  
بمقام قادیان/ DSP

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مکرمہ علیہ السلام قادیان قادیان قادیان قادیان قادیان

= R / DSP / CTD / Battagram

93-10-14

1) مبلغ 100 روپے سے 50 روپے تک  
2) مبلغ 50 روپے سے 25 روپے تک  
3) مبلغ 25 روپے سے 10 روپے تک

مقامی قادیان

Sir,

Noted  
HC

HC - CTD - HQ

11/09/14 دوت 30-14 بج 14/09  
 راجه آند اردو انتی محمد ام ASI راجه  
 حکیم اسدوت HC شیخ الرحمن غیر سید حاکم سید حاکم سید حاکم  
 دفتر نیا آباد حاکم ام آر ڈی غری 11/68-72 31/10/14  
 جناب جناب CID سید جنون جوان شاد در دفتر سید  
 سید ناصر CID سید آباد راجه سید سید سید سید سید  
 راجه سید سید سید سید سید سید سید سید سید سید سید  
 ASI - R. DSP. CID. BTG  
 09/11/2014

بیانہ منقسم المرحومہ / 237

بیانہ کیا کہ 30-10-2014 کو علیہ ذیل سے باقی ماندہ

4797 زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

RM6 زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

زرک عمیرہ سے باقی ماندہ / اس سے زیادہ

Attesté  
DSPA /  
Enquie  
24-1

میں کوئی معمولی شہر پر اتر گیا ہے۔ انہوں نے مجھے  
 نشانہ لگنا دیکھ کر مجھے پریشان سے دیکھا اور کہا  
 ہوا۔ اور مجھے اپنے ساتھ لے گیا اور میرے گھر  
 سے گاڑی کے ساتھ لے گیا اور پھر گاڑی کے ساتھ  
 موجود ۱۱۵ کی گاڑی میں اور گاڑی کے ساتھ  
 میں۔ میں نے اس وقت اس گاڑی میں اور  
 ۱۱۵ کی گاڑی کے ساتھ لے گیا اور دیکھا  
 دیکھا کہ اسے گاڑی کے ساتھ لے گیا اور  
 میں دو گولے تو اسے اسے لے گیا اور  
 گاڑی کے ساتھ لے گیا اور گاڑی کے ساتھ  
 شہر کے قریب سے لے گیا اور گاڑی کے ساتھ  
 صرف میں لے گیا اور اسے لے گیا اور  
 مصلحت کے ساتھ لے گیا اور اسے لے گیا اور  
 اس وقت اسے لے گیا اور اسے لے گیا اور  
 نشانہ میں دیکھ کر اسے لے گیا اور اسے لے گیا

الحمد للہ  
 24/11/2014

میرم x

Alles C  
 DSP X  
 Enqu  
 26

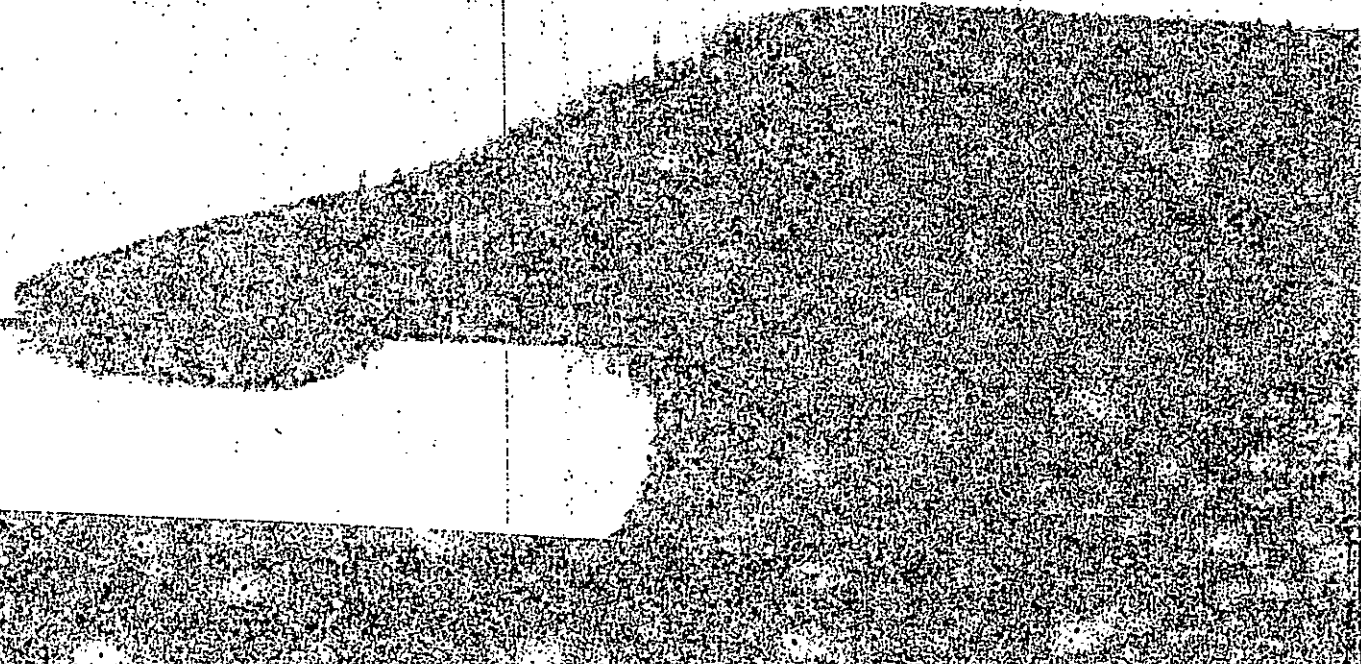
سوال: کیا ہے  
 آئیے کہ تمہاری کیا ہے  
 وہاں سے اسے لے گیا اور اسے لے گیا اور  
 کہ ہے  
 جواب: کوئی اہل خانہ یا چیز لے گیا اور اسے لے گیا اور  
 اسے لے گیا اور اسے لے گیا اور اسے لے گیا اور  
 اسے لے گیا اور اسے لے گیا اور اسے لے گیا اور

سوال 25: ...  
 سے جو خود فقے اور آئیے کو لارو کا ...  
 25) نے اپنا پیرا کے سولہ ...  
 نگراد کے سولہ ...  
 جواب: ...  
 میں کیا کہ ان کے ...  
 کو نگراد کے ...  
 ہے سولہ ...

RO and AC

Signature  
 D.S.P. TO Abbottabad  
 Enquiry Officer  
 24-11-2014

Signature



ضلع جلال پور

والہی شیراز اور SHO 2014ء قی وقت 18.85 میں سے میرا بیان کے حوالہ قدر یا بیان والہی آیا ہوں  
 معتبر ذرائع سے المراج علی کم آلٹو میرا ان پتہ 4797 RNA پتہ سفید میں بیگ رام سے جس میں بطرف  
 حاکم سرہ لائی جا رہی ہے اس المراج پتہ کے نشری کے خاپور دورا کا مقام پر نام بھری کی گئی ہے جو زبان  
 کی جانب سے فوننگ کار ٹنڈرہ بالا یوقت وقوع آن کے لوگوں کو ڈرائیونگ سیٹ پر 19ء شش کو پہنچنے  
 اتار کر جسکے ساتھ فرنٹ سیٹ پر 19ء شش کو پہنچے اتارا گیا فرنٹ سیٹ پر 19ء شش کا نام  
 شفیع الرحمان ولد سر فرار، ڈرائیونگ سیٹ پر 19ء شش کا نام زیب الرحمان ولد علی الرحمان افرام سواتی  
 ساکنان ملکوت گنج پور ای بیگ رام پتہ کے علیم زیب الرحمان کی تلاش پر بیڑھا شلواری سے دو بیٹھتے ہیں جس  
 1000 گرام 1000 سے بھلی جیب سے فوٹو پتیل فون ایچ اور رقم 19170 شفیع الرحمان کی حاکم  
 تلاش پر کمر کا ساتھ سے پتیل 30 پور سے 12 لاکھ کالوں میں بیڑھا شلواری سے ایک بیٹھتے ہیں جس  
 وزنی 1000 گرام دو عدد فوٹو پتیل فون از قسم 4440 0 2440 0 2440 0 2440 0 2440 0 2440 0 2440 0 2440 0  
 = 18320 روپے پر اکھر سوانے جس پر اکھر زیب الرحمان سے پارسل نمبر 1، 2، 3، 4 پر ایک ٹیکسٹ  
 باقی یا پر 1990 پتہ کے گرام کا پارسل نمبر 3 اس طرح علیم شفیع الرحمان سے پر اکھر جس کا پارسل نمبر 4  
 پر ایک ٹیکسٹ یا باقی ماندہ 995 گرام کا پارسل نمبر 5 پر ایک ریٹائرڈ خاتمہ جملہ پارسل ساتھ پر اکھر  
 عربک کے لئے پتیل 30 پور کا علیم شفیع الرحمان فون لائسنس اجازت نامہ جس پر ایک ٹیکسٹ  
 30 پور نشری 6931 مع کالوں میں رقم پر اکھر، فوٹو پتیل فون پر اکھر، شادی مندرہ پر ایک ٹیکسٹ خود  
 عیاقب خود شفیع رحمان کے لئے علیم زیب الرحمان شفیع الرحمان کو عربک جرم  $\frac{90 \text{ CNSA}}{15AA}$  کے نام  
 صفحہ کے رفکار کے حوالہ پر دست یا پر 91 ارسال تمام سوا جیب پر ملتا  $\frac{392 \text{ CNSA}}{14 \text{ ISAA}}$  جرم  
 دو عدد پتیل فون حوالہ 177 اسٹاف پر حاکم جملہ پارسل ساتھ، جیلر اشیا، رقم فوٹو پتیل فون وغیرہ  
 پر ایک لاکھ پر ایک ٹیکسٹ ریٹائرڈ خاتمہ جملہ پارسل ساتھ، 177 اسٹاف پر ایک ٹیکسٹ  
 پر ایک جرم تلاش جو پتہ پر اکھر سے جو کہ حوالہ سے ملتا ہے جس پر 177 اسٹاف کے  
 بندش سے مطلع کیا گیا ہے، شادی مندرہ پر ایک ٹیکسٹ RNA 4797 کو دفتر مندرہ میں پر ایک لاکھ احاطہ تمام ٹیکسٹ  
 منگ گیا علیم شفیع الرحمان فون کا علیم وغیرہ جس پر ایک لاکھ حوالہ مندرہ بالا کو زیر رقم 523  
 میں منظر پولیس یا گیا ہے مشورہ سے ASI کو پتہ پر ایک ٹیکسٹ کی دریافت 523 صفحہ کے شادی مندرہ پر ایک لاکھ  
 صفحہ شروع کر کے پر ایک لاکھ سے اسکی درست طور پر داخل کوٹ کر آیا جیلر حضرت نذری

حاکم عالی، نقل علی بن اہل

Handwritten signature and notes at the bottom right of the page.



نقل ریٹ مد 4 روز نامہ 30/10/14

ASi سرکار روٹی شہر از احمد SHO 30/10/14 وقت 16:20 بجے میں مع شرکت حسین  
جان نثار ASI کاشیلاں پاس 911 تنویر 132 صرافت 870 اختر 75  
کے مکمل باوردی باسکول و سب بلڈ ہیزوف جیکٹ علیحدہ سہواری  
گھڑی سرکار پک اپ بہتھول لفیئر 151 کے حسب اطلاع کھینچے خاص =  
بفرغین نامہ منبری روزنامہ حدود قائم کا سرور  
خدا حالی نقل عدالتی ارسال ہے

M. A

mm-PS-SHK

11-11-14

P.S SHINKIARI

Sir  
For warded

Munawar

SHO PS SHK  
11-11-2014

عناصن شماری خرد و صوفی سندس پارسل

287 (58) (57) صلیب المیرہ

9CCNSA سماں شماری  
15 AA 30/10 392 عدد پارسل

سید بنام ذ (1) زیب الرحمن ولد عبدالرحمن قوم سہرائی کن ملو گھوڑی  
(2) شفیع الرحمن ولد سرفراز

حضرت زالم سے اظہر پارسل سے ہر ایساں گواہان ذیل کے ساتھ عنوان ما  
KKH نزد خانپور دوراھا تاکہ سندس لیکچر و درون تاکہ سندس ماحول  
RNG-4797 زلمت عدین ربیب صید اینی حکمران کر جیک  
رے و ڈاٹوٹ سندس سہرائی کے ایسا نام زیب الرحمن ادر اس کے ساتھ  
فونڈ سید سے لکھے گئے ایسا نام شفیع الرحمن بنام ایسا ملو۔ جو سردروں کو  
گاڑی سے بچے انار جو جام بندیں نسیم زیب الرحمن کے ہر پارسلوں سے دو بیلٹ جس  
ڈرول برآمد ہے۔ مزید لکھی گئی ہے کہ اس کے واسطے لعل جید سے جو پائل خون کرنا 1-X  
رغم مبلغ 19170 اوروں کو جس کے ملزم شفیع الرحمن کی جام بندیں لکھے ہیں کہ  
ساتھ اپنے سے سوئی کر بند از نسیم زلمت اسٹیٹ راجھی کر حصول الیکٹریٹیوں 30  
ملا 6931 دلی سافٹ لوڈ شدہ سنگین 5 عدد لوڈزس 30 لوڈ کر بندیں جو سٹ  
7 عدد لوڈزس کل 12 عدد لوڈزس 30 لوڈ اور کر بند، ہر پارسلوں میں سے ایک  
بیلٹ جس (ڈرول) واسطے لعل جب سے دو عدد جو پائل خون 440 ڈیوٹیا  
ادر ماٹھے والی جب سے رقم مبلغ 320 ڈالر برآمد ہوئے۔ زیب الرحمن سے برادرہ دو بیلٹ  
جس میں وزن کے ہر پارسل 1000 گرام جس میں کل 2000 گرام جو لعل۔ ہر دو بیلٹ  
جس میں سے 5 گرام جس میں بیلٹ ہر پارسل 2 گرام جو لعل اور بنایا 1990  
گرام دو بیلٹ لکھا پارسل نمبر 2 برائے زیب الرحمن سے برادرہ جس میں وزن  
300 گرام لکھی جس میں سے 5 گرام جس میں بیلٹ ہر پارسل 2 گرام  
کیمیکل اور بنایا 995 گرام جس میں پارسل نمبر 5 ہر پارسل نمبر 2 گرام  
عمومہ ہر پارسل MR دکانا کار کھانا پارسل بنائے 3/3 عدد جو اصل اسمی MR شدہ ہر پارسل  
جم پارسل وارے بیلٹوں 30 لوڈ جس 12 عدد لوڈزس، کم بندہ رقم برادرہ جام بندیں جو پائل توڑ  
رجم گاڑی ہوڈر ہر پارسل ماہہ ہر پارسلوں میں کر کے ڈاٹوٹ وڑ سے بر جو لعل

خرد و صوفی سندس پارسل  
گوارہ سندس اداکاران Asi عناصن شماری

(2) اشرف حسین Asi عناصن شماری

www.0  
10/15/2014

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یہ ہے نام المرحومہ اور وہی ان کے مکمل ناموں کے ساتھ ہے۔

حلفیہ جانے والے ہوں کہ نوڈمبر 2014 کو ہے۔

میں نے یہ کہہ کر کہ آپ کے نام کی سائنچر و چارٹریٹ میں  
 تشکیل دینے کے لیے یہ ایک نام ہے جس کے ساتھ اس کے لوگ ہوئے  
 جب یہ سائنچر لے جانے کو تیار ہوئے 2014 میں تشکیل دینے کے لیے اس کے ساتھ  
 اور اس کے ساتھ اس کے ساتھ اس کے ساتھ اس کے ساتھ اس کے ساتھ اس کے ساتھ اس کے ساتھ  
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الحمد لله

نام المرحومہ  
 24-11-2014  
 سٹریٹ کارڈ نمبر 1-5715361-13202

Attested  
 smen  
 DSP & TD Abbottabad  
 Enquiry Officer  
 24-11-2014



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him. During cross examination, Head constable Shafi ur Rehman asked the SHO that on the place of occurrence his pistol and Licence were produced to him by the constable but the SHO denied this question. Again Head constable Shafi Ur Rehman asked the SHO that you returned back the license of pistol to him on 10-11-2014 in presence of one Taj Ur Rehman resident of Malkot of Battagram who accompanied with him to Police station on the same day. I summoned the witness Taj ur Rehman to prove this fact his statement was recorded on 24-11-2014 who admitted that the pistol licence was hand over back to accused Shafi ur Rehman by SHO Shinkiari on 10-11-2014 in his presence. It also came to light that a slight altercation also took place between the police personnel and accused Head constable Shafi Ur Rehman at the place of occurrence.

**FINDING:**

During the course of enquiry it has been observed that on the day of occurrence Head constable Shafi Ur Rehman left the station of duty without any leave or permission and proceeded towards Mansehra only for the accomplishment of his mission.

It is also pertinent to mention here that previously he was arrested by local Police Ps Cantt Abbottabad and recovered 1050 gram chars from his possession. A case vide FIR No.553 dated 27-05-2013 U/S 9C-CNSA was registered in PS-Cantt which is still under trial in the court of ASJ-II Abbottabad. It shows that he is the habitual peddler of narcotics and was dropped by local police PS Shinkiari on prior information of the informer.

Keeping in view the statements of witnesses, relevant documents and his previous involvement in similar case, I come to the conclusion that the allegation of possessing chars against defaulter Head constable Shafi-Ur Rehman No.237 are based on fact and he is proved guilty of the charges.

Submitted please.

*Agree with report*

*↓*

*[Signature]*  
 SP/CTD Hazara Region  
 Abbottabad  
 3-12-14

*[Signature]*

Muhammad Nawaz Tanoli,  
 DSP/CTD Hazara Region,  
 Abbottabad.  
 03-12-2014.

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(32)

REPORTING REPORT OF ENQUIRY AGAINST HEAD CONSTABLE SHAFI-  
UR-REHMAN NO.237 CTD STAFF PS PAZANG DISTRICT BATTAGRAM.

BRIEF ALLEGATION:

Allegations against Head constable Shafi Ur Rehman No.237 CTD Battagram are that when he was posted beat officer CTD in Police station pazang of District Battagram, left the station without any leave or permission on 30-10-2014 and left towards Mansehra. On the same day he along with his relative Zaib Ur Rehman of the village started his journey in own Alto Motor Car bearing registration No.4797/RNG. When they reached near Khanpur, they were dropped by Police party headed by SHO Shinkiari. The Police party conducted their personal search and recovered 3 kilogram chars from the possession of Head constable Shafi Ur Rehman and his companion. One 30 Bore Pistol No.6931 along with 12 round, 3 Mobile Phones and cash amount Rs 37490/- were also recovered from the possession of defaulter Head constable, and his companion on the spot. The SHO Shinkiari drafted Marasla and a case vide FIR No.392 dated 30-10-2014 U/S 9C-CNSA/15-AA was registered in PS Shinkiari. On receipt of this information the said Head constable was placed under suspension by worthy Deputy Inspector General of Police CTD KPK Peshawar vide his office letter No. 11:58-72/PA dated 31-10-2014 and he directed the Superintendent of Police CTD, Hazara Abbottabad to initiate the enquiry against accused Head constable Shafi Ur Rehman. The accused was served with charge sheet, summary of allegations and I was appointed as enquiry officer.

ENQUIRY PROCEEDING:

I started the proceedings of said enquiry, reply to the charge sheet and statement of allegation served upon Head constable Shafi Ur Rehman were received in this office on 18-11-2014, there after Sheraz Ahmed SHO Shinkiari, Asi Shoukat Hussain, Asi Aslam of CTD Battagram and accused Head constable Shafi ur Rehman were Summoned for recording their statements. Their statement were recorded in this office on 21-11-2014. During the course of enquiry, the accused Head constable Shafi Ur Rehman was provided the chance of cross-examination but he could not rebut the charges regarding recovery of chars leveled against

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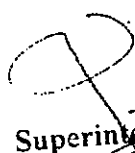
From: The Superintendent of Police  
CTD, Hazara Region Abbottabad.

To: The Deputy Inspector General of Police,  
CTD, Khyber Pakhtune Khawa Peshawar.

No: 502 /R dated 3 /12/2014.

Subject: DEPARTMENTAL PROCEEDING.

Memo: Kindly refer to your office Letter No.11168-72/PA dated 31-10-2014, 11188-95/PA dated 31-10-2014 followed by letter Endst.No.19134-35/PA/CTD dated 24-11-2014.  
The Departmental enquiry of Head Constable Shafi Ur Rehman No.237 CTD Battagram containing 33 Leaves is submitted for kind perusal as desired please.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.  
Mh

PA/EC.

  
DIG/CTD

FINAL SHOW CAUSE NOTICE

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

I, Jehanzeb Khan, District Police Officer, Battagram, as Competent Authority under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules-1975, Removal from Service do hereby you Head Constable Shafi Ur Rehman No. 14 as follow:-

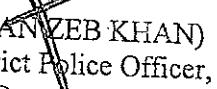
As per report received from DSP CTD Battagram on 30.10.2014. you Head Consatble Shafi ur rehman No. 14 alongwith another person namely Zaib ur Rehman were on way from Battagram to Mansehra traveling in Alto Motor Car bearing registration No. 4797/RNG. You were stopped by SHO Shinkyari near Khanpur and carried out your personal search. One KG Charras alongwith one-30 Bore Pistol and 12- rounds were recovered from your possession while 2-KG Charras was also recovered from your companion a proper case vide FIR No. 392 dated 30.10.2014 U/S 9C-CNSA Police Station Shinkyari against you.


During interrogation you disclosed that you are earlier remained in another case of smuggling vide case FIR No. 553 dated 02.05.2014 U/S 9C-CNSA Police Station Cantt Abbottabad. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against you Head Constable for your direct involvement in 2- different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfillment of all code formalities and you Head Constable Shafi ur Rehman were found guilty of the allegation leveled against you the enquiry officer recommended you for the major penalty. Your this act is gross misconduct and liable to be punishment.

3. On going through the findings and recommendation of the enquiry officer, material on the record, reply of the charge sheet/summary of allegations and other connected papers, I am satisfied that you have committed the following acts/omissions specified in rule 5 (3) KPK, Police Rules-1975.



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4. That consequent upon the completion of enquiry conducted against you by the enquiry officer for which you were given opportunity of hearing but you failed to defend the enquiry proceedings. The enquiry deemed it necessary to take ex parte action against you.
  5. As a result thereof, I as competent authority have tentatively decided to impose upon you the penalty of major punishment under the above rules.
  6. You are therefore directed to Final Show Cause as to why the aforesaid penalty should not be imposed upon you.
  7. If no reply to the notice is received within seven days of its delivery in the normal course it shall be presumed that you have no defense to put in and in the case an ex parte action shall be taken against you.

  
(JEHAN ZEB KHAN)  
District Police Officer,  
Battagram.

 (Competent Authority)

NO. 136/PA

Received By: HC Shafi ur Rehman No. 14

Dated. 27 / 02 / 2015

بحوالہ فائل شوکاژ نوٹس نمبری 136/PA محررہ 27/2/15 جاریہ جناب قابل احترام DPO صاحب بہادر بنگرام معروف ہوں کہ اندریں بارہ سائل ذیل عرض گزار ہے۔

نمبر 1: یہ کہ زیر بحث صورت حال کے پیش نظر قبل ازیں من سائل کو چارج شیٹ نمبری 455-56/R محررہ 12/11/2014 جاریہ جناب SP صاحب CTD ہیڈ کوارٹر ہزارہ ریجن ایبٹ آباد موصول ہوئی تھی جس پر سائل نے مفصل جواب تحریر کر کے دی ہے۔ کاپی ہمراہ لف قابل ملاحظہ ہے۔

نمبر ۲۔ یہ کہ سائل کہ خلاف S.H.O صاحب تھانہ شنکیاری نے غلط الزام لگایا ہے موقع پر نہ S.H.O متعلقہ موجود تھا اور نہ ہی متعلقہ گواہان موجود تھے بلکہ معمولی تکرار پر سائل کے خلاف نام نہاد برآمدگی اور من گھڑت مقدمہ بنایا ہے جس کا حقیقت سے کوئی تعلق نہیں ہے۔

نمبر ۳: یہ کہ مقدمہ علت نمبر 392 مورخہ 30/10/2014 جرم 9c-CNSA تھانہ شنکیاری میں من سائل بر ضمانت ہے، مقدمہ چھوٹا اور حقائق پر مبنی نہ ہونے کی وجہ سے سائل جیل سے بہت جلد ضمانت پر رہا ہوا ہے۔ آرڈر ضمانت ہمراہ لف ہے۔

نمبر ۴: یہ کہ مقدمہ علت 553 مورخہ 27/05/2013 جرم 9c-CNSA تھانہ کینٹ ایبٹ آباد اور مقدمہ علت نمبر 392 جرم 9c-CNSA عدالتوں میں زیر سماعت ہے۔ جس کا ابھی تک کوئی فیصلہ نہیں ہوا ہے عدالتی فیصلہ جات آنے تک سائل کے خلاف حتمی کارروائی عمل میں لانا انصاف کا تقاضا نہیں ہے۔

نمبر ۵: یہ کہ سائل بے گناہ اور ناکردہ جرم ہے سائل کے خلاف ہر دو درج شدہ مقدمات مبنی بر صداقت نہ ہے۔ بلکہ بدینتی اور سازش ہے

لہذا استدعا ہے کہ سائل کے حال پر رحم فرما کر خداترسی اور ماتحت پروری کے بناء پر عدالتی فیصلہ جات آنے تک سائل کو درگزر فرما کر مشکور فرمائیں سائل تاحیات دعا گور ہے گا۔

Fidi

سائل شفیع الرحمن نمبر 14/hc متعینہ پولیس لائن ضلع بگرام

Sir,  
Submittal,  
Muzaffar

المرقوم 05/03/2015

بحوالہ چارج شیٹ نمبری 455-56/R محرمہ 12/11/2014 مجاریہ جناب قابل احترام SP صاحب CTD ہیڈ کوارٹر ہزارہ رینج ایبٹ آباد معروض ہوں کہ اندر میں بارہ مسائل ذیل عرض گزارش ہو سکے۔

- ۱۔ یہ کہ مسائل 1995 میں محکمہ پولیس میں بحیثیت کانسٹیبل بھرتی ہو کر سروس کے دوران ترقی کے مختلف مراحل طے کرتے ہوئے اب حال ہی میں انٹرمیڈیٹ کورس PTC منگوسے واپس آیا ہے۔ سروس کے دوران مسائل نے ہر گھڑی محکمہ کے مورال و عزت اور وقار کو بلند رکھنے کی ہر ممکن کوشش کی ہے اور کبھی بھی ایسی حرکت نہیں کی ہے جسے محکمہ پر کوئی آج آیا ہو یا مسائل نے ہر لمحہ کارسہ کار کو مقدم سمجھ کر ترجیح دی ہے بلکہ کسی انفرکوشکایت کا موقع نہیں دیا ہے۔
- ۲۔ یہ کہ مسائل ایک غریب اور باعزت خاندان سے تعلق پذیر ہے مسائل کے خلاف کوئی جوڈیشل ثبوت موجود نہ ہے اور نہ کوئی غیر جانبدار شہادت موجود بلکہ مسائل کو غلط طور پر منشیات جیسے ناموسور کے مقدمہ میں ملوث کیا گیا ہے حالانکہ ایک محافظہ نے کے ناطے مسائل اس طرف سوچ بھی نہیں سکتا ہے۔
- ۳۔ یہ کہ مسائل اور مسائل کا رشتہ دار مورخہ 30/10/2014 کو بذریعہ موٹر کار نمبری RNG 4797 گاڑی س کے ذریعے ایبٹ آباد جا رہے تھے راستہ میں حدود شکیاری اچھڑیاں کے قریب پانچ اشخاص جنکے ساتھ سفید رنگ کی ALTO گاڑی تھی اور پانچ اشخاص سفید پرچات میں بلوٹ تھے عقب جانب سے آکر ہماری گاڑی کے بالکل سامنے اپنی گاڑی کھڑی کی اور کہا کہ ہم شکیاری تھانہ کے پولیس والے ہیں اور ایک دم ہمیں قابو کر کے مسائل سے دو عدد موبائل از رقم NOKIA 1208 اور Q E-440 رشتہ دار ام زیب الرحمن سے ایک موبائل X-1 اور مسائل کے جیب سے مبلغ 28500/- رشتہ دار کے جیب سے 35000 روپیہ زبردستی نکال کر اپنے قبضے میں کی اسی طرح مسائل سے ایک عدد پستول 30bore نمبر 6931 اور 23 عدد کارتوس بعد لائسنس اور مسائل کی گاڑی درجہ بالا بھی زبردستی لے کر اپنے قبضے میں کی اور پھر ہمیں تھانہ شکیاری لے جا کر وہاں پر پہلے سے تھانہ موجود SHO شیراز احمد کو پیش کیا اور کہا کہ ہم نے دو بد معاش پکڑے ہیں اور کہا کہ ہر دو نے ان کے ساتھ مزاحمت بھی کی ہے۔ متعلقہ اشخاص کے کہنے پر SHO کافی غصہ ہوا گا لیاں دینا شروع کی اور پھر ماہ اپنا اور اس کے بعد SHO نے غصے میں کہا کہ اب آپ لوگوں کے ساتھ سختی سے نمٹا جائے گا اور ہمیں الگ الگ حوالات میں بند کر دیا۔
- ۴۔ یہ کہ SHO شکیاری اور ان کے کچھ اہلکاران موقع پر موجود نہ تھے اور نہ ہی ہم سے موقع پر اور نہ ہی تھانہ میں کوئی منشیات برآمد ہوئی ہے SHO شکیاری نے مسائل کے کھاتہ میں ایک ہزار گرام اور رشتہ دار کے کھاتہ میں دو ہزار گرام چرس ڈال کر ہمیں بے جا اور بے بنیاد مقدمہ میں پھنسا لیا جو کہ انصاف نہیں ہے اس حوالہ سے SHO شکیاری اور گواہان فرد کو طلب کیا جا کر ان سے قرآن پاک پر حلف لینے کے بعد باز پرس کیا جائے کہ واقعی SHO مذکورہ اور ان کے متعلقہ شاف موقع پر موجود تھے یا نہیں یا ہم۔ اس نے موقع پر یا تھانہ میں کوئی منشیات برآمد کی ہے یا نہیں تاکہ یہ ثابت ہو جائے کہ وقوعہ میں برصداقت ہے یا نہیں۔
- ۵۔ یہ کہ مسائل بے گناہ اور ناکرہ جرم ہے۔
- ۶۔ یہ کہ مسائل کے خلاف کوئی غیر جانبدار اور لائق گواہ موجود نہ ہے بلکہ حملہ گواہان پولیس کے ہیں۔
- ۷۔ یہ کہ مسائل کے خلاف درج رجسٹر FIR میں کوئی صداقت نہ ہے نہ ہی حقیقت نہ ہے بدینتی اور سازش ہے۔
- ۸۔ یہ کہ مسائل اور مسائل کے رشتہ دار سے کوئی برآمدگی نہیں ہوئی ہے نام نہاد برآمدگی سے مسائل کا اور مسائل کے رشتہ دار کا دور کا واسطہ اور تعلق نہ ہے۔
- ۹۔ یہ کہ FIR میں جملہ کہانی خود ساختہ ہیں جملہ واقعات کو SHO صاحب شکیاری نے حقیقت کارنگ دینے کی ناکام کوشش کی ہے حالانکہ جملہ کہانی غلط ہے بنیاد من گھڑت اور فرضی جوڈ پر مبنی ہے اور صداقت سے اس کا کوئی واسطہ نہ ہے۔
- ۱۰۔ یہ کہ SHO شکیاری نے محض اپنی کارکردگی دکھانے کے لئے مسائل اور مسائل کے رشتہ دار کو منشیات جیسے مقدمہ میں ملوث کیا جو کہ انصاف نہ ہے۔ SHO میرا سلو لائسنس نمبر 302 مورخہ 10/11/2014 کو ایبٹ آباد جاتے ہوئے تھانہ شکیاری میں مجھے واپس دیا اور لائسنس یافتہ پستول پر 15AA کا غیر قانونی مقدمہ درج کیا ہے جو کہ ظلم ہے۔
- ۱۱۔ یہ کہ ابتدائی طور پر سفید پرچات میں ملوث افراد کے ساتھ کچھ تکرار ہوئی تھی بدیں وجہ شائد یہ پولیس والے نہیں ہے حالانکہ سفید پرچات میں سرٹک پر کھڑا ہونا کہ بندی کرنا لوگوں کی تلاشی لینا وغیرہ وغیرہ نہ صرف محکمانہ خلاف ورزی ہے بلکہ قانونی جرم ہے۔ لہذا حالات بالا کے پیش نظر مسائل کے حال پر رحم فرما کر ماتحت پروری اور خدا ترسی کے بناء پر اصل حقائق کی روشنی میں انکو ازری کر کے چارج شیٹ فائل فرما کر داخل دفتر کیا جا کر مشکور فرمائیں۔ مسائل تاحیات دعا گو رہے گا۔

العارض

مسائل شفیع الرحمن نمبر 237/HC متعینہ ctd ہیڈ کوارٹر ایبٹ آباد ہزارہ

المرقوم 18/11/2014

فرضی اور جھوٹ پر مبنی ہے جس کا حقیقت کے ساتھ کوئی تعلق و واسطہ نہ ہے۔

(۶) یہ کہ مقامی پولیس نے محض اپنی کارروائی دکھانے کے لئے سائل الملزم کو

مقدمہ عنوان بالا میں ملوث کیا ہے۔

(۷) یہ کہ کوئی سرچ وارنٹ بمطابق قانون حاصل نہیں کیا۔

(۸) یہ کہ سائل الملزم کا مقدمہ 9B-CNSA کے تحت Fall کرتا ہے۔

(۹) یہ کہ سائل الملزم کے خلاف جرم عنوان بالا Prohibitory clause

میں Fall نہیں کرتا۔

(۱۰) یہ کہ سائل الملزم کے خلاف مقدمہ عنوان بالا Further inquiry کا

متقاضی ہے۔

(۱۱) یہ کہ حالات و واقعات مقدمہ قابل بحث ہیں۔ دیگر امور بوقت بحث زیر

غور لائے جائیں گے۔

استدعا ہے کہ سائل الملزم کو ضمانت، حاضری عدالت پر مخلصی بخش جائے۔

المرقوم 01.11.2014

سائمان الملزمان ..... زیب الرحمن وغیرہ

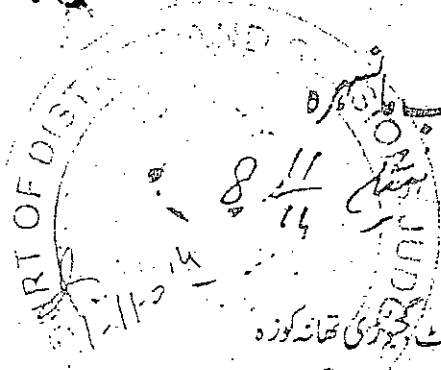
بذریعہ وکیل خود

9531  
Date 13-11-14  
Court Fee Free Stamp  
Urgent  
Total Fee  
Name of Copyist

P. 2  
ATTESTED

13-11-14

نقل درخواست ضمانت از سائل مندرجہ ذیل صاحب نام سوائی قوم سواتی



بعدالت جناب سیشن جج صاحب نام

تاریخ 11/14 11/14

(1) زیب الرحمن ولد عبدالرحمان قوم سواتی ساکن ملکوت گجڑوی تھانہ کوزہ

بانڈہ بگرام (2) شفیع الرحمن ولد سرفراز قوم سواتی ساکن ملکوت گجڑوی

تھانہ کوزہ بانڈہ بگرام ساکنان الملزمان

بنام

سرکار بذریعہ شیراز احمد SHO تھانہ شکیاری..... ریپائٹنٹ

مقدمہ علت نمبر 392 مورخہ 30.10.2014

جرم زیر دفعہ 9C-CNSA، 15 AA KPK 2013

تھانہ شکیاری

درخواست بمراہضمانت حاضری سائل الملزم

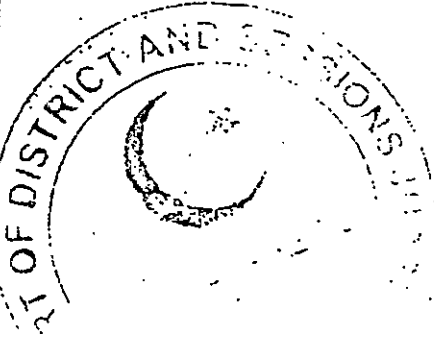
جناب عالی! درخواست ذیل پیش ہے۔

- (1) یہ کہ سائل الملزم نا کردہ گناہ ہے۔ (نقل FIR لف ہے)۔
- (2) یہ کہ سائل الملزم کے خلاف کوئی جوڈیشل ثبوت موجود نہ ہے۔
- (3) یہ کہ سائل الملزم کے خلاف کوئی لا تعلق وغیر جانبدار شہادت موجود نہ ہے۔
- (4) یہ کہ سائل الملزم کے خلاف دعویداری یعنی بر بدعتی اور سازش ہے۔
- (5) یہ کہ سائل الملزم سے کوئی برآمدگی نہ ہے۔ نام نہاد برآمدگی کے ساتھ سائل

Handwritten signature and initials.

39

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READER

BEFORE THE COURT OF AAMER NAZIR BHATTI, ADDL. SESSIONS JUDGE-I, MANSEHRA.

BAIL APPLICATION NO. 550/4 OF 2014.

"ZAIBUR REHMAN ETC VS. THE STATE"

08.11.2014.

ORDER-04.

Learned counsel for the accused/petitioner's and SPP for State present.

Accused/petitioners Zaibur Rehman son of Abdur Rehan and Shafur Rehman son of Sarfraz residents of Malkot Gajbori police station, Kooza Banda Batagram are seeking post arrest bail in case FIR No.392 dated 30.10.2014, u/s 9-C CNSA / 15 AA KPK, 2013, Police Station Shinkhari Manshehra.

Brief facts of the case as per available record are that on 30.10.2014 on spy information, Sheraz Ahmed SHO police station Shinkhari alongwith other police Nafari laid a barricade at KKH near Khanpur Doraha when motorcar No.4797-RNG white colour came from Ichharian side which was stopped. Driver disclosed his name Zaibur Rehman (accused/petitioner) while person sitting with him disclosed his name as Shafur Rehman (accused/petitioner). They both were got alighted from the vehicle. On search of Zaibur Rehman, two packets of charas (Gardah) weighing 2000

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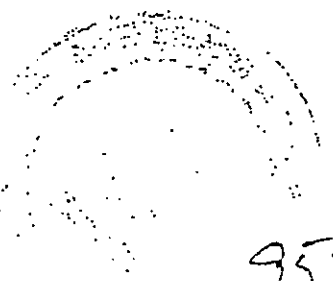
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released provided they furnish bail bonds in the sum of Rs.100,000/- (each) with two sureties each in the like amount to the satisfaction of Illaqa Judicial Magistrate.

File be consigned to record room after compilation while requisitioned record be returned forthwith.

ANNOUNCED.  
08.11.2014.

(TAAMER NAZIR BHATTI)  
ADDL. SESSIONS JUDGE-I,  
MANSEHRA.



9531

Date 13-11-14  
Court of F. J. J. J. J.  
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Date of Completion 13-11-14  
Date of Certification  
Date of Delay 13-11-14

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Signature  
Date 13-11-14

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(24)

(Cont'd Or-4)  
08.11.2014

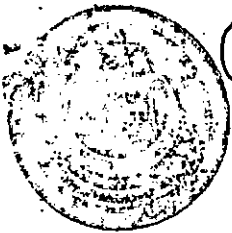
grams alongwith Nokia mobile Xj and cash amount of Rs.19,170/- was recovered. While during search of Shafiur Rehman, one 30 bore pistol loaded with magazine containing five cartridges, seven other cartridges of 30 bore and one packet charas (Gardah) weighing 1000 grams, two mobiles and Rs.18,320/- were also recovered. Shafiur Rehman disclosed that he was owner of the vehicle. Recovery memo and murasila to this effect were prepared which resulted into registration of instant case vide FIR No.392.

I have gone through the record of the case in the light of arguments.

Perusal of the record would reveal that two KG of charas was recovered from the petitioner namely Zaibur Rehman and one KG of charas was recovered from the petitioner namely Shafiur Rehman. As per contents of murasila the local police acted on spy information, however, no effort on the part of police appears to have been made to obtain search warrants. Furthermore, nothing is available on the record to suggest that any information was communicated to the higher police officials in terms of section 21(b) Control of Narcotic Substances Act. Record would reveal that parcels have also not been communicated to the FSL. As far as recovery of pistol is concerned, the case does not attract the prohibitory clause of section 497 Cr.PC. Even otherwise, the case is one of further inquiry. As such, this bail application is accepted. Petitioners be

N/R



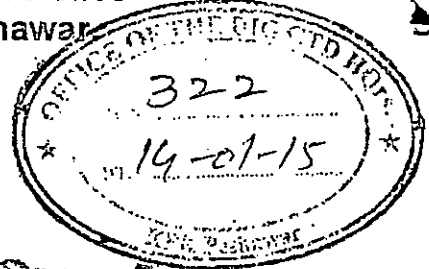


46

Phone: 091-9211947  
Fax: 091-9211947

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Office of the Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar



No. /E&I, dated Peshawar the 13 /01/2015  
To: The Regional Police Officer,  
Hazara.  
The Assistant Inspector General of Police,  
Establishment, CPO Peshawar.

Subject: COMPLAINT AGAINST IBC SHAFI-UR-RAHMAN NO. 207 OF CTD, HAZARA REGION FOR HIS INVOLVEMENT IN SMUGGLING OF CHARS AND POSSESSING A MOTORCAR OF TEMPERED CHAISES NUMBER

Memo:

In continuation this office letter No. 43-44/E&I dated 06.01.2015, on the subject cited above.

2. It has reliably reported that on 30.10.2014 during Nakabandi local Police of Police Station Shinkairi has recovered 03 Kg Chars and 01 Pistol 30 bore from the possession of Zaib-ur-Rahman and Shafi-ur-Rahman (an employee of CTD Battagram). During interrogation accused Shafi-ur-Rahman disclosed that he is serving in CTD and has earlier remained in another case of smuggling vide case FIR No. 553 dated 02.05.2014 u/s 9C-CNSA. Police Station Cantt: Abbottabad.

3. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against Head Constable for his direct involvement in two different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfillment of all codal formalities Head Constable Shafi-ur-Rahman was found guilty of the allegations leveled against him and the enquiry officer recommended him for major punishment. During enquiry Head Constable Shafi-ur-Rahman is found guilty of gross misconduct and he is recommended for major penalty but Head Constable Shafi-ur-Rahman is serving on deputation basis in CTD and FRP is his parent department.

4. On perusal the above report the Worthy IGP has passed the following remarks:-  
❖ Orders be issued for repatriation to district Battagram with direction to DPO Battagram to issue him Show Cause Notice and to remove him from service in the light of findings of enquiry officer.  
❖ He is placed under suspension.  
5. It is therefore, requested that above directions may be complied and report/final outcome be communicated to this office for the perusal of Worthy IGP.

AZAD KHAN TSt, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

No: 122-25

/E&I,  
Copy of above is forwarded for information to:-

1. The Addl: IGP/Operations, Khyber Pakhtunkhwa with reference to his letter No. 4315-16/R/Ops dated 11.11.2014.
2. The Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa with reference to his letter Endst: No.20606/EC/CTD dated 11.12.2014.
3. The Deputy Commandant FRP with reference to his letter No. 14/PA dated 08.01.2014.
4. The PSO to Worthy IGP.

SP Admin  
PA/EC  
13/1/15

AZAD KHAN TSt, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

SP Admin  
CTD HQrs  
KPK Peshawar  
15-1-2015

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From: The Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

To: The Deputy Inspector General of Police,  
E & I, Khyber Pakhtunkhwa Peshawar.

No: 14 /PA, dated Peshawar the 28/01/2015.

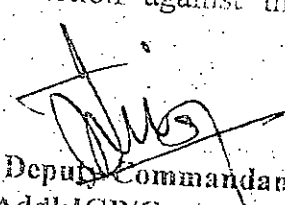
Subject: COMPLIANT AGAINST IHC SHAFI UR REHMAN NO. 207  
OF CTD HAZARA REGION FOR HIS INVOLVEMENT IN  
SMUGGLING OF CHARS AND POSSESSING A MOTOR CAR  
OF TEMPERED CHAISES NUMBER.

Memo:

Kindly refer to your office Memo: No. 43-44/E&I dated 06.01.2015  
on the subject cited above.

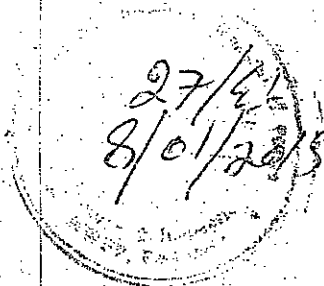
From the perusal of official record it came to light that on the  
completion of normal tenure at FRP, IHC Shafi-ur-Rehman was transferred to his  
Parent District Battagram in the year 2000. Later-on he was transferred from  
District Battagram and posted as on deputation basis to CTD Abbottabad, having  
Constabulary No. 237.

It is therefore, requested that CTD authorities Abbottabad may very  
kindly be address for taking proper departmental action against the official  
concerned.

  
Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

No: / /PA, dated Peshawar the / /2015.  
Copy of above is forwarded to the DIG/Police CTD Khyber Pakhtunkhwa  
Peshawar for information.

Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.



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OFFICE OF THE DISTRICT POLICE OFFICER, BATTAGRAM

FINAL SHOW CAUSE NOTICE

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

I, Jehanzeb Khan, District Police Officer, Battagram, as Competent Authority under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules-1975, Removal from Service do hereby you Head Constable Shafi Ur Rehman No. 14 as follow:-

1.

As per report received from DSP CTD Battagram on 30.10.2014. you Head Constable Shafi ur rehman No. 14 alongwith another person namely Zaib ur Rehman were on way from Battagram to Manshira traveling in Alto Motor Car bearing registration No. 4797/RNG. You were stopped by SHO Shinkyari near Khanpur and carried out your personal search. One KG Charras alongwith one-30 Bore Pistol and 12- rounds were recovered from your possession while 2- KG Charras was also recovered from your companion a proper case vide FIR No. 392 dated 30.10.2014 U/S 9C-CNSA Police Station Shinkyari against you.

2.

It has reliably reported that on 30.10.2014 during Nakabandi local Police of Police Station Shinkyari as recovered 3-KG Charras and 30-bore Pistol from the possession of Zaib ur Rehman and Shafi ur Rehman (an employ of CTD Battagram). During interrogation accused ~~Shafi ur Rehman~~ <sup>you</sup> disclosed that ~~he is serving in CTD and~~ <sup>you are</sup> earlier remained in another case of smuggling vide case FIR No. 553 dated 02.05.2014 U/S 9C-CNSA Police Station Cantt Abbottabad. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against ~~Head Constable~~ <sup>you</sup> for his direct involvement in 2- different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfillment of all codel formalities ~~Head Constable Shafi ur Rehman~~ <sup>we</sup> was found guilty of the allegation leveled against ~~him~~ <sup>you</sup> for and the enquiry officer recommended ~~him~~ <sup>you</sup> for major penalty. Your this act is gross misconduct and liable to be punishment.

3. On going through the findings and recommendation of the enquiry officer, material on the record, reply of the charge sheet/summary of allegations and other connected papers, I am satisfied that you have committed the following acts/omissions specified in rule 5 (3) KPK, Police Rules-1975.

447 A

4. That consequent upon the completion of enquiry conducted against you by the enquiry officer for which you were given opportunity of hearing but you failed to defend the enquiry proceedings. The enquiry deemed it necessary to take ex parte action against you.

5. As a result thereof, I as competent authority have tentatively decided to impose upon you the penalty of major punishment under the above rules.

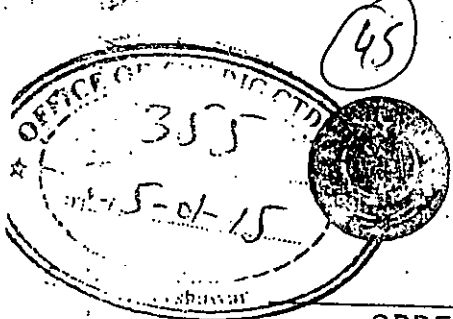
6. You are therefore directed to Final Show Cause as to why the aforesaid penalty should not be imposed upon you.

7. If no reply to the notice is received within seven days of its delivery in the normal course it shall be presumed that you have no defense to put in and in the case an ex parte action shall be taken against you.

(JEHAN ZEB KHAN,  
District Police Officer,  
Battagram.  
(Competent Authority)

Received By: MC Shafi ur Rehman No. 14

Dated. /2015




OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
CENTRAL POLICE OFFICE, PESHAWAR

46

ORDER

IHC Shafi-ur-Rehman No. 207 of FRP Khyber Pakhtunkhwa on deputation to CTD Khyber Pakhtunkhwa is hereby repatriated to his parent unit FRP Khyber Pakhtunkhwa with immediate effect.

  
(SYED FIDA HASSAN SHAH)  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa  
Peshawar.

No. 626-28 /E-IV dated Peshawar the 14/1/2014

Copy of above is forwarded for information and necessary action to the:-

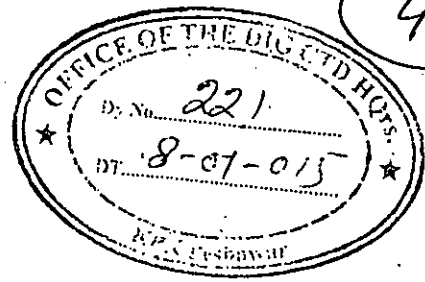
1. Addl: IGP/Commandant FRP Khyber Pakhtunkhwa Peshawar. (With direction to Dy: Commandant FRP KPK to issue him Show Cause Notice and to remove him from service in the light of findings of enquiry officer. He is placed under suspension. Action to be completed by 12.01.2015)
2. Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa Peshawar.
3. Deputy Inspector General of Police, Enquiry & Inspection Khyber Pakhtunkhwa Peshawar.

OS/EC/PA

DIG/CTD  
15/1/15

46

47



From: The Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

To: The Deputy Inspector General of Police,  
E & I, Khyber Pakhtunkhwa Peshawar.

No: 15 /PA, dated Peshawar the 08/01 /2015.

Subject: COMPLAINT AGAINST IIC SHAFI UR REHMAN NO. 207  
OF CTD HAZARA REGION FOR HIS INVOLVEMENT IN  
SMUGGLING OF CHARS AND POSSESSING A MOTOR CAR  
OF TEMPERED CHAISES NUMBER.

Memo:

Kindly refer to your office Memo: No. 43-44/E&I dated 06.01.2015 on the subject cited above.

From the perusal of official record it came to light that on the completion of normal tenure at FRP, IIC Shafi-ur- Rehman was transferred to his Parent District Battagram in the year 2000. Later-on he was transferred from District Battagram and posted as on deputation basis to CTD Abbottabad, having Constabulary No. 237.

It is therefore, requested that CTD authorities Abbottabad may very kindly be address for taking proper departmental action against the official concerned.

Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

No: 15 /PA, dated Peshawar the 08/01 /2015.

Copy of above is forwarded to the DIG/Police CTD Khyber Pakhtunkhwa Peshawar for information.

Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

PA/EC

4P

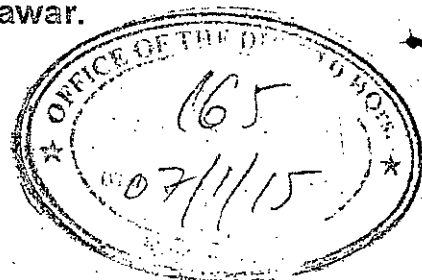


47

Phone: 091-9211947  
Fax: 091-9211947

48

**Office of the Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar.**



No. /E&I, dated Peshawar the 06/01/2015  
To: The Assistant Inspector General of Police,  
Establishment, CPO Peshawar.  
The Deputy Commandant,  
Frontier Reserve Police,  
Khyber Pakhtunkhwa, Peshawar  
Subject: **COMPLAINT AGAINST IHC SHAFI-UR-RAHMAN NO. 207 OF CTD,  
HAZARA REGION FOR HIS INVOLVEMENT IN SMUGGLING OF CHARS  
AND POSSESSING A MOTORCAR OF TEMPERED CHAISES NUMBER**  
Memo:

It has reliably reported that on 30.10.2014 during Nakabandi local Police of Police Station Shinkairi has recovered 03 Kg Chars and 01 Pistol 30 bore from the possession of Zaib-ur-Rahman and Shafi-ur-Rahman (an employee of CTD Battagram). During interrogation accused Shafi-ur-Rahman disclosed that he is serving in CTD and has earlier remained in another case of smuggling vide case FIR No. 553 dated 02.05.2014 u/s 9C-CNSA Police Station Cantt: Abbottabad.

2. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against Head Constable for his direct involvement in two different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfilment of all codal formalities Head Constable Shafi-ur-Rahman was found guilty of the allegations leveled against him and the enquiry officer recommended him for major punishment. During enquiry Head Constable Shafi-ur-Rahman is found guilty of gross misconduct and he is recommended for major penalty but Head Constable Shafi-ur-Rahman is serving on deputation basis in CTD and FRP is his parent department.

3. On perusal the above report the Worthy IGP has passed the following remarks:-
- ❖ Orders be issued for repatriation to FRP with direction to Deputy Commandant FRP to issue him Show Cause Notice and to remove him from service in the light of findings of enquiry officer.
  - ❖ He is placed under suspension.
  - ❖ Action to be completed by 12.01.2015.

4. It is therefore, requested that above directions may be complied and report/final outcome be communicated to this office for the perusal of Worthy IGP.

**AZAD KHAN TSst, PSP**  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

No: 45-47 /E&I,  
Copy of above is forwarded for information to:-

1. The Addl: IGP/Operations, Khyber Pakhtunkhwa with reference to his letter No. 4315-16/R/Ops dated 11.11.2014.
2. The Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa with reference to his letter Endst: No.20606/EC/CTD dated 11.12.2014.
3. The PSO to Worthy IGP.

EC/PA

Q

DIG/CTD

**AZAD KHAN TSst, PSP**  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

48

49

**OFFICE OF THE,  
DY: INSPECTOR GENERAL OF POLICE,  
COUNTER TERRORISM DEPARTMENT,  
KHYBER PAKHTUNKHWA, PESHAWAR.**

No. 20605/EC, dated Peshawar the 11-12/2014.

To: - The Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

SUBJECT: - REPATRIATION OF LOWER SUBORDINATE


(AEMO:

As reported by DSP CTD, Battagram that Head Constable Shafi-Ur Rehman along with other persons were travelling in Alto Motorcar bearing registration number 4797/RND were stopped by SHO Shankiari to carried out personal search and recovered 1 kg Chars alongwith 30 bore pistol and 12 rounds while 2 Kg was also recovered from his companion vide case FIR No 392 dated 30.10.2014 u/s 9C-CNSA PS Shinkari District Mansehra.

In this regard Superintendent of Police CTD Hazara Region was directed to initiate proper Departmental Enquiry against him vide this Office Endst: No 19134-35/PA dated 24.11.2014. The Enquiry Officer has completed the enquiry and suggested for punishment under the relevant Police Rules duly agreed by SP, CTD Hazara Region and recommended for awarding him Major Punishment.

It is therefore, requested that he may please be repatriated to his parent Unit i.e FRP, Khyber Pakhtunkhwa, Peshawar with the recommendation to proceed further into the matter by awarding him Major Punishment in light of the enquiry.

His Enquiry File consisting upon 44 pages are annexed for favour of onward dispatch to Commandant FRP, Peshawar for further disposal under intimation to this Office, please.

  
Deputy Inspector General of Police,  
CTD, Khyber Pakhtunkhwa,  
Peshawar.

No. 20606/EC/CTD

Dated Peshawar the 11-12/2014.

Copy of above is forwarded to the Deputy Inspector General of Police, Enquiry & Inspection Khyber Pakhtunkhwa, Peshawar with reference to his office Endst: No 1754-57/E&I dated 18.11.2014.



(49)


(80)

ORDER

As reported by DSP/CTD Batagram that Head Constable Shafi-ur-Rehman of CTD Batagram Hazara Region has been involved in case FIR No. 392 dated 30/10/2014 u/s 9-G CCNSA/15-AA Police Station Shikiari District Mansehra. Therefore, the Head Constable is hereby placed under suspension and closed to Regional HQ CTD Hazara with immediate effect.

SP/CTD Hazara is hereby directed to initiate proper departmental proceedings against the above named HC and final report in the enquiry be intimated to this office within the stipulated period.

O.B.No. 229  
Dated 31/10/2014

  
Deputy Inspector General of Police,  
CTD Khyber Pakhtunkhwa  
Peshawar

No. 11168-72 /PA dated Peshawar the 31/10/2014.

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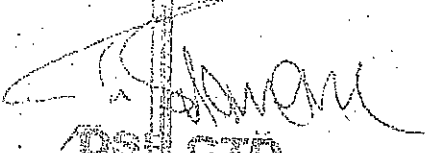
1. The Superintendent of Police, CTD Hazara Region.
2. The Superintendent of Police, Admn: CTD HQ Peshawar.
3. Acctt: OSI & S.

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ڈی ایف

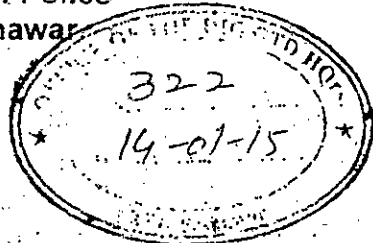
ایس ڈی ایف نے ریٹرنز کو قبول کرنا شروع کیا۔ اس کے ساتھ ساتھ ریٹرنز کے لئے  
 ایک خاص ٹیم تشکیل دی گئی ہے۔ اس ٹیم کے سربراہان کے نام درج ذیل ہیں۔  
 ایس ڈی ایف نے ریٹرنز کو قبول کرنا شروع کیا۔ اس کے ساتھ ساتھ ریٹرنز کے لئے  
 ایک خاص ٹیم تشکیل دی گئی ہے۔ اس ٹیم کے سربراہان کے نام درج ذیل ہیں۔  
 ایس ڈی ایف نے ریٹرنز کو قبول کرنا شروع کیا۔ اس کے ساتھ ساتھ ریٹرنز کے لئے  
 ایک خاص ٹیم تشکیل دی گئی ہے۔ اس ٹیم کے سربراہان کے نام درج ذیل ہیں۔  
 ایس ڈی ایف نے ریٹرنز کو قبول کرنا شروع کیا۔ اس کے ساتھ ساتھ ریٹرنز کے لئے  
 ایک خاص ٹیم تشکیل دی گئی ہے۔ اس ٹیم کے سربراہان کے نام درج ذیل ہیں۔  
 ایس ڈی ایف نے ریٹرنز کو قبول کرنا شروع کیا۔ اس کے ساتھ ساتھ ریٹرنز کے لئے  
 ایک خاص ٹیم تشکیل دی گئی ہے۔ اس ٹیم کے سربراہان کے نام درج ذیل ہیں۔  
 ایس ڈی ایف نے ریٹرنز کو قبول کرنا شروع کیا۔ اس کے ساتھ ساتھ ریٹرنز کے لئے  
 ایک خاص ٹیم تشکیل دی گئی ہے۔ اس ٹیم کے سربراہان کے نام درج ذیل ہیں۔



DS - CTD  
 BAIT - GAAM  
 30 / 0 / 2014

53

Office of the Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar



No. /E&I, dated Peshawar the 13/01/2015  
To: The Regional Police Officer,  
Hazara.  
The Assistant Inspector General of Police,  
Establishment, CPO Peshawar.

Subject: **COMPLAINT AGAINST IHC SHAFI-UR-RAHMAN NO. 207 OF CTD, HAZARA REGION FOR HIS INVOLVEMENT IN SMUGGLING OF CHARS AND POSSESSING A MOTORCAR OF TEMPERED CHAISES NUMBER**

Memo:

In continuation this office letter No. 43-44/E&I dated 06.01.2015, on the subject cited above:

2. It has reliably reported that on 30.10.2014 during Nakabandi local Police of Police Station Shinkairi has recovered 03 Kg Chars and 01 Pistol 30 bore from the possession of Zaib-ur-Rahman and Shafi-ur-Rahman (an employee of CTD Battagram). During interrogation accused Shafi-ur-Rahman disclosed that he is serving in CTD and has earlier remained in another case of smuggling vide case F.I.R No. 555 dated 02.05.2014 w/s 9C-CNSA Police Station Cantt. Abbottabad.
3. On receiving these information DIG CTD directed SP CTD Hazara to initiate departmental enquiry against Head Constable for his direct involvement in two different heinous nature cases. As per direction of DIG CTD, proper departmental enquiry was conducted after fulfillment of all codal formalities Head Constable Shafi-ur-Rahman was found guilty of the allegations leveled against him and the enquiry officer recommended him for major punishment. During enquiry Head Constable Shafi-ur-Rahman is found guilty of gross misconduct and he is recommended for major penalty but Head Constable Shafi-ur-Rahman is serving on deputation basis in CTD and FRP is his parent department.
4. On perusal the above report the Worthy IGP has passed the following remarks:
  - ❖ Orders be issued for repatriation to district Battagram with direction to DPO Battagram to issue him Show Cause Notice and to remove him from service in the light of findings of enquiry officer.
  - ❖ He is placed under suspension.
5. It is therefore, requested that above directions may be complied and report/final outcome be communicated to this office for the perusal of Worthy IGP.

AZAD KHAN TSr, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

No. 122-25 /E&I,

Copy of above is forwarded for information to:-

1. The Addl: IGP/Operations, Khyber Pakhtunkhwa with reference to his letter No. 4315-16/R/Ops dated 11.11.2014.
2. The Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa with reference to his letter Endst: No.20606/EC/CTD dated 11.12.2014.
3. The Deputy Commandant, FRP with reference to his letter No. 14/PA dated 08.01.2014.
4. The PSO to Worthy IGP.

AZAD KHAN TSr, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

SP/Admn:  
PA/EC  
13/1/15

53

54

From: The Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

To: The Deputy Inspector General of Police,  
I & I, Khyber Pakhtunkhwa Peshawar.

No: 14 /PA, dated Peshawar the 08/01/2015.

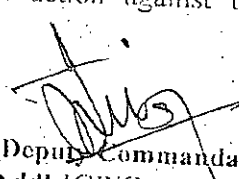
Subject: COMPLIANT AGAINST IIC SHAFI UR REHMAN NO. 207  
OF CTD HAZARA REGION FOR HIS INVOLVEMENT IN  
SMUGGLING OF CHARS AND POSSESSING A MOTOR CAR  
OF TEMPERED CHAISES NUMBER.

Memo:

Kindly refer to your office Memo: No. 43-44/I&I dated 06.01.2015  
on the subject cited above.

From the perusal of official record it came to light that on the  
completion of normal tenure at FRP, IIC Shafi-ur-Rehman was transferred to his  
Parent District Battagram in the year 2000. Later-on he was transferred from  
District Battagram and posted as on deputation basis to CTD Abbottabad, having  
Constabulary No. 237.

It is therefore, requested that CTD authorities Abbottabad may very  
kindly be address for taking proper departmental action against the official  
concerned.

  
Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

No: /PA, dated Peshawar the / /2015.  
Copy of above is forwarded to the DIG/Police CTD Khyber Pakhtunkhwa  
Peshawar for information.

Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

27/11  
8/01/2015

54

85

From: The Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

To: The Deputy Inspector General of Police,  
I. & I, Khyber Pakhtunkhwa Peshawar.

No: 14 /PA, dated Peshawar the 08/01/2015.


Subject: COMPLIANT AGAINST IIC SHAFI UR REHMAN NO. 207  
OF CTD HAZARA REGION FOR HIS INVOLVEMENT IN  
SMUGGLING OF CHARS AND POSSESSING A MOTOR CAR  
OF TEMPERED CHAISES NUMBER.

Memo:

Kindly refer to your office Memo: No. 43-44/I&I dated 06.01.2015 on the subject cited above.

From the perusal of official record it came to light that on the completion of normal tenure at FRP, IIC Shafi-ur- Rehman was transferred to his Parent District Battagram in the year 2009. Later-on he was transferred from District Battagram and posted as on deputation basis to CTD Abbottabad, having Constabulary No. 237.

It is therefore, requested that CTD authorities Abbottabad may very kindly be address for taking proper departmental action against the official concerned.



Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

No: / PA, dated Peshawar the /2015.  
Copy of above is forwarded to the DIG/Police CTD Khyber Pakhtunkhwa Peshawar for information.

Deputy Commandant  
For: Addl:IGP/Commandant,  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar.

27/01  
8/01/2015

55

56

**OFFICE OF THE,  
DY: INSPECTOR GENERAL OF POLICE,  
COUNTER TERRORISM DEPARTMENT,  
KHYBER PAKHUNKHWA, PESHAWAR.**

No. 20605/EC, dated Peshawar the 11-12/2014.

To: - The Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

SUBJECT: - REPATRIATION OF LOWER SUBORDINATE


MEMO:

As reported by DSP CTD, Battagram that Head Constable Shafi Ur Rehman along with other persons were travelling in Alto Motorcar bearing registration number 4797/RND were stopped by SHO Shankiari to carried out personal search and recovered 1 kg Chars alongwith 30 bore pistol and 12 rounds while 2 Kg was also recovered from his companion vide case FIR No 392 dated 30.10.2014 u/s 9C-CNSA PS Shinkari District Mansehra.

In this regard Superintendent of Police CTD, Hazara Region was directed to initiate proper Departmental Enquiry against him vide this Office Endst: No 19134-35/PA dated 24.11.2014. The Enquiry Officer has completed the enquiry and suggested for punishment under the relevant Police Rules duly agreed by SP, CTD Hazara Region and recommended for awarding him Major Punishment.

It is therefore, requested that he may please be repatriated to his parent Unit i.e FRP, Khyber Pakhtunkhwa, Peshawar with the recommendation to proceed further into the matter by awarding him Major Punishment in light of the enquiry.

His Enquiry File consisting upon 44 pages are annexed for favour of onward dispatch to Commandant FRP, Peshawar for further disposal under intimation to this Office, please.

  
Deputy Inspector General of Police,  
CTD, Khyber Pakhtunkhwa,  
Peshawar.

No. 20606/EC/CTD

Dated Peshawar the 11-12/2014.

Copy of above is forwarded to the Deputy Inspector General of Police, Enquiry & Inspection Khyber Pakhtunkhwa, Peshawar with reference to his office Endst: No 1754-57/E&I dated 18.11.2014.

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7159  
4-12-14  
ENCL-33

From: The Superintendent of Police,  
CTD, Hazara Region Abbottabad.

To: The Deputy Inspector General of Police,  
CTD, Khyber Pakhtune Khawa Peshawar.


No: 502 /R dated 3 /12/2014.

Subject: DEPARTMENTAL PROCEEDING.

Memo:

Kindly refer to your office Letter No.11168-72/PA dated 31-10-2014, 11188-95/PA dated 31-10-2014 followed by letter Endst.No.19134-35/PA/CTD dated 24-11-2014.

The Departmental enquiry of Head Constable Shafi Ur Rehman No.237 CTD Battagram containing 33 Leaves is submitted for kind perusal as desired please.

  
Superintendent of Police,  
CTD, Hazara Region Abbottabad.  
M

PA/EC. ✓

  
DIG/CTD



57

58

**OFFICE OF THE,  
DY: INSPECTOR GENERAL OF POLICE,  
COUNTER TERRORISM DEPARTMENT,  
KHYBER PAKHUNKHWA, PESHAWAR.**

No. 20605/EC, dated Peshawar the 11-12/2014.

To: - The Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

SUBJECT: - REPATRIATION OF LOWER SUBORDINATE


MEMO:

As reported by DSP CTD, Battagram that Head Constable Shafi Ur Rehman along with other persons were travelling in Alto Motorcar bearing registration number 4797/RND were stopped by SHO Shankicri to carried out personal search and recovered 1 kg Chars alongwith 30 bore pistol and 12 rounds while 2 Kg was also recovered from his companion vide case FIR No 392 dated 30.10.2014 u/s 9C-CN5A PS Shinkari District Mansehra.

In this regard Superintendent of Police CTD Hazara Region was directed to initiate proper Departmental Enquiry against him vide this Office Endst: No 19134-35/PA dated 24.11.2014. The Enquiry Officer has completed the enquiry and suggested for punishment under the relevant Police Rules duly agreed by SP, CTD Hazara Region and recommended for awarding him Major Punishment.

It is therefore, requested that he may please be repatriated to his parent Unit i.e FRP, Khyber Pakhtunkhwa, Peshawar with the recommendation to proceed further into the matter by awarding him Major Punishment in light of the enquiry.

His Enquiry File consisting upon 44 pages are annexed for favour of onward dispatch to Commandant FRP, Peshawar for further disposal under intimation to this Office, please.

  
Deputy Inspector General of Police,  
CTD, Khyber Pakhtunkhwa,  
Peshawar.

No. 20606/EC/CTD

Dated Peshawar the 11-12/2014.

Copy of above is forwarded to the Deputy Inspector General of Police, Enquiry & Inspection Khyber Pakhtunkhwa, Peshawar with reference to his office Endst: No 1754-57/E&I dated 18.11.2014.



Phone: 091-9211947  
Fax: 091-9211947

Office of the Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar.

89

No. /E&I, dated Peshawar the 13/11/2014

To: The Regional Police Officer,  
Hazara

Subject: **SPECIAL REPORT CASE FIR NO. 392 DATED 30.10.2014 U/S 9C-CI  
POLICE STATION SHINKIARI, MANSEHRA**

Memo:

1. Please refer to DPO Mansehra letter No. 15157/GB dated 31.10.2014, or subject cited above.
2. While perusing DPO Mansehra letter under reference, the Worthy IGP passed the following remarks:  
"Proper departmental proceedings need to be initiated against the accused Head Constable"
3. It is therefore, requested that above remarks of Worthy IGP may be com and final outcome of the enquiry may be communicated to this office.

AZAD KHAN TSt, PSP  
DIG/Enquiry & Inspection  
For Inspector General of Police  
Khyber Pakhtunkhwa,  
Peshawar

OFFICE OF THE DIG/CTD KHYBER PAKHTUNKHWA PESHAWAR.

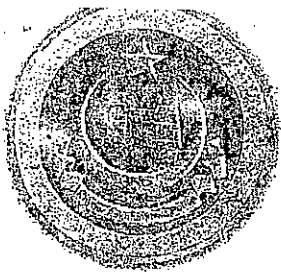
No. 19134-35/PA/CTD dated Peshawar the 24-11/2014.

Copy of above is forwarded for information to:-

1. The DIG, of Police, Enquiry & Inspection, CPO, Peshawar, w/r to his office letter No. 1754 quoted above. DL 18/11/2014.
2. The SP CTD Hazara Region for necessary action with reference to this office order issued over endst: No. 11168-72/PA dated 31-10-2014. He is directed to complete the enquiry proceedings already initiated against the above named HC and final outcome be intimated to this office for onward submission to CPO, Peshawar.

Deputy Inspector General of Police,  
CTD, Khyber Pakhtunkhwa,  
Peshawar.

o/c



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No: 1504/PK

06/11/14

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE, (PPO)  
KHYBER PAKHTUNKHWA, PESHAWAR

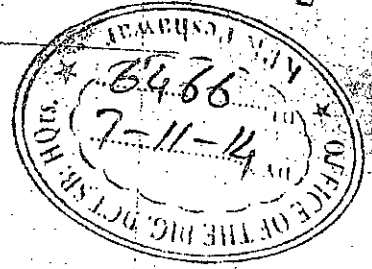
No. 4943-44R/(Ops)

Ph# 091-9213261

Dated: 06/11/2014

Fax# 091-9223480

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To: The Deputy Inspector General of Police,  
CTD, Khyber Pakhtunkhwa Peshawar.

Subject: Source report (district: Battagram)

Dear Sir,

Enclosed please find herewith source report regarding HC CTD Shaif us  
Rehman District Manshara. Upon perusal the Police Chief Khyber Pakhtunkhwa has  
recorded the following remarks which are reproduced as below:-

"Please take immediate action against the Official. If he is guilty he should  
be removed from Service".

Encl: 01 page

(Principal Staff Officer)  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

C.C:

- i. The WIGP Khyber Pakhtunkhwa for favour of kind information please

SP CTD Hazara

For immediate action with reference

To this office letter no 11168-72/PA Dt: 31/10/2014.

*[Signature]*  
DIG/CTD

PA

4943-44

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Worthy PPO Eyes

(ضلع بگرام)

130 اکتوبر، بوقت 1700 بجے، ضلع بگرام کے CTD (کاؤنٹر ٹیراریزم ڈیپارٹمنٹ) کے اہلکار HC شفیع الرحمن کو بمقام شکیاری ضلع ماٹھہ پولیس نے گرفتار کر کے مذکورہ سے ایک ٹکڑے، ایک عدد پستول بمعدہ 12 عدد کارتوس برآمد کر کے مقدمہ درج کیا۔

DIS/CTD

pl. be would  
act against  
the interest  
of the country  
they should be removed  
from service  
P.S.D.

(61)

**ORDER**

As reported by DSP/CTD Batagram that Head Constable Shafi-ur-Rehman of CTD Batagram Hazara Region has been involved in case FIR No. 392 dated 30/10/2014 u/s 9-G CCNSA/15-AA Police Station Shikiari District Mansehra. Therefore, the Head Constable is hereby placed under suspension and closed to Regional HQ CTD Hazara with immediate effect.

SP/CTD Hazara is hereby directed to initiate proper departmental proceedings against the above named HC and final report in the enquiry be intimated to this office within the stipulated period.

O.B.No. 229  
Dated 31/10/2014

(62)

Deputy Inspector General of Police,  
CTD Khyber Pakhtunkhwa  
Peshawar

No. 11168-72/PA dated Peshawar the 31/10/2014.

Copy to:-

1. The Superintendent of Police, CTD Hazara Region.
  2. The Superintendent of Police, Admn: CTD HQ Peshawar.
  3. Acctt: OSI & SRC.
- o/c

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DY: INSPECTOR GENERAL OF POLICE,  
COUNTER TERRORISM DEPARTMENT,  
KHYBER PAKHUNKHWA, PESHAWAR

No. 11186 /PA  
dated 31/10/2014.

To  
The Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

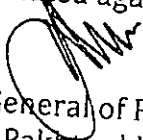
Subject: - **DEPARTMENTAL ACTION AGAINST DSP NIAZ GUL**

On 30/10/2014 Mr. Niaz Gul DSP/DFU Batagram intimated this office that one Head Constable Shafi-ur-Rehman No. 237 of DFU Batagram Hazara Region along-with another person namely Zaib Rehman were on the way from Batagram to Mansehra in Alto Motor Car bearing registration No. 1797-RNG. They were stopped by SHO PS Shinkiari near Khanpur and during body search 01-KG Chars along-with one 30-bore pistol Pak made and 12-cartridges were recovered from the possession of Shafi-ur-Rehman while 02-KG chars was recovered from the possession of Zeb Rehman. A proper case vide FIR No. 392, dated 30/10/2014 u/s 9-G CNSA PS Shinkiary was registered against them. HC Shafi-ur-Rehman No. 237 was placed under suspension and SP/CTD Hazara was directed to initiate proper departmental proceedings against the defaulter official.

It is pertinent to mention here that the above named HC was previously also involved vide case FIR No. 553, dated 27/05/2014 u/s 9-C CNSA PS Cantt: Abbottabad.

The supervisory officers of CTD Khyber Pakhtunkhwa were time and again strictly directed by the undersigned to keep close watch on the activities of their subordinates but Mr. Niaz Gul DSP/DFU Batagram did not report regarding the involvement of the above named HC. This shows that either the DSP is not interested in his duties and is unable to supervise his subordinates or he himself is involved in such kind of illegal and immoral activities.

It is therefore, requested that Mr. Niaz Gul DSP/DFU CTD Batagram may please be closed to CPO and proper departmental enquiry may be initiated against him.

  
Deputy Inspector General of Police,  
CTD Khyber Pakhtunkhwa  
Peshawar



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31/10/14

POLICE DEPARTMENT

DISTRICT MANSEHRA

Office of the DPO, Mansehra, No. \_\_\_\_\_ /GB, dated Mansehra the 31 /10/2014

From: The District Police Officer,  
Mansehra.

To: The Regional Police Officer,  
Hazara Region Abbottabad.

Subject: SPECIAL REPORT - CASE FIR NO.392, DATED 30-10-2014 U/S  
9C-CNSA PS SHINKIAR

Memorandum.

It is submitted that on 30-10-2014 during Nakabandi at Khanpur District local Police of PS Shinkiar has recovered 3 KG Charas and 01 pistol 36 bore from the possession of accused persons namely Zaib ur Rehman s/o Zaib ur Rehman and Shafi ur Rehman s/o Sarfaraz r/o Malkot Gajori Battagram who were boarded in Motor Car Alto No RNC 4797

During interrogation accused Shafi ur Rehman disclosed that he is employee of Police Department and serving as Head Constable No.237 in CTD Battagram. Moreover the said head constable was also involved in case FIR No.553 dated 02-05-2014 U/S 9C-CNSA PS Cantt Abbottabad. Further investigation is in progress please.

Submitted for favour of information please.

District Police Officer  
Mansehra

No. \_\_\_\_\_ /GB

Copy submitted to the:

- 1) Inspector General of Police Khyber Pakhtunkhwa, Peshawar
- 2) Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa Peshawar.

District Police Officer  
Mansehra

PA  
Address to CPO.

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DIG/CTD