

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

Service Appeal No. 387 /2023

**SCANNED
KFST
Peshawar**

Ahmad Ali.....Appellant

VERSUS

Deputy Commandant FRP, KP and others ,....Respondents

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Appellant

Through

Shah Faisal Ilyas
Shah Faisal Ilyas

Advocate

Supreme Court of Pakistan

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 387 /2023

Ahmad Ali S/o Wali Muhammad
R/o Mohallah Tahan Cham, P/o Lahor Raporay,
Tehsil Lahor District Swabi,
Ex-FC# 763 FRP KP, Peshawar.

.....(Appellant)

VERSUS

1. Deputy Commandant FRP, Khyber Pakhtunkhwa, Peshawar.
2. Commandant Frontier Rescue Police, Khyber Pakhtunkhwa, Peshawar.
3. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

.....(Respondents)

APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICE TRIBUNAL ACT
1974, AGAINST THE IMPUGNED ORDER
DATED 03.12.2021 PASSED BY THE
RESPONDENT NO.1, WHEREBY MAJOR
PUNISHMENT OF REMOVAL FROM SERVICE
IS IMPOSED AND THEREAFTER
DEPARTMENTAL APPEAL WAS DISMISSED
ON 25.01.2022 AND ALSO REVISION
PETITION WAS DISMISSED VIDE ORDER
DATED 09.02.2023, HENCE THE SAME IS
IMPUGNED FOR SETTING ASIDE.

Respectfully Sheweth:

Facts giving rise to the instant appeal are as under:-

1. That appellant was serving as a constable in the FRP Khyber Pakhtunkhwa, Peshawar.
2. That the respondent is the administering staff and authority responsible for supervision, operation and management of appellant.
3. That appellant was performing his duty with zeal and dedication as constable and was falsely charged in case FIR No.84 & 674 dated 05.02.2020 and 17.09.2021 registered at P.S Chota Lahore u/s 9-C & 9-D CNSA, respectively.
4. That the respondents without waiting for the fate of the trial and without initiating proper inquiry imposed major penalty of removal from service on the back of the appellant. (Copy of impugned order dated 03.12.2021 is attached as Annexure "B")
5. That being dissatisfied from the order dated 03.12.2021 issued by respondent No.1, the petitioner filed Departmental Appeal/representation before respondent No.2, but the same was dismissed vide order dated 25.01.2022. (Copy of order dated 25.01.2022 and departmental appeal are attached as Annexure "A")

6. That feeling aggrieved from both the orders, appellant filed a Revision petition to respondent No.3, which was also dismissed. (Copy of memo of revision petition and order dated 09.02.2023 is attached as Annexure "B")
7. That now the appellant feeling aggrieved of the impugned orders mentioned above, approaches this hon'ble Tribunal for redressal of his grievances, inter-alia on the following grounds:-

GROUND:

- A. That the appellant is a civil servant belonging to FRP and is aggrieved of the respondent's office orders dated 03.12.2021, 25.01.2022 and 09.02.2023, hence filed instant appeal because the same are passed on surmises and conjectures and the proper law and rules on the subject are not followed.
- B. That similarly the bail application of the appellant is accepted by the competent Court of jurisdiction, where the prosecution could not establish a prima-facie involvement with the alleged commission of offence of the appellant and the Court established that it is a case for further inquiry vide order dated 06.02.2020 and 15.10.2021. (Copies of orders are Annexed C)
- C. That trial in the above mentioned FIRs have been commenced and the involvement of appellant in the alleged commission of

offence has not yet been proved/ decided, while on the basis of mere allegations no one including appellant can be awarded major punishment. On the other hand in the tentative assessment during bail stage the prosecution could not establish a prima-facie case against the appellant.

- D.- That it is worth noticing that no show cause notice is issued to the appellant, it was also mandatory under the law that the opportunity of personal hearing shall be given but the respondents have not offered the said opportunity, which is against the law and fundamental rights of the appellant.
- E. That appellant has been rendering meritorious services having illustrious career, spreading over many years and have earned respect from his seniors in various moments, similarly the integrity of the appellant has never been called into question by anyone in the entire department.
- F. That the impugned action is violative of law alid down by the apex Court, wherein it has been categorically held that dismissal from the service is a major punishment, therefore, major punishment shall be based not only on relevant law and rules but also to be based on some tangible material relating to merit and eligibility which could be lawfully

taken note of. It is, the duty of the competent authority to consider all the material to find out the actual facts of the case.

- G. That authority is to be exercised according to rational reasons, which means that there be finding of primary facts based on good evidence, decisions about facts be made for reasons which serve the purpose of statute in an intelligent and reasonable manner. Actions which do not meet these threshold requirements are considered arbitrary and misuse of power. It is, further submitted that the object of good governance cannot be achieved without application of mind. Such objectives cannot be achieved by exercising discretionary powers unreasonably, arbitrarily and without application of mind. Rather it can be achieved by following rules of justness, fairness and openness in consonance with command of Constitution.
- H. That the impugned action of the official respondents is also repugnant to the Constitution of Islamic Republic of Pakistan, 1973 as the appellant has been treated discriminately by the respondents and similarly appellant has been deprived of his lawful right, hence the impugned action of the respondents is liable to be interfered with on the basis of law laid down by the Superior Courts of Pakistan. Departmental

Authorities are bound to decide the grievance of their subordinates with application of independent judicial mind, fairly, justly and with reasons and those reasons must be communicated to the concerned, whereas, in the instant matter the respondents has acted in sheer violation of natural justice and prescribed law.

- I. That any other ground will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.

It is, therefore, humbly requested that on acceptance of this Service Appeal, the impugned orders dated 03.12.2021, 25.01.2022 and 09.02.2023 may graciously be set-aside and direct the respondents to reinstate the appellant with all back benefits.

Any other relief which deems appropriate fit may also be given/ granted.

Atwood
Appellant

Through

Faisaly
Shah Faisal Ilyas
Advocate Supreme Court

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

Service Appeal No. _____/2023

Ahmad Ali.....Appellant

VERSUS

Deputy Commandant FRP, KP and others ,...Respondents

AFFIDAVIT

I, Ahmad Ali S/o Wali Muhammad R/o Mohallah Tahan Cham, P/o Lahor Raporay, Tehsil Lahor District Swabi, (Appellant) do hereby affirm and declare on oath that the contents of the Appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.



Ahmad
Deponent

CNIC No. 16201-3071581-3
Cell No. _____

8

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

Service Appeal No. _____/2023

Ahmad Ali.....Appellant

VERSUS

Deputy Commandant FRP, KP and others ,...Respondents

ADDRESSES OF PARTIES

APPELLANT

Ahmad Ali S/o Wali Muhammad
R/o Mohallah Tahan Cham, P/o Lahor Raporay,
Tehsil Lahor District Swabi,
Ex-FC# 763 FRP KP, Peshawar.

RESPONDENTS

1. Deputy Commandant FRP, Khyber Pakhtunkhwa,
Peshawar.
2. Commandant Frontier Rescue Police, Khyber
Pakhtunkhwa, Peshawar.
3. Inspector General of Police, Khyber Pakhtunkhwa,
Peshawar.

Ahmad
Appellant

Through

Shah Faisal Ilyas
Shah Faisal Ilyas
Advocate
Supreme Court of Pakistan

O.R.D.E.R.

8A

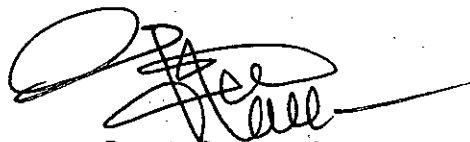
This order will dispose of the Departmental Inquiry against Constable Ahmad Ali No. 763 of FRP/HQrs: Peshawar.

Brief facts of the case are that Constable Ahmad Ali No. 763 of FRP HQrs: Peshawar being involved in criminal case vide FIR No. 674 dated 17.09.2021 u/s 9DCNSA at PS Chota Lahore District Swabi and also absented from lawful duty w.e. from 12.09.2021 to 21.10.2021 for the total period of (38) days without taking any leave / permission of the competent authority. In this regard he was suspended and closed to FRP Lines and DSP FRP HQrs was appointed to conduct departmental inquiry into the matter. The I.O in his findings submitted that the said constable after remained in Jail for (26) days has acquired bail from the Honorable Court. Furthermore, the said constable was previously also involved in case vide FIR No. 84 dated 05.02.2021 u/s 9C-CNSA/11ACNSA at the same Police Station Chota Lahore, District Swabi. He is very notorious for his evil activities and black stigma on the face of Police Force. The I.O recommended that being a member of discipline force, his that act is highly punishable and miss gross conduct.

Later on he was served with a final show cause notice, to which he replied, but not found satisfactory. He has given an ample opportunity of Personal Hearing, but cannot produce any cogent reason.

A secret inquiry is also conducted to check his reputation at his residential area, wherein it came to light that he is involved in the business of narcotics and other addictive items. Being a member of Police Force, he is liable to bring about all necessary measures to control narcotics in the country. Besides this, he is involved in such criminal case for two times and there is no hope from him to be a good police officer in future.

Keeping in view, the above narrated facts, circumstances and in exercise of powers conferred upon me under the Khyber Pakhtunkhwa Police Rules, 1975 (amended in 2014), I, Mr. Jehan Zeb Khan Barki Deputy Commandant Frontier Reserve Police Khyber Pakhtunkhwa being competent authority hereby award him Major punishment of "Dismissal from service" with immediate effect and his absence period is treated as absence from duty.



Deputy Commandant,
Frontier Reserve Police

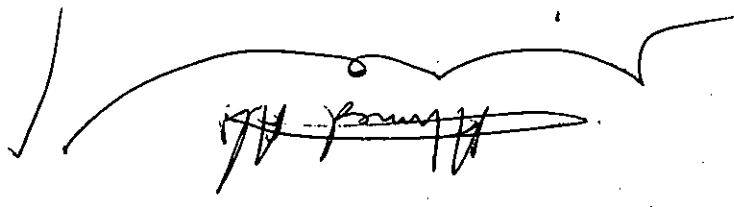
Khyber Pakhtunkhwa Peshawar

No. 2216-20 /PA dated Peshawar, the 03/12 /2021

Copy to the:-

1. Worthy Commandant FRP Khyber Pakhtunkhwa for favor of information.
2. Accountant FRP HQrs
3. SRC/OASI/FRP HQrs: Peshawar.
4. FMC/ FRP/HQrs: Peshawar with original Inquiry file.

کتابخانه ملی افغانستان



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8B

کتابخانه ملی افغانستان

کتابخانه ملی افغانستان

ORDER

9

This order will dispose of the departmental appeal preferred by Ex-constable Ahmad Ali No. 763 of FRP HQrs; against the order of Deputy Commandant FRP, Khyber Pakhtunkhwa, Peshawar wherein he was awarded major punishment of removal from service on 03.12.2021.

Brief facts of the case are that the delinquent officer was enlisted in Police Department as constable on 12.07.2012. He found involved in criminal case vide FIR No. 674, dated 17.09.2021 U/S 9DCNSA, at Police Station Chota Lahore District Swabi and also absented from duty with effect from 12.09.2021 to 21.10.2021 for total period of (38) days, without any leave or prior permission of the competent authority.

In this regard, he was placed under suspension and closed to FRP HQrs; Police Line and proper departmental proceedings were initiated against him and DSP FRP HQrs; Peshawar was nominated as Enquiry Officer to conduct proper enquiry against him. After completion of enquiry, the Enquiry Officer submitted his finding report, wherein, he reported that the said constable remained in jail for (26) days and thereafter he was released on bail by the Honorable Court. The enquiry officer further reported that before it the accused constable has also found involved in another same nature case vide FIR No. 84, dated 05.02.2021 U/S 9C-CNSA/11ACBSA Police Station Chota Lahore, District Swabi. He is very notorious for his evil activities and black stigma on the face of Police Force. The Enquiry officer recommended that being a member of discipline force, his this act is highly objectionable and liable to be punished.

Upon the finding of Enquiry Officer, he was served with Final Show Cause Notice, to which he replied, but his reply was found unsatisfactory. He was summoned and heard in person, but he failed to produce any cogent reason before the competent authority.

A secret enquiry is also conducted to check his reputation at his residential area, wherein it came to light that he is involved in the illegal business of narcotics and other addictive items. Besides, he is involved in such criminal case for two times and there is no hope from him to become a good police officer in future.

Keeping in view the above narrated facts and other material available on record, he was awarded major punishment of removal from service vide Order Endst; No. 2216-20PA, dated 03.12.2021.


Feeling aggrieved against the impugned order of Deputy Commandant FRP, Khyber Pakhtunkhwa, Peshawar, the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 20.01.2022.

During the course of personal hearing, the applicant failed to present any justification regarding to his innocence. From perusal of enquiry file it has been found that the allegations of his involvement in moral turpitude nature offence were fully established against him during the course of enquiry. Thus the applicant has been found to be an irresponsible person in utter disregard the discipline of the force. Therefore any leniency or complacency would further embolden the accused officer and impinge upon adversely on the overall discipline and conduct of the force. There

...any infirmity in the order passed by the competent authority *authority therefore the* 10
and exist *interfere in same.*

Based on the findings narrated above, I, Commandant FRP Khyber Pakhtunkhwa, Peshawar, being the competent authority, has found no substance in the appeal, therefore, the same is rejected and filed being meritless.

Order Announced.


Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa, Peshawar.

Copy of above is forwarded for information and necessary action to
No. 57-61 /PA, dated Peshawar the 25/07/2022.

- the:-
1. Deputy Commandant FRP, KP, Peshawar.
 2. SRC FRP HQrs; Peshawar. His Service Roll Sent herewith.
 3. Incharge Fauji Missal FRP HQrs; Peshawar.

10A

جناب انسپکٹر جنرل آف پولیس خیرپور خواجہ مسعود
محترم! درج ذیل ہے ہمدرد جہاں سروس
جناب عالی!

ارٹھرا حصیکہ مسائل حلکے پولیس میں سوال 2012 نو پیر
بجرت ہوا تھا اور اپنی ڈپوٹی خوشن احمد کو سے انجام دے رہا تھا اور اپنی
کی انجام دیا میں اپنے افسران والا ہوا تھا، تو کسی قسم کی شکایت کا
فریاد نہیں کیا۔

مسائل متعلقہ ہوا ہی کا رہا تھی ہے اور اپنی علاقے کے خانہ کے SHO
سے زبانی تکرار ہوئی چونکہ بعد میں SHO صاحب نے مسائل کو ایک من گھڑت
FIR میں علوت کر دیا گیا FIR نمبر 674 U/S 9 DCNSA، پولیس
چھوٹا لاہور ضلع ہوا ہی مسائل کے خلاف درج ہوئی، مسائل کو اس سے
FIR نمبر 84 U/S 9-CNSA میں بھی تکرار کر دیا گیا تھا چونکہ من
گھڑت اور بے بنیاد ہے مسائل حلکے پولیس خیرپور اپنی فرائض انجام دے رہا

اور خلاف قانون کسی قسم کی غیر قانونی کام یا دستاویز میں علوت نہیں
ہے اور نہ اس قسم کا غیر اخلاقی اور غیر قانونی کام کا ارتکاب کر سکتا ہے
یہ SHO صاحب نے یوجہ زبانی تکرار (نوٹس) FIR میں علوت کر دیا گیا
مسائل کے گناہ ہے اور من مسائل کے خلاف من گھڑت اور بے بنیاد
FIR درج ہوئی ہے مسائل ایسا نہایت غریب خاندان سے تعلق رکھتا ہے
تو کئی کے علاوہ دیگر کوئی احساس بھی نہیں گھر کا کفالت کا سارا بوجھ
مسائل کے کندھوں پر ہے اور درج والا دونوں مقدمات میں بے قصور بھی

ہے اور مسائل کا کیسہ عدالت میں زیر سماعت ہے اور فیصلہ بھی نہیں
ہوئے مسائل کو یوجہ درج والا FIR حلکے بڑا ہے پر خاست کیا ہے۔ مسائل
نے جناب کمانڈر میں صاحب کو بحالی کیلئے اپیل جمع کی کہ بد قسمتی سے عدالت
ساتھ نہ مہاجد نے حوالہ آرڈر نمبر 59-61/PA مورخہ 25-01-2022 کو خارج
کر دیا گیا۔

مسائل کا کیسہ عدالت میں زیر سماعت ہے اور ابھی تک فیصلہ نہیں
ہوئے اور عدالتی فیصلے سے پہلے مسائل کو حلکے بڑا ہے پر خاست کر دیا ہے۔
لہذا آپ صاحبان سے بڑا ہے درخواست استدعا ہے کہ مسائل کا بے گناہی
کو مدنظر رکھتے ہوئے عدالتی فیصلے تک تو کئی پر بحال کرنے کے احکامات صادر
فرما کر پیشکر فرمایا۔ مسائل اور اسکا خاندان آپ صاحبان کی بلذہ افضالی تکرار
دعا کر رہی ہے۔

عین کواڑ سزا ہوئی
4257491

ملا لکھنا

مسائل کے گناہ ہے اور من مسائل کے خلاف من گھڑت اور بے بنیاد
FIR درج ہوئی ہے مسائل ایسا نہایت غریب خاندان سے تعلق رکھتا ہے
تو کئی کے علاوہ دیگر کوئی احساس بھی نہیں گھر کا کفالت کا سارا بوجھ
مسائل کے کندھوں پر ہے اور درج والا دونوں مقدمات میں بے قصور بھی

Signature and
Staff for
interior

4257491-3706986



108

OFFICE OF THE COMMANDANT
FRONTIER RESERVE POLICE
KHYBER PAKHTUNKHWA, PESHAWAR
Ph: No. 091-9214114 Fax No. 091-9212602

No. 2208/ISI Legal, dated 31/3/2022.

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

Subject: REVISION PETITION.

Memo:

Kindly refer to CPO Memo No. S/344/22, dated 01.03.2022.

It is submitted that a mercy petition preferred by Ex-constable Ahmad Ali No. 763 of FRP HQrs; against the order of Deputy Commandant FRP, Khyber Pakhtunkhwa, Peshawar, wherein he was awarded major punishment of dismissal from service vide order on 03.12.2021.

Brief facts of the case are that the delinquent officer was enlisted in Police Department as constable on 12.07.2012. He found involved in criminal case vide FIR No. 674, dated 17.09.2021 U/S 9DCNSA, at Police Station Chota Lahore District Swabi and also absented himself from lawful duty with effect from 12.09.2021 to 21.10.2021 for total period of (38) days, without any leave or prior permission of the competent authority.

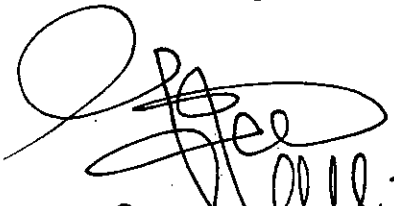
In this regard, he was placed under suspension and closed to FRP HQrs; Police Line and proper departmental proceedings were initiated against him and DSP FRP HQrs; Peshawar was nominated as Enquiry Officer to conduct proper enquiry against him. After completion of enquiry, the Enquiry Officer submitted his finding, wherein he reported that the said constable was confined in judicial lockup for the period of (26) days and was released on bail by the Honorable Court vide Court order dated 15.10.2021. The Enquiry Officer further reported that prior to the above criminal case he was found involved in another same nature criminal case vide FIR No. 84, dated 05.02.2021 U/S 9C-CNSA/11ACBSA at the same Police Station Chota Lahore, District Swabi. Finally the Enquiry Officer found him guilty of the charges and recommended that the above named accused constable is a notorious person for his evil activities and also black stigma on the face of Police department and his this act is highly punishable and gross misconduct.

Upon the finding of Enquiry Officer, he was served with Final Show Cause Notice, to which he replied, but his reply was found unsatisfactory. He has given an ample opportunity of personal hearing, but he failed to produce any cogent reason before the competent authority.

Keeping in view the above narrated facts and other material available on record, he was awarded major punishment of dismissal from service vide Order Endst; No. 2216-20PA, dated 03.12.2021.

Feeling aggrieved the above named ex-official submitted departmental appeal/ representation for re-instatement in service, which was rejected vide this office order Endst: No. 59-61/PA, dated 25.01.2022.

Moreover, the applicant has not filed the service appeal before the Service Tribunal as per this office record. His service record alongwith D. file sent herewith.


Commandant,
o/c Frontier Reserve Police, ^{MTF}
Khyber Pakhtunkhwa, Peshawar.



11
OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

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-FC Ahmad Ali No. 763. The petitioner was dismissed from service by Deputy Commandant, FRP, Khyber Pakhtunkhwa, Peshawar vide order Endst: No. 2216-20/PA, dated 03.12.2021 on the allegations of involvement in criminal case vide FIR No. 674, dated 17.09.2021 u/s 9DCNSA Police Station Chota Lahore and also absented from duty w.e.f 12.09.2021 to 21.10.2021 for 38-days. He was previously involved in case FIR No. 84, dated 05.02.2021 u/s 9C-CNSA/11ACNSA Police Station Chota Lahore District Swabi. His appeal was rejected by Commandant, FRP, Khyber Pakhtunkhwa, Peshawar vide order Endst: No. 59-61/PA, dated 25.01.2022.

Meeting of Appellate Board was held on 19.01.2023 wherein petitioner was heard in person. Petitioner denied the allegations leveled against him.

Perusal of enquiry papers reveals that the allegations leveled against the petitioner has been proved. Instead of fighting crimes, he has himself indulged in criminal activities. Hence, the very conduct of petitioner is unbecoming of a disciplined Police Officer and rejection of the petitioner will stigmatize the prestige of entire Police Force in the eyes of general public.

Petitioner failed to advance any plausible explanation in rebuttal of the charges. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

SABIR AHMED, PSP

Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 318-24 /23, dated Peshawar, the 9-2 /2023.

Copy of the above is forwarded to the:

1. Commandant, FRP, Khyber Pakhtunkhwa, Peshawar. One Service Roll and one D. file of the above named Ex-FC received vide your office Memo: No. 2208/SI Legal, dated 03.03.2022 is returned herewith for your office record.
2. Deputy Commandant, FRP, Khyber Pakhtunkhwa, Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

(DR. ZAHID ULLAH) PSP
AIG/Establishment.

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

687664

12

S#:1
AG KP Peshawar
Pers #: 00587664
Name: AHMAD ALI
CONSTABLE
Buckle: 1289

P Sec:006 Month:October 2021
PR4091 -COMMANDANT F.R. POLICE KP
CAMMANDANT FRP, PESHAWAR
NTN:
GPF #:
Old #:

CNIC No.1620130715813
GPF Interest Applied
07 Active Temporary
PAYS AND ALLOWANCES:
0001-Basic Pay
1004-House Rent Allow 45% KP21
1210-Convey Allowance 2005
1300-Medical Allowance
1547-Ration Allowance
1567-Washing Allowance
1646-Constabulary R Allowance
1902-Special Incentive Allownce
2148-15% Adhoc Relief All-2013
Gross Pay and Allowances
DEDUCTIONS:

GPF Balance 18,752.00
3530-Police wel:Fud BS-1 to 18
4004-R. Benefits & Death Comp:

PR4091
14,650.00
4,968.00
1,932.00
1,500.00
681.00
150.00
300.00
775.00
296.00
40,823.00
Subrc: 1,010.00
293.00
450.00

Total Deductions

1,753.00
39,070.00

D.O.B:
07.06.1990
09 Years 03 Months 021 Days

LFP Quota:
NATIONAL BANK OF PAKSWABI
4163624893

S#:2
AG KP Peshawar
Pers #: 00587664
Name: AHMAD ALI
CONSTABLE
Buckle: 1289

CNIC No.1620130715813
GPF Interest Applied
07 Active Temporary

PAYS AND ALLOWANCES:
2168-Fixed Daily Allowance 2,730.00
2199-Adhoc Relief Allow @10% 200.00
2211-Adhoc Relief All 2016 10% 1,027.00
2224-Adhoc Relief All 2016 10% 1,465.00
2247-Adhoc Relief All 2017 10% 1,465.00
2254-Adhoc Relief All 2018 10% 1,465.00
2309-Adhoc Relief All 2019 10% 1,465.00
2314-Risk Allow Police - 2021 5,754.00
40,823.00

Gross Pay and Allowances
DEDUCTIONS:

GPF Balance 18,752.00

Subrc:

Total Deductions

1,753.00
39,070.00

D.O.B
07.06.1990
09 Years 03 Months 021 Days

LFP Quota:
NATIONAL BANK OF PAKSWABI
4163624893

CHARACTER AND SERVICE ROLL OF

CONSTABULARY NO. () in
 CONSTABULARY NO. () in
 CONSTABULARY NO. () in

DISTRICT
 DISTRICT
 DISTRICT

13

1	Name	Father's Name	Tribe or Caste	Village or Town	Post and Telegraph Office	Police Station	District	Province	Date of Birth	Height	Chest Measurement	Date of Enrolment	Age on Enrolment	Distinctive Marks
	Ahmad Ali	Wali Mohammad		Afghan Lahor	Lahor	Lahor	Swabi	KPK	7-6-1990	5-8 1/2	25 x 35	19-7-9019		
2.	Verification Roll No.		Dated		Received back and attached to the Fauji file									
3.	Government Service prior to present employment, which is approved for pension service.													
	Service or Department	Rank or Grade	Pay of last appointment	From	To	Period								
						Years	Month	Days						
4.	Cause of and character on discharge from above service.			Reference to orders approving above service for pension service in the Police Department.										

Agreement - I understand that I have been appointed under section 7 of the Police Act (Vol 1881), and the purpose of that section and the provisions of the Act and of the Rules issued under it and now in force, by which my discipline and conduct are governed have been explained to me. I agree to serve faithfully under the provisions of the said Police Act and to obey all lawful orders issued to me by my Superior Officers and undertake not to resign my appointment within three years from the date of my enrolment. I have received a certificate of appointment issued under section 8 of the Police Act (Vol 1881).

Attested

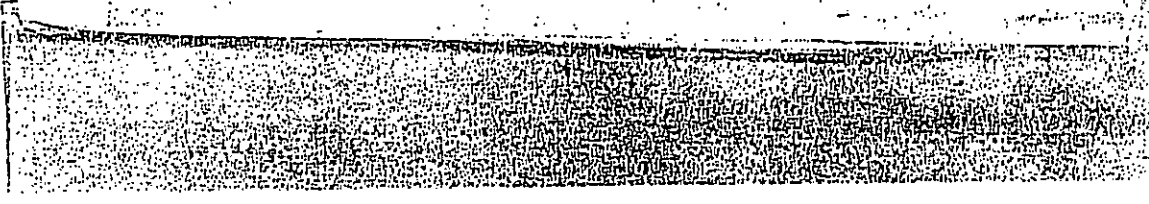
Date _____

Signature

Mohammad Ali

5. Colled impression of fingers and thumb of left hand.

Left Little	Left Ring	Left Middle	Left Index	Left Thumb



14

6 P FUND BALANCE SHEET

Page 275
Date 01 07 2021

Govt. Khyber Pakhtunkhwa - AG-KP Fashawat
 Name: AHMAD ALI
 Design: CONSTABLE
 Pay No: 00687654 / BPF Num
 Payroll Section: 026

2020 - 2021
 Hired Date: 12-07-2012
 DDD: FR4071
 Hired: 80003650
 BPS Grade: 07
 COMMANDANT F R POLICE KP SHAWAK
 COMMANDANT F R FASHAWAK

PAYROLL MONTHS	MONTHLY UBS	ADJUSTMENT AMOUNTS	TEMPORARY ADVANCE	RECOVERY OF TEMP ADV	PERMANENT ADVANCE	PROGRESSIVE BALANCE
July	0.00	0.00	0.00	0.00	0.00	0.00
August	0.00	0.00	0.00	0.00	0.00	0.00
September	0.00	4.040.00	0.00	0.00	0.00	5,050.00
October	0.00	0.00	0.00	0.00	0.00	6,060.00
November	0.00	0.00	0.00	0.00	0.00	7,070.00
December	0.00	0.00	0.00	0.00	0.00	8,080.00
January	0.00	0.00	0.00	0.00	0.00	9,090.00
February	0.00	0.00	0.00	0.00	0.00	10,100.00
March	0.00	0.00	0.00	0.00	0.00	11,110.00
April	0.00	0.00	0.00	0.00	0.00	12,120.00
May	0.00	3,030.00	0.00	0.00	0.00	15,150.00
June	0.00	0.00	0.00	0.00	0.00	16,160.00
TOTAL	0.00	7,070.00	0.00	0.00	0.00	16,160.00

OPENING BALANCE
 TOTAL DEPOSITS
 PROFIT
 BONUS
 TOTAL

86,830.00
 1,114.00
 572.00
 0.00
 14,112.00
 1,000.00
 4,372.00

National Bank of Pakistan

Account Statement

(15)

Account Title(s) AHMAD ALI

Address: MOHALLAH TANA CHAM
LAHOR PURE
LAHOR

Postal Code:

Branch Code/Name: 406 Main Branch Swabi

Region Name: Mardan

Statement Printing Date: 26-Dec-2022

User: 00018820

Branch: 406

Terminal: DESKTOP-6Q43HDA

Town:

District:

City: SAWABI

Province/State: KH.PAKHTOON

Country: PAKISTAN

Product Name: PKR Current Account

Currency: PKR

CIF No: 13407358

Account No: 4163624893

IBAN: PK89NBPA1406004163624893

B/F Balance: 0.00

From: 01-Jan-2021

To: 26-Dec-2022

S. No.	Date	Particulars	Instno	Memo	Debit	Credit	Balance
1	02-Jan-2021	SALARY			0.00	30,865.00	30,950.75
2	03-Jan-2021	ATM BAL INQ. FEE			2.50	0.00	30,948.25
3	03-Jan-2021	ATM CASH WITHDRAWL	661		20,000.00	0.00	10,948.25
4	03-Jan-2021	WITHDRL	661		18.75	0.00	10,929.50
5	03-Jan-2021	ATM CASH REVERSAL/PARTIAL	661		(20,000.00)	0.00	30,929.50
6	03-Jan-2021	WITHDRL	661		(18.75)	0.00	30,948.25
7	04-Jan-2021	ATM CASH WITHDRAWL	987		20,000.00	0.00	10,948.25
8	04-Jan-2021	WITHDRL	987		18.75	0.00	10,929.50
9	04-Jan-2021	ATM CASH REVERSAL/PARTIAL	987		(20,000.00)	0.00	30,929.50
10	04-Jan-2021	WITHDRL	987		(18.75)	0.00	30,948.25
11	04-Jan-2021	ATM CASH WITHDRAWL	520		20,000.00	0.00	10,948.25
12	04-Jan-2021	WITHDRL	520		18.75	0.00	10,929.50
13	04-Jan-2021	ATM CASH WITHDRAWL	524		10,000.00	0.00	929.50
14	04-Jan-2021	WITHDRL	524		18.75	0.00	910.75
15	30-Apr-2021	SALARY			0.00	31,797.00	32,707.75
16	01-May-2021	ATM CASH WITHDRAWL	493		30,000.00	0.00	2,707.75
17	01-May-2021	ATM CASH WITHDRAWL	505		2,000.00	0.00	707.75
18	06-May-2021	ATM BAL INQ. FEE			2.50	0.00	705.25
19	01-Jun-2021	DEPOSIT			0.00	115,065.00	115,770.25
20	01-Jun-2021	ATM CASH WITHDRAWL			25,000.00	0.00	90,770.25
21	01-Jun-2021	WITHDRL			18.75	0.00	90,751.50
22	01-Jun-2021	ATM CASH WITHDRAWL			25,000.00	0.00	65,751.50
23	01-Jun-2021	WITHDRL			18.75	0.00	65,732.75
24	02-Jun-2021	SERVICE CHARGES			900.00	0.00	64,832.75
25	02-Jun-2021	FED			135.00	0.00	64,697.75

This is a computer generated statement and does not require any signature

Page 1 of 4

National Bank of Pakistan

Account Statement

~~88~~

Account Title(s) AHMAD ALI

Address: MOHALLAH TANA CHAM
LAHOR PURE
LAHOR

Postal Code:

Branch Code/Name: 406 Main Branch Swabi

Region Name: Mardan

Statement Printing Date: 26-Dec-2022

User: 00018820

Branch: 406

Terminal: DESKTOP-6Q43HDM

Town:

District:

City:

Province/State:

Country:

Product Name: PKR Current Account

Currency:

CIF No: 13407358

Account No: 4163624893

IBAN:

B/F Balance: 0.00

From: 01-Jan-2021

To: 26-Dec-2022

S. No.	Date	Particulars	Instno	Memo	Debit	Credit	Balance
26	02-Jun-2021	ATM CASH WITHDRAWL			20,000.00	0.00	44,697.75
27	02-Jun-2021	ATM CASH WITHDRAWL			30,000.00	0.00	14,697.75
28	05-Jun-2021	ATM BAL INQ. FEE			2.50	0.00	14,695.25
29	05-Jun-2021	ATM CASH WITHDRAWL			14,000.00	0.00	695.25
30	05-Jun-2021	WITHDRL			18.75	0.00	676.50
31	02-Jul-2021	SALARY		02	0.00	17,397.00	18,073.50
32	02-Jul-2021	ATM BAL INQ. FEE			2.50	0.00	18,071.00
33	02-Jul-2021	ATM CASH WITHDRAWL			18,000.00	0.00	71.00
34	02-Jul-2021	WITHDRL			18.75	0.00	52.25
35	16-Jul-2021	ATM BAL INQ. FEE			2.50	0.00	49.75
36	17-Jul-2021	SALARY		17	0.00	41,654.00	41,703.75
37	18-Jul-2021	ATM CASH WITHDRAWL			25,000.00	0.00	16,703.75
38	18-Jul-2021	WITHDRL			18.75	0.00	16,685.00
39	18-Jul-2021	ATM CASH WITHDRAWL			15,000.00	0.00	1,685.00
40	18-Jul-2021	WITHDRL			18.75	0.00	1,666.25
41	18-Jul-2021	ATM BAL INQ. FEE			2.50	0.00	1,663.75
42	18-Jul-2021	ATM CASH WITHDRAWL			1,500.00	0.00	163.75
43	18-Jul-2021	WITHDRL			18.75	0.00	145.00
44	01-Sep-2021	SALARY			0.00	31,138.00	31,283.00
45	01-Sep-2021	ATM BAL INQ. FEE			2.50	0.00	31,280.50
46	01-Sep-2021	ATM CASH WITHDRAWL			25,000.00	0.00	6,280.50
47	01-Sep-2021	WITHDRL			18.75	0.00	6,261.75
48	01-Sep-2021	ATM CASH WITHDRAWL			5,000.00	0.00	1,261.75
49	01-Sep-2021	WITHDRL			18.75	0.00	1,243.00
50	01-Sep-2021	ATM BAL INQ. FEE			2.50	0.00	1,240.50

This is a computer generated statement and does not require any signature

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National Bank of Pakistan

Account Statement

17

Account Title(s) AHMAD ALI

Address: MOHALLAH TANA CHAM
LAHOR PURE
LAHOR

Postal Code:

Branch Code/Name: 406 Main Branch-Swabi

Region Name: Mardan

Statement Printing Date: 26-Dec-2022

User: 00018820

Branch: 406

Terminal: DESKTOP-6Q43HDM

Town:

District:

City:

Province/State:

Country:

Product Name: PKR Current Account

Currency:

CIF No: 13407358

Account No: 4163524893

IBAN:

B/F Balance: 0.00

From: 01-Jan-2021

To: 26-Dec-2022

S. No.	Date	Particulars	Instno	Memo	Debit	Credit	Balance
51	01-Oct-2021	SALARY			0.00	39,070.00	40,310.50
52	01-Oct-2021	ATM CASH WITHDRAWL			10,000.00	0.00	30,310.50
53	01-Oct-2021	WITHDRL			18.75	0.00	30,291.75
54	01-Oct-2021	ATM CASH WITHDRAWL			20,000.00	0.00	10,291.75
55	01-Oct-2021	WITHDRL			18.75	0.00	10,273.00
56	07-Oct-2021	ATM BAL INQ. FEE			2.50	0.00	10,270.50
57	07-Oct-2021	ATM CASH WITHDRAWL			10,000.00	0.00	270.50
58	07-Oct-2021	WITHDRL			18.75	0.00	251.75
59	01-Nov-2021	SALARY			0.00	39,070.00	39,321.75
60	01-Dec-2021	SALARY			0.00	13,640.00	52,961.75
61	06-Dec-2021	ATM BAL INQ. FEE			2.50	0.00	52,959.25
62	06-Dec-2021	ATM CASH WITHDRAWL			5,000.00	0.00	47,959.25
63	06-Dec-2021	WITHDRL			18.75	0.00	47,940.50
64	06-Dec-2021	ATM CASH WITHDRAWL			20,000.00	0.00	27,940.50
65	06-Dec-2021	WITHDRL			18.75	0.00	27,921.75
66	06-Dec-2021	ATM BAL INQ. FEE			2.50	0.00	27,919.25
67	07-Dec-2021	ATM CASH WITHDRAWL			25,000.00	0.00	2,919.25
68	07-Dec-2021	WITHDRL			18.75	0.00	2,900.50
69	07-Dec-2021	ATM CASH REVERSAL/PARTIAL			(25,000.00)	0.00	27,900.50
70	07-Dec-2021	WITHDRL			(18.75)	0.00	27,919.25
71	07-Dec-2021	ATM BAL INQ. FEE			2.50	0.00	27,916.75
72	07-Dec-2021	ATM CASH WITHDRAWL			15,000.00	0.00	12,916.75
73	07-Dec-2021	WITHDRL			18.75	0.00	12,898.00
74	07-Dec-2021	ATM CASH WITHDRAWL			12,500.00	0.00	398.00

This is a computer generated statement and does not require any signature

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National Bank of Pakistan

Account Statement

18

Account Title(s) AHMAD ALI

Address: MOHALLAH TANA CHAM
LAHOR PURE
LAHOR

Town:
District:
City:
Province/State:
Country:
Product Name: PKR Current Account
Currency:
CIF No: 13407358
Account No: 4163624893
IBAN:

Postal Code:

Branch Code/Name: 406 Main Branch Swabi
Region Name: Mardan

Statement Printing Date: 26-Dec-2022

User: 00018820 Branch: 406 Terminal: DESKTOP-6Q43HDM

B/F Balance: 0.00

From: 01-Jan-2021 To: 26-Dec-2022

S. No.	Date	Particulars	Instno	Memo	Debit	Credit	Balance
75	07-Dec-2021	WITHDRL			18.75	0.00	379.25
Total 9 Credit transactions of amount: 359,696.00							
Total 60 Debit transactions of amount: 359,402.50							

This is a computer generated statement and does not require any signature

3-3071581-16291

مقدم

نام نمبر (05-233)

0315-9257132

Musik "A"

ابتدائی اطلاع پر رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شمارہ زیر دفعہ 153 مجموعہ ضابطہ توجہ داری

اپور (ضلع) صوابی (تاریخ)

54

28

تاریخ و وقت وقوع 25/05/2020 وقت 05:00

نوع اطلاع دہندہ مستفیض وقت اطلاع دہندہ مستفیض 25/05/2020 وقت 05:30

محل آئین خان زی

نسبت جرم (معدومہ) حال اگر کچھ لیا گیا ہو

9CCNSA/11(4)

بعض فاصلہ تھانہ سے اور نسبت

نوع ملزم (خان بہ نکل صحن و انیسو انیسو شاخ نجاعہ شاخ کونوینہ شاخ

ان جو تفتیش کے متعلق کسی اگر اطلاع دہن کرنے میں توقف ہوا ہو توجہ بیان کر دو

سے روانگی کی تاریخ و وقت

سید علی احمد پیر خان

ابھی اطلاع نیچے درج کرو۔ عدراہم صوبہ لاہور صاحب دستخط سندر جہ شاخ بننے بہ نسبت نکل
 علی سردار 147 نمبر بہ لفیل ذیل 2020 وقت 11 بجای حسانہ اپور روران جو بائیل
 دست میں نام حاضر خان PANGI، قافلہ 181، تیلان نثار 312، علی سردار نمبر 147 عدالت
 میں موجود ہے۔ اطلاع علی کہ معنی احمد علی ولد ولی محمد سکس اپور نجاعہ شاخ بوتل اپور
 دہانہ میں معنی لنگر بولین فوراً نجاعہ جائے اور فوراً بلا دہن کر لیا گیا تو واقعی معنی احمد علی
 خان کے انتظار میں کھڑا رہا جو کھانا جس نام پولیس پارٹی کو دیکھ کر خدار ہونے کی کوشش
 سے بلا سٹک کی سنیہ تفتیش میں 3 پونٹری خیرت بہ آندہ بہر کر تین عدد پونٹریاں اور
 پونٹری ٹیپ میں لپی ہرنی اور 2 عدد پونٹریاں سنیہ پلاسٹک کی شاہپر میں بندہ جیم 2
 در سم بیٹ میں آں بہ آندہ بہر کر جنہ یہ تلافی لیسے بہر کھانوار سے آئی عد بوتل چیم
 نا جیم لیسے بیٹ سے 3 عدر چاچس 2 عدر سٹریٹ کے آبا میں 3 عدر سٹریٹ جیم آں
 بننے کے دو تیرے 2 عدر لیسز، 13 عدر خالی رقم پیلن بہ آندہ بہر کر 2 پونٹریاں چکر
 نام 2 کیکل کیکل کھیندہ، کھیندہ و ان کے ایک پونٹری 42 گرام، 11 سے اپونٹری (20)
 نام، نمبر اپونٹری 26 گرام، چو تھا پونٹری 28 گرام، چاچوان پونٹری 14 گرام لپی
 نام 180 گرام جیم بہ آندہ بہر کر آں تو ورن کہ کے 2 گرام لفظی، شہس کے بہر آئی پونٹری
 نام 155 گرام شہس کھیندہ کہ کے بندہ پارل بہر آچان لفظ ض کھنڈا FSI (شاہ جیم
 نام 50 گرام شہس بندہ پارل بہر آچان لفظ ض کھنڈا اسی لہ کہ بہ آندہ بہر
 نام 50 گرام شہس بندہ پارل بہر آچان لفظ ض کھنڈا اسی لہ کہ بہ آندہ بہر
 نام 50 گرام شہس بندہ پارل بہر آچان لفظ ض کھنڈا اسی لہ کہ بہ آندہ بہر

ن بیٹے کے یہ شیخے، زید عدولینہذا، قاضی جلال الدین

ہذا پیرا دل بندہ سے بھی کہہ کر جملہ پاروں کے بارے میں کہیں، آری کہ
کے لئے کہ خود کو ہم پورے میں کہتے اس لئے کہ وہ کہہ نہ سکتے
ان کا کیا کہہ سکتے ہیں کہ ہمارے کہہ کر وہ ہم لئے ہیں غامبی حق
انہم لئے ہیں وہ حال کا غائب دست آویز بنی ہے وہ دہرا اور مال
نامہ لفظیں بجا ہے، اس لئے کہ آفریدی حنفی احمد خان سی
نامہ لارہرہم نے ہی لیں اس لئے کہ ہم پر حدتہم درجہ
کہ لے کر لارہرہم نے ہی لیں اس لئے کہ ہم پر حدتہم درجہ
فتنہ کے لئے ہیں لہذا ہمیں لے کر لارہرہم نے ہی لیں

(مستند ہے)

مسلم

Asi. ps. LAR

5. 2. 2020

دستخط

نمبر

اطلاع کے لیے اطلاع دہندہ کا دستخط لگا دیا جائے گا تاہم اس پر کئی اطلاع کا دستخط بطور تصدیق ہوگا۔ حرف الف ب م ن و ہ ش
ایک لزم یا مشہور کی ترتیب دانیلے باشندگان طاقت پیر یا وسط ایشیا اور افغانستان جہاں دوزوں ہوں لکھنا چاہئے۔



IN THE COURT OF MUHAMMAD AAMIR NAZIR, ADDITIONAL SESSIONS JUDGE-II, LAHOR (SWABI).

Ahmad Ali ... versus ... The state

Case No. 39 /BA of 2020

21

ORDER # 01
06.02.2020

The instant post arrest bail petition in case FIR No.84 dated 05.02.2020 u/s 9-D/11 (a) of CNSA, police station Lahor, submitted through counsel Muhammad Sajid Khan and Muhammad Abid Khan advocates for petitioner Ahmad Ali. Be entered in the relevant register.

Notice and record for 8-2-20

(Muhammad Aamir Nazir)
Additional District Judge-II,
Lahor, Swabi

39/4BA
2020
8/2/20

ORDER # 02
08.02.2020

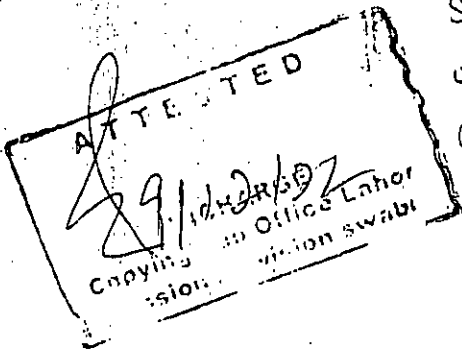
Counsel for accused/petitioner and Sr. PP for state present.
Record produced.

Accused/petitioner namely Ahmad Ali s/o Wali Muhammad resident of village Lahor, Tehsil Lahor District Swabi, through the instant petition, seeks post arrest bail in connection with case FIR No.84 dated 05.02.2020 U/S 9-C/11 (a) of C.N.S.A registered at police station Lahor (Swabi).

Arguments heard and record available on file gone through.

Allegations against the accused/petitioner are that on 05.02.2020 at 00:10 hours, the local police arrested him at Khan Hotel situated at Lahor Shakh and recovery of charas weighing 80 grams and ICE weighing 02 grams has been effected from his possession.

Perusal of record, at the very outset, reveals that the FSL result is yet not available on file regarding confirmation of the recovered stuff as charas/ICE or otherwise. The recovery has been effected in a Hotel but still none from the public was associated to the proceedings nor any attempt shown to have



08.02.2020

Contd Or-02
08.02.2020

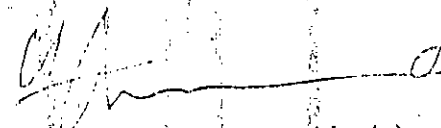
Ahmad Ali...vs...The State Case #39/BA of 2020

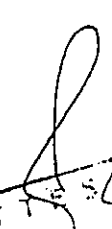
been made for this purpose. The record is also silent regarding previous involvement of accused/petitioner in such like cases. The petitioner/accused did not confess his guilt nor any further recovery was effected on his pointation despite the fact that he remained in police custody. Moreover, investigation in the case is complete and the accused/petitioner is no more required for further investigation.

In the light of record available on file, the case against the accused/petitioner, prima facie, requires further probe; hence, on acceptance of the petition in hand, the accused/petitioner Ahmad Ali is admitted to bail subject to his furnishing of bail bonds in the sum of Rs.1,00,000/-(one lac) with two sureties each in the like amount to the satisfaction of this court.

The requisitioned record be sent back forthwith and file of this court be consigned to record room after completion and compilation.

Announced
06.02.2020.


(Muhammad Aamir Nazir)
Additional Sessions Judge-II/JSC
Lahor, Swabi


ATTESTED
9/12/20
MUNICIPAL
CHANDLER
Lahor, Swabi

0690
 0303-9088 282
 0511-4822 522

INVOICE
 FROM: [unclear]
 TO: [unclear]

08-02-2008
 16201-07431201

تعمیراتی کاموں کے لئے
 1000 روپے / 1000 روپے
 رقم کی وصولی کے لئے
 رقم کی وصولی کے لئے

US\$ 1000
 US\$ 1000
 US\$ 1000

US\$ 1000
 US\$ 1000
 US\$ 1000

US\$ 1000
 US\$ 1000
 US\$ 1000

طریقہ کار
 رقم کی وصولی کے لئے
 رقم کی وصولی کے لئے

0513-8070444

23

0315-9757132
8261-3671581-3

ابتدائی اطلاع رپورٹ

ابتدائی اطلاع نمبر جرم قابل دست اندازی پولیس رپورٹ شروع شدہ 15/10/19 بجے

تاریخ وقت وقوعہ 17/02/09
وقت 17:35 بجے

مقام وقوعہ 18:10 بجے
الطاف خان 110

90CNSA (برآمدگی 4055) (جس میں)
جانب شریک افراطیہ 5/10 بجے

آج کل کے حالات اور صورتحال
بہرحال پولیس محکمہ کے ساتھ ساتھ

ابتدائی اطلاع پینچ روچ کرو۔
1296 عدالت کی طرف سے

4055 عدالت کی طرف سے
955 عدالت کی طرف سے

1020 عدالت کی طرف سے
4055 عدالت کی طرف سے

4055 عدالت کی طرف سے
1296 عدالت کی طرف سے

17/02/09
SHO

FIR

17-02-09

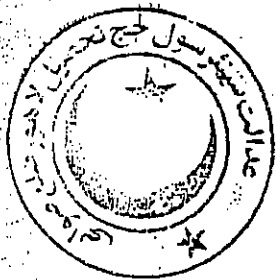
Handwritten header text in Urdu script.

674

17-9-21

15

25



پندرہ لاکھ نو چوہڑاری پاکستان (9D)

Handwritten text: "کابینہ کا فیصلہ" (Cabinet Decision) and "مقررہ" (Specified).

Main body of handwritten text in Urdu, detailing the decision.

ATTESTED

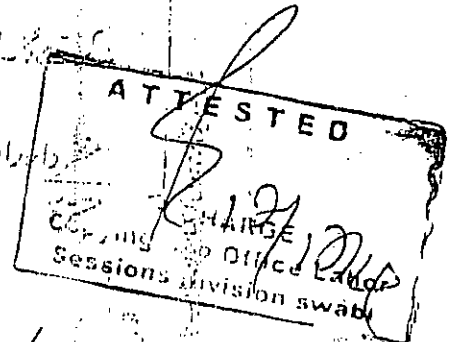
Handwritten signature/initials.

کابینہ کا فیصلہ: "مقررہ" (Cabinet Decision: Specified).

کابینہ کا فیصلہ: "مقررہ" (Cabinet Decision: Specified).

Main body of handwritten text in Urdu, detailing the decision.

16/10/2021



16701-0705851-1

16701-0719847-1

6312-0094674

مقررہ

Vertical handwritten text on the right margin: "اتفاق بقدرہ" and other notes.

(421) ① 26

BEFORE THE PESHAWAR HIGH COURT
PESHAWAR



Bail Petition #:- 34067/2021.

AHMAD ALI S/O WALI MUHAMMAD ALIAS GUL MUHAMMAD
Residents of Lahore, Cham, District Sawabi

(Accused / Petitioner)

VERSUS

THE STATE

(Respondent)

CASE FIR NO: 674 DATED: 17-09-2021

U/S: 9(D) CNSA

PS: Lahore

APPLICATION FOR POST ARREST BAIL
OF ACCUSED/PETITIONER U/S 497
CRPC Read With Section 51 CNSA TILL
THE FINAL DISPOSAL OF THE INSTANT
CASE.

Respectfully Sheweth:-

It is submitted as under:-

FACTS

1. That the above mentioned case is registered at Police Station *Lahore* in which the---above---named accused/Petitioner have been falsely implicated, hence arrested and is presently behind the bars in judicial lockup.
(Copy of the FIR is annexed "A")
2. That after arrest the present accused/petitioner have applied for their release on bail before the court of ASJ/JSC I Sawabi but the same was rejected on 22-09-2021.

(Copy of Application and order is annexed "B")

FILED TODAY
Deputy Registrar
28 SEP 2021

ATTESTED
EXAMINER
Peshawar High Court

27

2

3. That the Accused/ petitioner is highly aggrieved of the Order of the learned ASJ-JSC I Sawabi, and now the petitioner approach this Hon'ble court for seeking justice inter-alia upon the following grounds;-

GROUND:-

1. That the accused/petitioner is absolutely innocent and falsely been implicated in the above mentioned case.
2. That the maximum punishment is not likely to be awarded to the accused/petitioner.
3. That the investigation is completed and petitioner is no more required to police.
4. That nothing is available on file to connect the accused with offence.
5. That FSL report is not available on file to ascertain the nature of alleged recovered substance.
6. That from the facts and circumstances of the case it is very much clear , that it is the case of further inquiry which falls Under Section 497 (2) Cr.PC.
7. That the case property was not produced before the court by the I.O which clearly suggest that the case is planted one.
8. That the accused/petitioner is ready to furnish any amount of sureties up to the satisfaction of this Hon'ble Court and will never abscond.

FILED TODAY
Deputy Registrar

ATTESTED
EXAMINER
Peshawar High Court

28 SEP 2021

28

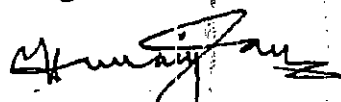
(3)

IT IS THEREFORE MOST HUMBLY PRAYED
THAT BY ACCEPTING OF THIS BAIL
APPLICATION THE ACCUSED/ PETITIONER
MAY PLEASE BE RELEASED ON BAIL TILL
THE FINAL DISPOSAL OF THE INSTANT CASE.

PETITIONER

Dated: 28-09-2021.

Through Counsel:-



(Mian Hikmat Ullah Jan)

Advocate High Court
District Courts Nowshera

&

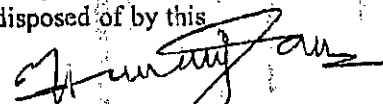
(Noor Hussain)

Advocate High Court
District Courts Nowshera
Mobile # 0345-9139234

NOOR HUSSAIN
Advocate
District Courts Nowshera

Certificate:

As per the instruction of my client this is the 1st bail petition before
this Honorable Court and no such like petition is disposed of by this
Honorable Court.



Advocate

FILED TODAY
Deputy Registrar
28 SEP 2021

ATTESTED
EXAMINER
Peshawar High Court

4

29

BEFORE THE PESHAWAR HIGH COURT
PESHAWAR

Bail Petition #:- 3467 /2021.

AHMAD ALI S/O WALI MUHAMMAD ALIAS GUL MUHAMMAD
Residents of Lahore, Cham, District Sawabi

(Accused / Petitioner)

VERSUS

THE STATE

(Respondent)

AFFIDAVIT

I, **Ahmad Hussain S/O Wali Muhammad R/O Chota Lahore, District Sawabi** (Brother of Petitioner / Accused), do hereby affirm and declare on oath that the contents of the accompanying Application are true and correct and nothing has been concealed from this Hon'ble court. Further affirm that no such like bail application has earlier been filed before this Hon'ble court.

DEPONENT

A. Hussain

(Ahmad Hussain)

CNIC No: 16201-9727397-5

call v 0346-3709806

Identify by.

(Noor Hussain)

Advocate High Court
District Courts Nowshera
Mobile # 0345-9139234

FILED TODAY

Deputy Registrar

28 SEP 2021

NOOR HUSSAIN ARIF
Advocate
District Courts Nowshera

No. <u>35009</u>
Certified that the above was verified on solemnly affirmation before me on this <u>28</u> day of <u>Sep</u> <u>2021</u> <u>Ahmad Hussain</u> s/o <u>Wali Muhammad</u> who was identified by <u>Noor Hussain</u> Who is personally known to me:
<i>[Signature]</i> Oath Commissioner Peshawar

ATTESTED
EXAMINER
Peshawar High Court

madra verified

Judgment Sheet
PESHAWAR HIGH COURT, PESHAWAR
 (Judicial Department)

Cr. M (BA) 3406-P/2021

"Ahmad Ali..Vs..The State"

JUDGMENT

Date of hearing 15.10.2021
 Petitioner by Mian Hikmatullah Jan, Advocate,
 State by Mr. Muhammad Sohail, AAG



S M ATTIOUE SHAH, J: - Accused/petitioner, Ahmad Ali, seeks post-arrest bail in case FIR No.674 dated 17.9.2021 under S. 9-D KP CNSA of Police Station Lahor, District Swabi. Same relief was declined by the learned Additional Sessions Judge-I/Judge Special Court, Swabi at Lahor, vide order dated 22.9.2021.

2. Allegation against the accused/petitioner is that, on 17.9.2021 at 1735 hours, the complainant, Altaf Khan SHO found him in possession of a plastic sack containing 4055 grams Chars; hence, instant case.

3. Heard; record carefully gone through.

Without touching other aspect of the case lest it may prejudice the case of either side, suffice it to say that report of the FSL is not available on record of the case to suggest

ATTESTED
 EXAMINER
 Peshawar High Court

whether the recovered contraband was in fact Chars or otherwise. Further, the nature of the recovered Chars, either Garda or Pukhta is nowhere mentioned in the murasila and other relevant documents. Moreso, as per record, accused/petitioner is not remained involved in such like cases nor has he confessed his guilt before the competent Court of law. Investigation in the instant case is complete and the accused/ petitioner is no more required for further interrogation; hence, instant petition is allowed and; the accused/petitioner is admitted to bail, provided he furnishes bail bonds in the tune of Rs.1,00,000/- with two sureties each in the like amount to the satisfaction of Illaqa / Duty Magistrate, who shall ensure that the sureties are local, reliable and men of means.

4. The ibid observations are the tentative assessment of the material available on the record of the case, which shall not influence the mind of the learned Trial Court in any manner at the time of trial.

Announced:
15.10.2021

[Signature]
JUDGE

Nazir (SB) Hon'ble Mr. Justice SM Attique Shah, J.

PRINTED & TRUE CO.
15 DEC 2022

83387
 Date of Presentation of Application..... 15-12-22
 No of Pages..... 8 P
 Copying fee..... 24
 Total.....
 Date of Preparation of this..... 15-12-22
 Date of Delivery of this..... 15-12-22
 By *[Signature]*

WAKALATNAMA

SCANNED
KF ST
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA, MTI APPELLATE
TRIBUNAL PESHAWAR

Ahmad Ali

Plaintiff(s)
Petitioner(s)
Complainant(s)

VERSUS

Police

Defendant(s)
Respondent(s)
Accused(s)

By this, power-of-attorney I/we the said Petitioner in the above case, do hereby constitute and appoint **SHAH FAILSAILYAS Advocate Supreme Court** as my attorney for me/us in my/our name and on my/our behalf to appear, plead, give statement, verify, administer oath and do all lawful act and things in connection with the said case on my/our behalf or with the execution of any decree or order passed in the case in my/our favour/against which I/we shall be entitled or permitted to do myself/ourselves, and, in particular, shall be entitled to withdraw or compromise the case or refer it to arbitration or to agree to abide by the special oath of any person and to withdraw and receive documents and money from the Court or the opposite party and to sign proper receipts and discharges for the same and to engage and appoint any other pleader or pay him as his fee irrespective of my/our success or failure in case, provided that, if the case is heard at anyplace other than the usual place of sitting of the Court the pleader shall not bound to attend except on my agreeing to pay him a special fee to be settled between us.

Signature of Client

Ahmad
Ahmad Ali

Accepted.

Shah Faisal Ilyas

Shah Faisal Ilyas

Advocate Supreme Court

0300-5850207

BC- 09-1400

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 387/2023.

**Ahmad Ali, S/o Wali Muhammad, R/o Mohallah Tahan Cham, P/o Lahore Raporay,
Tehsil Lahore, District Swabi, Ex-FC# 763 FRP KP, Peshawar
.....Appellant.**

VERSUS

**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &
others.....Respondents.**

INDEX

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE No.
1.	Para-wise Comments		03
2.	Final Show Cause Notice	A	04
3.	Reply of Final Show Cause Notice	B	05
4.	Charge Sheet	C	06
5.	Reply of Charge Sheet	D	07
6.	Enquiry Report	E	08 - 09
7.	Affidavit		09
8.	Authority Letter		10
Total			10


RESPONDENTS

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 387/2023

Ahmad Ali, S/o Wali Muhammad, R/o Mohallah Tahan Cham, P/o Lahore Raparay, Tehsil Lahore, District Swabi, Ex-FC# 763 FRP KP, PeshawarAppellant.

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.....Respondents.

PARAWISE REPLY BY RESPONDENTS 1 to 3.

RESPECTFULLY SHEWETH.

PRELIMINARY OBJECTIONS:-

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
3. That the appellant has no cause of action and locus stand to file the instant appeal.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is estopped due to his own conduct to file the instant Service Appeal.
6. That the appellant is trying to conceal the material facts from this Honorable Tribunal.

FACTS:-

1. Pertain to the appellant record.
2. The respondents are responsible for general administration, welfare as well as to maintain discipline of the whole force in accordance to law/rules.
3. Incorrect. The appellant is being a member of discipline force involved himself in a moral turpitude nature criminal offence vide case FIR No. 674 dated 17.09.2021 U/S 9D CNSA Police Station Chota Lahore, District Swabi. Besides, perusal of record reveals that prior to the above case the appellant has also been found involved in same nature criminal case vide FIR No. 84, dated 05.02.2021 U/S 9C CNSA/11ACBSA at the same Police Station, which is sub-judice in the court of law. In fact the appellant was found indiscipline and inefficient Police Officer, which he is famed as a notorious for his evil and criminal activities.
4. Incorrect. On the allegations of above the appellant was dealt with proper departmental enquiry and during the course of enquiry his guilt was fully established against him by the Enquiry Officer. It is worth to mention here that the court and departmental proceedings are two different entities and can run side by side. However, after fulfillment of all codal formalities he was awarded major punishment of removal from service by the competent authority as per law.
5. The departmental appeal of the appellant was thoroughly examined and rejected on sound grounds.
6. Incorrect. The revision petition submitted by the appellant was also thoroughly examined and rejected on sound grounds.

7. The appellant has not come to this Honorable Tribunal with clean hands, hence this appeal being devoid of merits may kindly be dismissed on the following grounds.

GROUNDS:-

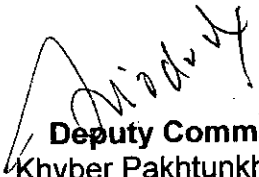
- A. Incorrect. On the allegations of criminal case, the appellant was placed under suspension and closed to line. He was proceeded against proper departmentally as he was issued Charge Sheet and Summary of Allegations and DSP HQrs; was nominated as Enquiry Officer. After completion of enquiry, the Enquiry Officer submitted his findings, wherein the appellant was found guilty of the charge leveled against him and recommended for major punishment. Upon the findings of Enquiry Officer, the appellant was served with Final Show Cause Notice, to which he replied, but his reply was found unsatisfactory. After fulfillment of all codal formalities, he was awarded major punishment of removal from service as per law/rules.
- B. Incorrect. The bail application of the appellant was rejected by the learned trial court of ASJ Chota Lahore, and later on he was released by the Peshawar High Court Peshawar, on bail, but not exonerated from the charges leveled against him.
- C. Incorrect. The appellant was proceeded against proper departmentally and the allegations leveled against him were proved during the course of enquiry, without any shadow of doubt. Moreover, the court and departmental proceedings are two different entities and can run side by side. As such the earlier enquiry against the appellant regarding to his first time involvement in criminal case was kept pending till the final decision of court concerned, but he did not mend his way and again involved himself in the instant moral turpitude nature offence hence, for maintaining of discipline in force the competent authority is compelled to imposition the suitable punishment upon the appellant.
- D. Incorrect. Upon the findings of enquiry officer, the appellant was served with Final Show Cause Notice, to which he replied, but his reply was found unsatisfactory. (Copies of Final Show Cause Notice and his reply attached herewith as annexure "A & B"). Besides, the appellant was summoned and heard in person, but he failed to present any justification before the competent authority.
- E. Incorrect. In fact, the appellant having an exceeding bad reputation in the police department as he was two times involved himself in the moral turpitude nature offenses, which he is notorious for his evil and also a black stigma on the face of Police Department. Besides, perusal of his service record reveals that the appellant is found inefficient and a habitual absentee as he is remained absent from his lawful duty for a period of 64 days, without any leave or prior permission of the competent authority, which he was awarded different punishments and in this regard there are 03 bad entries with no good entry in his credit.
- F. Incorrect. As the appellant was dealt with proper departmentally under the relevant law i.e Police Rules 1975 (amended in 2014). He was issued Charge Sheet alongwith Summary of Allegations and Enquiry Officer was nominated to dig out the actual facts. During the course of enquiry, the Enquiry Officer found him guilty of the charges leveled against him and recommended for major punishment. (Copies of Charge Sheet, enquiry report and his reply attached herewith as annexure "C, D & E"). Upon the findings of Enquiry Officer he was

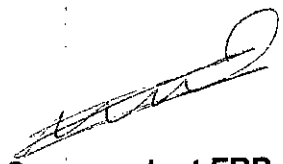
served with Final Show Cause Notice to which he replied, but his reply was found unsatisfactory. After fulfillment of all codal formalities, the appellant was awarded major punishment of removal from service.


- G. Incorrect. The allegations are false and baseless. The appellant being involved in a moral turpitude nature offence was placed under suspension and closed to line. He was dealt with proper departmentally under the existing law/rules and the allegations leveled against him were fully established by the enquiry officer during the course of enquiry. Since no illegality or misuse of powers as a public servant has been exercised and all procedure and rotation took place in accordance to law, rule, and policy in vogue. Hence, the appellant absolutely treated in accordance to law/rules as the mandatory provision of law has already been adopted by the respondents in the case of appellant accordingly.
- H. Incorrect. The respondents have not committed with any violation of the Constitution of Islamic Republic of Pakistan in the case of appellant as the action so far taken against the appellant is not conflicted with any law/rules. Moreover, neither the appellant was treated discriminatory manner, nor deprived from his legal right. Besides, for disposal of departmental appeal submitted by the appellant, the relevant records were obtained and the appellant was summoned and heard in person by appellate authority in orderly room held on 20.01.2022, but he failed to advance any cogent reason for rebuttal of the charges leveled against him. Hence, a speaking order of rejection was passed in accordance to law/rules and a copy of such order has also been endorsed to the appellant vide order Endst; No. 59-61/PA, dated 25.01.2022. As such the respondents have not committed with any violation of justice or law/rules, hence the instant service appeal liable to be dismissed.
- I. The respondents may also be permitted to raise additional grounds at the time of arguments.

PRAYERS:-

Keeping in view the above facts and circumstances, it is most humbly prayed that the instant service appeal being not maintainable may kindly be dismissed with costs please.


Deputy Commandant FRP,
 Khyber Pakhtunkhwa, Peshawar
 (Respondent No. 01)


Commandant FRP,
 Khyber Pakhtunkhwa, Peshawar
 (Respondent No. 02)


Inspector General of Police,
 Khyber Pakhtunkhwa, Peshawar
 (Respondent No. 03)

(4) 'A'

FINAL SHOW CAUSE NOTICE UNDER POLICE RULES 1975.

I, Deputy Commandant, FRP, KPK as competent authority do hereby serve you Constable **Ahmad Ali No. 763** of FRP/HQrs, Peshawar.

(1) i- That consequent upon the completion of enquiry conducted against you by DSP FRP HQrs: Peshawar for which you were given full opportunity of hearing but you failed to submit reply in response to the Charge sheet/statement of allegation and recommend you for Major punishment.

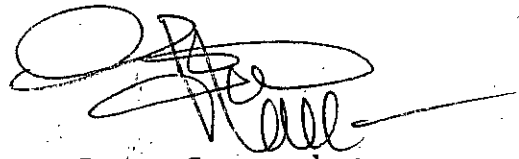
ii- On going through the findings/recommendations of the Enquiry Officers, the material available on record and other connected papers I, am satisfied that you have committed the following acts/omissions per Police Rules 1975.

You Constable **Ahmad Ali No. 763** of FRP HQrs: Peshawar being involved in criminal case vide FIR No. 674 dated 17.09.2021 u/s 9DCNSA at PS Chota Lahore District Swabi and absented from lawful duties w.e.from 12.09.2021 to 21.10.2021 for the total period of (38) days without any leave/permission of the competent authority. In this connection an enquiry was entrusted to DSP FRP HQrs: Peshawar, who after enquiry recommend you for punishment.

(2) Therefore, I, Deputy Commandant, FRP, KPK as competent authority has tentatively decided to impose upon you Major/Minor penalty including dismissal from service under the said Rules.

(3) You are, therefore, required to Final Show Cause as to why not the aforesaid penalty should not be imposed upon you.

(4) If no reply to this Final Show Cause Notice is received within fifteen days of its delivery in the normal course of circumstances, it shall be presumed that you have no defence to put in and consequently ex-parte action shall be taken against you.



**Deputy Commandant,
Frontier Reserve Police,
Khyber Pakhtunkhwa, Peshawar.**

No. 2100 /PA, Dated 15 / 11 /2021

Handwritten notes:
10/11/2021
15/11/2021

FC (S) 763
FRP HCRs
B
صاحب عالی

مکالمہ مشمولہ داخل ہو کر نوٹس قرار دیا گیا ہے

کتابیہ میں FRP صورتوں سے متعلق نوٹس قرار دیا گیا ہے

تاریخ: 17/09/2011

QDCNSA

15/09/2011

12/09/2011

12/09/2011

12/09/2011

12/09/2011

12/09/2011

12/09/2011

12/09/2011

12/09/2011

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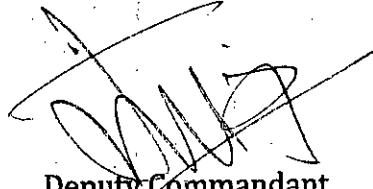
12/09/2011

As reported by LO FRP HQrs: Peshawar vide FIR No. 674 dated 17.09.2021 that constable Ahmad Ali No. 763 of FRP HQrs: Peshawar. Being involved in case vide FIR No.674 dated 17.09.2021 u/s 9DCNSA Police Station Chota Lahore, Constable Ahmad Ali No. 763 of FRP HQrs: Peshawar is hereby suspended and closed to Police Lines FRP HQrs: with immediate effect. Besides, he also absented himself from duty with effect from 12.09.2021 till to date.

You are hereby called upon to submit your written defense against the above charges before the enquiry officer.

Your reply should reach the Enquiry Officer within seven (7) days from date of receipt of this Charge Sheet, failing which ex-parte action shall be taken against you.

Summary of allegations enclosed herewith.



Deputy Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa Peshawar

A Hussain

05-09-2021

ایڈیشن ونگر دی جی، سیکشن 3، پشاور، لاہور، چوٹی لاہور، پشاور

0310 8690456

16201-9727397-5

(D) (C7)

بیان آڈال کنسٹیبل احمد علی نمبر 763 FRP/HQrs پشاور

جناب عالی!

بحوالہ چارج شیٹ و سہری آف الیگیشن مجاریہ جناب ڈپٹی کمانڈنٹ ایف آر پی کے KP معروض خدمت ہوں کہ من ساکل پر جھوٹا مقدمہ بحوالہ FIR عدلت نمبر 674 جرم 9D-KPCNSA مورخہ 17-09-2021 تھانہ چھوٹا لالا ہور ضلع صوابی درج ہو چکا ہے جس میں من ساکل مورخہ 18.09.2021 پر سنٹرل جیل صوابی بھجوا یا جا کر مورخہ 15.10.2021 پر من ساکل کا بعد الت جناب جسٹس سید محمد عتیق شاہ صاحب نے ضمانت منظور کر کے من ساکل کو جیل سے رہا ہونے کے احکامات صادر فرمائیں ہیں۔ من ساکل کی والدہ صاحبہ بیمار تھی جس کی وجہ سے من ساکل مورخہ 12.09.2021 سے اپنی ڈیوٹی سے قاصر رہا۔ من ساکل ایک غریب گھرانے سے تعلق رکھتا ہوں، میرے اور میرے والدین کا میری تنخواہ کے علاوہ دوسرا کوئی ذریعہ معاش نہیں ہے۔

لہذا آپ صاحبان سے بذریعہ درخواست ہذا التماس ہے کہ من ساکل کی بے گناہی برطابق عدالتی کارروائی مان کر من ساکل کی غیر حاضری کو رخصت میں شمار کرنے اور جھوٹے مقدمے میں ملوث ہونے کی وجہ سے سپینشن / معطلی سے بحال کرنے کے احکامات صادر فرمائیں۔

Ahsid
آپکا تابع فرمان کنسٹیبل احمد علی نمبر 763 ایف آر پی ہیڈ کوارٹر پشاور۔

9257132-315

صوبائی سبیل نمبر

16201-3071581-3

CNIC

انکوائری رپورٹ

جناب عالی!

بحوالہ مشمولہ انکوائری کاغذات برخلاف کنسٹیبل احمد علی نمبر 763 ایف آر پی ہیڈ کوارٹر پشاور معروض خدمت ہوں کہ بحوالہ نقلہ 15 روز نامہ پشاور مورخہ 17.09.2021 لائن انفر ایف آر پی ہیڈ کوارٹر پشاور نے اطلاع رپورٹ درج روز نامہ پشاور کی ہے جس میں درج ہے کہ "کنسٹیبل احمد علی FRP/HQrs 763 ایف آر پی ہیڈ کوارٹر پشاور نے اطلاع رپورٹ درج روز نامہ پشاور مورخہ 17.09.2021 جرم 9DCNSA/4 گرام چرس تھانہ چھوٹا لاہور میں گرفتار ہو کر رپورٹ درج رجسٹر ہو چکا ہے جبکہ مذکورہ بحوالہ نقلہ 16 روز نامہ پشاور مورخہ 12.09.2021 سے لائن روز نامہ پشاور FRP/HQrs میں بدستور غیر حاضر ہے۔

متذکرہ نقلہ رپورٹ پر جناب ڈپٹی ٹائمنٹ صاحب ایف آر پی KP پشاور نے کنسٹیبل احمد علی نمبر 763 ایف آر پی ہیڈ کوارٹر پشاور کو معطل لائن کر کے مذکورہ کے خلاف چارج شیٹ و سمری آف اینگیٹس جاری فرما کر کاغذات بغرض انکوائری من DSP ہیڈ کوارٹر ایف آر پی ہیڈ کوارٹر پشاور کو حوالہ کئے۔

اندریں سلسلے میں کنسٹیبل احمد علی نمبر 763 ایف آر پی ہیڈ کوارٹر پشاور پر چارج شیٹ و سمری آف اینگیٹس بذریعہ DHC شاکر اللہ حسب ضابطہ تقسیم کی گئی اور دفتر ہذا طلب کر کے مذکورہ نے اپنا تحریری بیان پیش کیا جس کا خلاصہ ذیل ہے۔

خلاصہ بیان FC احمد علی نمبر 763 ایف آر پی ہیڈ کوارٹر پشاور:-

مذکورہ نے اپنے بیان میں لکھا ہے کہ اس پر چھوٹا لاہور مقدمہ بحوالہ FIR ملت نمبر 674 جرم 9D-KPCNSA مورخہ 17-09-2021 تھانہ چھوٹا لاہور ضلع صوابی درج ہو چکا ہے جس میں مورخہ 18.09.2021 پر سنٹرل جیل صوابی بھیجا گیا اور مورخہ 15.10.2021 پر مذکورہ کا بعد ازاں جناب جسٹس سید محمد عتیق شاہ صاحب نے ضمانت منظور کر کے جیل سے رہا ہونے کے امکانات صادر فرمائیں ہیں۔ مذکورہ کی والدہ صاحبہ بیمار تھی جس کی وجہ سے وہ مورخہ 12.09.2021 سے اپنی ذیوی سے قاصر رہا۔ عدالتی کاغذات اور بیان ہمراہ لف ہے۔

اس سلسلے میں CIO تھانہ چھوٹا لاہور ضلع صوابی سے متذکرہ کیس کے بابت پراگرس رپورٹ طلب کی گئی جس نے کا خلاصہ ذیل ہے۔

خلاصہ پراگرس رپورٹ CIO تھانہ چھوٹا لاہور ضلع صوابی: مذکورہ نے اپنی رپورٹ میں لکھا ہے کہ کنسٹیبل احمد علی نمبر 763 ولد ولی محمد سکنہ چھوٹا لاہور ضلع صوابی کے خلاف بحوالہ ملت نمبر 674 جرم 9DCNSA مورخہ 17.09.2021 تھانہ چھوٹا لاہور ضلع صوابی میں حسب ضابطہ گرفتار ہو کر جس کے قبضہ سے 04 عدد پیکٹ کل وزنی 4055 گرام چرس برآمد ہو کر مذکورہ کو شمس الزمان خان SI نے 07 یوم حراست پولیس کیلئے پیش عدالت کر کے حراست پولیس منظور نہ ہو کر داخل جیل ہو کر مورخہ 22/09/2021 کو بعد ازاں ASJ صاحب لاہور نے مذکورہ کا ضمانت خارج کیا۔ علاوہ ازیں مذکورہ بالا پر قبل ازیں بھی بحوالہ ملت 84 مورخہ 05/02/2020 جرم 11ACNSA/9CCNSA تھانہ لاہور چرس اور آئس میں مقدمہ درج رجسٹر ہو چکا ہے جس میں مذکورہ ضمانت پر ہے اور مقدمہ ہذا عدالت میں زیر سماعت ہے۔ رپورٹ ہمراہ لف ہے۔

یہاں یہ امر قابل ذکر ہے کہ کنسٹیبل احمد علی نمبر 763 بحوالہ نقلہ 16 روز نامہ پشاور مورخہ 12/09/2021 سے FRP ہیڈ کوارٹر لائن میں غیر حاضر ہے اور مورخہ 15/10/2021 کو پشاور ہائی کورٹ سے ضمانت پر رہا ہو کر بظاہر نقلہ 15 روز نامہ پشاور مورخہ 21/10/2021 سے FRP ہیڈ کوارٹر لائن میں حاضری کی ہے

جناب عالی!

دوران انکوائری معلوم ہوا کہ کنسٹیبل احمد علی نمبر 763 ایف آر پی ہیڈ کوارٹر پشاور کے خلاف بحوالہ مقدمہ ملت نمبر 674 جرم 9D-CNSA مورخہ 17.09.2021 تھانہ چھوٹا لاہور ضلع صوابی میں درج ہوئی ہے۔ مقدمہ ہذا میں کنسٹیبل مذکورہ باضابطہ گرفتار ہو کر مورخہ 18.09.2021 کو پابند جیل ہو کر جیل میں کل 26 یوم گزارنے کے بعد جسٹس عتیق شاہ پشاور ہائی کورٹ سے مورخہ 15.10.2021 پر ضمانت منظور ہو کر رہا ہو گیا۔ عدالتی کاغذات ہمراہ لف قابل ملاحظہ ہے۔

بظاہر پراگرس رپورٹ CIO تھانہ چھوٹا لاہور ضلع صوابی کنسٹیبل احمد علی نمبر 763 کے خلاف اس سے قبل بھی بحوالہ ملت 84 مورخہ 05.02.2020 جرم 9C-CNSA/11ACNSA تھانہ چھوٹا لاہور ضلع صوابی میں بدستور ہو چکا ہے۔ جس میں مذکورہ ضمانت پر ہے۔

2 (9) 'E/2'

کنستبل احمد علی نمبر 763 مورخہ 12/09/2021 سے 21/10/2021 تک کل 38 یوم غیر حاضر روچکا ہے اور لائن ایف آر پی ایڈ کوارٹر میں موجود آن ڈیوٹی ہے۔ متذکرہ کیس میں کنستبل احمد علی نمبر 763 پشاور ہائی کورٹ سے ضمانت پر رہا اور کیس عدالت میں زیر سماعت ہے۔ چونکہ مذکورہ اس سے پہلے بھی اسی قسم کے کیس میں نوٹ روچکا ہے۔ ڈیپن فورس کا حصہ ہونے کے ناطے مذکورہ کا یہ فعل قابل سزا ہے۔ لہذا کنستبل احمد علی نمبر 763 کی عرصہ غیر حاضری کل 38 یوم کو بااختیار کرنے اور سزا دینے کی سفارش کی جاتی ہے۔ باقی حکم افسران بالا افضل ہے۔

رپورٹ گزارش ہے۔

DSP ایڈ کوارٹر

ایف آر پی ایڈ کوارٹر پشاور

ڈیوٹی نمبر: 214

مورخہ: 29/10/21

wsp: legal

01/11/21

Sir,

It is submitted that the case may be proceeded further in the light of recommendation of enquiry officer P1.

Issue F.S.C notice

12.11.21

wsp: legal

(16)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 387/2023.

**Ahmad Ali, S/o Wali Muhammad, R/o Mohallah Tahan Cham, P/o Lahore Raporay,
Tehsil Lahore, District Swabi, Ex-FC# 763 FRP KP, Peshawar**
.....Appellant.

VERSUS

**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &
others**.....Respondents.

AFFIDAVIT

We respondents No. 1 to 3 do hereby solemnly affirm and declare on oath that the contents of the accompanying Para-wise Comments is correct to the best of our knowledge and belief that nothing has been concealed from this Honorable Court.

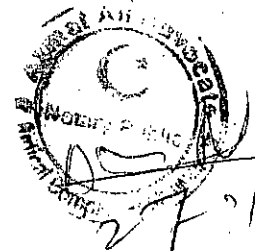
It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off/costs.

**Deputy Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)**

**Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)**

**Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 03)**

ATTESTED



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 387/2023

Ahmad Ali, S/o Wali Muhammad, R/o Mohallah Tahan Cham, P/o Lahore Raporay, Tehsil Lahore, District Swabi, Ex-FC# 763 FRP KP, Peshawar
.....Appellant.

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others
.....Respondents.

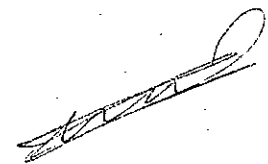
AUTHORITY LETTER

Respectfully Sheweth:-

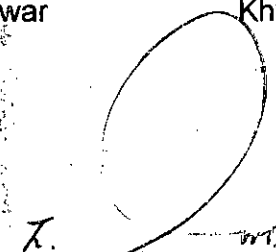
We respondents No. 1 to 3 do hereby solemnly authorize Mr. Ghassan Ullah ASI FRP HQrs; to attend the Honorable Tribunal and submit affidavit/Para-wise comments required for the defense of above Service Appeal on our behalf.



**Deputy Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)**



**Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)**



**Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 03)**