

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

**Service Appeal No.1953/2023.**


Ex-Constable Junaid Gul No.954 of CCP Peshawar..... **Appellant.**

**VERSUS**

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

**I n d e x**

S.NO	DOCUMENTS	ANNEXURE	PAGES
1	Reply		1 to 3
2	Affidavit		4
3	Authority		5
4	Copy of list	A	6
5	Copy of Complaints	B,C	7 to 10
6	Charge sheet	D	11,12
7	Statement of allegations	E	13,14
8	Enquiry Reports	F	15 to 17
9	FSCN	G	18,19

  
DSP/Legal,<sup>6</sup>  
CCP, Peshawar.

19-9-2024

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

**Service Appeal No.1953/2023.**

Ex-Constable Junaid Gul No.954 of CCP Peshawar..... **Appellant.**

**VERSUS**

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

**REPLY BY RESPONDENTS NO. 1, 2&3.**

**Respectfully Sheweth:-**

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 10653

Date 19-1-2024

**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 not come to Hon'ble Tribunal with clean hands.
4. That the appellant has no cause of action and locus standi to file the instant appeal.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from Hon'ble Tribunal.
7. That the appeal is not maintainable being devoid of any merit.

**REPLY ON FACTS:-**

1. Pertains to record. Furthermore, perusal of record reveals that the appellant is familiar while owing money from peoples and then refusing to pay back. The appellant has earned 09 bad entries and 05 Minor, 02 major punishments at his credit on different occasions during his short span of service. Worth mentioning, that appellant was previously awarded major punishment twice in 2017 and 2021 on the ground of fraud/taking money from peoples in different manner/provide job in Police Department etc, later on, he was reinstated into service, but he failed to mend his ways. (Copy of Punishment list is annexed as A).
2. Incorrect. The appellant was proceeded departmentally on the charges that two complaints were submitted by Mr. Nawaz Muhammad s/o Muhammad Gul r/o Shabqadar, Charsadda and HC Mehran Gul No. 4911 for the recovery of outstanding dues worth 60,000/-, and 80,000 taken by the appellant from complainants on different pretexts and now the appellant was using delaying tactics and also handed over a fake bank cheque in returning of his amount. Besides, the appellant was also absented himself from lawful duty without taking leave/permission from the competent authority.(Copy of complaints are annexed as B,C)
3. Incorrect. The appellant was proceeded against departmentally by issuing him charge sheet with statement of allegations vide No. 95/E/PA dated 09.06.2022 , No. 110 /E/PA, dated 01.07.2022 and two separate enquiries were conducted on the charges of taking money amounting to Rs. 60,000/- fraudulently from the complainant Mr. Nawaz Muhammad s/o Muhammad Gul r/o Shabqadar, Charsadda on the pretext of his appointment in Police department and in second enquiry, he was found guilty by taking Rs. 80,000/- from HC Mehran Gul No. 4911 on pretext of providing him bricks for construction. The MM Police Station Urmar reported that the alleged official absented himself from lawful duty w.e.from

30.08.2022 to 16.09.2022 without taking permission/leave from the competent authority. He was called time and again by the enquiry officer to defend himself but he did not turn up. The enquiry officers have finalized the enquiries and submitted their findings, wherein the allegations of fraud were proved against him. After receipt of the findings, Final Show Cause Notice was issued vide No.95/PA, SP/HQrs: dated 01.09.2022, but he failed to appear and defend himself. After fulfilling of all codal formalities, the charges against appellant were proven; hence he was awarded major punishment of removal from service vide OB No. 2392, dated 16.09.2022 under Police Rules 1975 (amended 2014). (Copy of charge sheets, statement of allegations, enquiry reports, FSCN and removal order are attached as D,E , F & G).

4. Incorrect. The appellant filed departmental appeal, which was thoroughly processed and an ample opportunity of hearing was provided to the appellant by appellate authority but the appellant failed to defend himself with plausible/justifiable grounds, hence after due consideration his appeal was rejected/filed vide No.349-55/PA dated 30.01.2023 on cogent grounds.
5. Correct to the extent of filing revision petition to respondent No.01 but the same was also filed/rejected vide No. 2101/08 dated 28.08.2023 on cogent grounds.
6. Incorrect. The appellant is a habitual deceiver and cheater who use to deceive and cheat other people to extort money and when someone submit compliant against him, he not only threatens, but also absent himself to avoid wrath of his deeds. The Hon'ble Service Tribunal is humbly requested to dismissed the extent Service Appeal inter alia on the following grounds.


**REPLY ON GROUNDS:-**

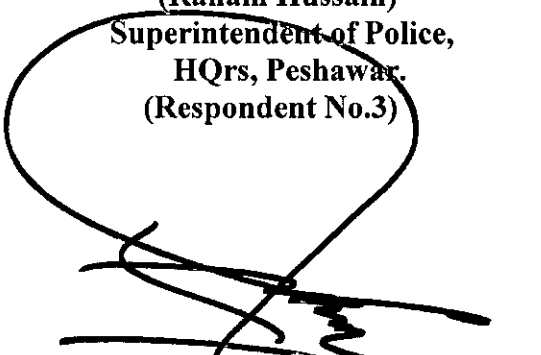
- A. Incorrect. The impugned orders passed by the Authorities are just legal, lawful and in accordance with norms of natural justice hence, liable to be upheld.
- B. Incorrect. The appellant was treated as per law/Rules and no violation of the Article 4 and 25 of Constitution of Pakistan 1973 was committed by the replying respondents.
- C. Incorrect. The competent authority before imposing major punishment, had completed all codal formalities by conducting two separate departmental enquiries. Proper charge sheets with statement of allegations were issued to appellant. After completion of departmental enquiries he was issued Final Show Cause Notice, but he failed to submit reply, after observing all codal formalities, he was awarded major punishment of removal from service under the rules ibid.
- D. Incorrect. Para already explained in the proceeding paras. Furthermore, he was issued final show cause notice which was delivered on his home address, but he failed to appear before the competent authority. The appellant was given full opportunity of personal hearing but he failed to defend himself. The appellant has committed gross misconduct by involving himself in fraudulent and corrupt activities.
- E. Incorrect. Charge sheet with statement of allegations was issued to the appellant. Regular enquiries were conducted and thereafter he was issued a final show cause notice, by giving him proper opportunity of personal hearing, but he failed to defend himself, hence after fulfilling of all the codal formalities he was awarded Major punishment of Removal from service under Rules ibid.

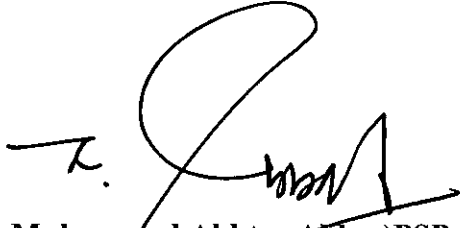
- F. Incorrect. The whole enquiry proceedings were initiated purely on merit and in accordance with law/rules. The appellant was called to appear in person but he failed to defend himself, hence the punishment orders passed by the competent authority are in accordance with facts and law/rules.
- G. Incorrect. The Punishment order passed by the competent authority is based on justifiable and genuine grounds, without any malafide intension, hence liable to be upheld. The acts of the appellant are a bad stigma on the face of Police force.
- H. Incorrect. Proper departmental enquiries as per prevailing Rules ibid were conducted against appellant however he failed to rebut the charges as he was found guilty committing grave misconduct within the meaning of Rules ibid.
- I. Respondents also seek permission of this Honorable Tribunal to raise additional grounds at the time of arguments.

**Prayers:-**

Keeping in view the above stated facts & circumstances it is, humbly prayed that the appeal of the appellant being devoid of merits may kindly be dismissed with costs please.

  
 (Raham Hussain)  
 Superintendent of Police,  
 HQrs, Peshawar.  
 (Respondent No.3)

  
 (Syed Ashfaq Anwar)PSP  
 Capital City Police Officer,  
 Peshawar.  
 (Respondent No.2)

  
 (Dr. Muhammad Akhtar Abbas)PSP  
 DIG/Legal, CPO  
 Provincial Police Officer,  
 Khyber Pakhtunkhwa, Peshawar.  
 (Respondent No.01)

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

**Service Appeal No.1953/2023.**

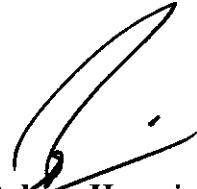
Ex-Constable Junaid Gul No.954 of CCP Peshawar..... **Appellant.**

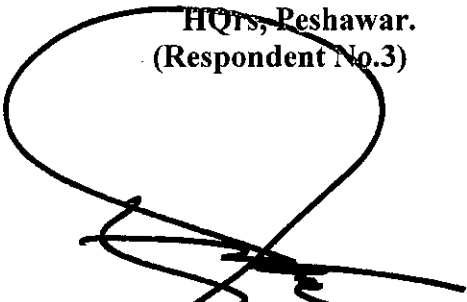
**VERSUS**


Provincial Police Officer, Peshawar and others..... **Respondents.**

**AUTHORITY.**

I, **Capital City Police Officer, Peshawar**, hereby authorize **Mr.Inam Ullah** DSP legal of Capital City Police, Peshawar to attend the Hon'ble Court and submit written reply, statement and affidavit required for the defense of above service appeal on behalf of respondent department.

  
**(Raham Hussain)**  
**Superintendent of Police,**  
**HQs, Peshawar.**  
**(Respondent No.3)**

  
**(Syed Ashfaq Anwar)PSP**  
**Capital City Police Officer,**  
**Peshawar.**  
**(Respondent No.2)**

  
**Dr. Muhammad Akhtar Abbas(PSP)**  
**DIG/Legal CPO**  
**For Provincial Police Officer,**  
**Khyber Pakhtunkhwa, Peshawar.**  
**(Respondent No.01)**

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**VERSUS**

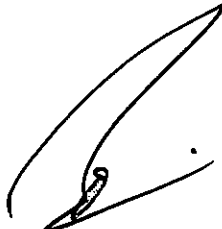
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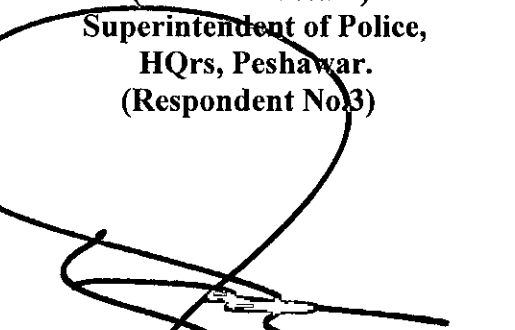
**AFFIDAVIT.**

We respondents No. 1, 2, & 3 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Hon'ble Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense have been struck off.



11 9 JAN 2024

  
**(Raham Hussain)**  
**Superintendent of Police,**  
**HQrs, Peshawar.**  
**(Respondent No.3)**

  
**(Syed Ashfaq Anwar)PSP**  
**Capital City Police Officer,**  
**Peshawar.**  
**(Respondent No.2)**

1. Name of Official JUNAID GUL No.954 S/O AKHTAR GUL
- R/O Shekhabad No.03 Gulbahar P.S Gulbahar Distt: Peshawar
2. Date of Birth 01.01.1988
3. Date of enlistment 14.07.2009
4. Education 10<sup>th</sup>
5. Courses Passed Recruit
6. Total qualifying service 10 years,08 months & 03 day
7. Good Entries Nil
8. Punishment (previous)

Bad Entries (L.W.O Pay, E/Drill & Warning)

1. 02 days E/drill vide OB No.4279 dt: 20.12.2016
2. 01 day E/drill vide OB No.4300 dt: 21.12.2016
3. 02 days leave without pay vide OB No.897 dt:20-12-2016
4. 01 day E/drill vide OB No.826 dt:28-02-2018
5. 01 day E/dill vide OB No.826 dt: 28.02.2018
6. 01 day E/drill vide OB No.993 dt:12-03-2018
7. 01 day E/drill vide OB No.639 dt:18-02-2015
8. 02 days E/drill vide OB No.4240 dt:10-11-2015
9. 06 days leave without pay vide OB No.1524 dt:01-07-2021

Minor Punishment

1. Censured & 23 days leave without pay vide OB No.2069 dt: 16.05.2017
2. Censured & 25 days leave without pay vide OB No.3449 dt: 18.09.2017
3. Censured vide OB No.3443 dt: 18.09.2017
4. Censured & 120 days leave without pay vide OB No.3038 dt:08-10-2018
5. Fine Rs.500 vide OB No.3135 dt:03-12-2021

Major Punishment

1. Dismissed from service vide OB No.3459 dt: 19.09.2017 by SP/HQrs Peshawar & re-instated in service & de-novo enquiry proceeding vide OB No 264 dt: 17.01.2018 by W/IGP KPK Peshawar.
2. Awarded major punishment in reduction to lower stage of time scale for period of 02-years with immediate effect vide OB No.781 dt:03.03.2021 by SP HQrs/Peshawar.

09. Punishment (Current)

- Awarded major punishment of Reomoval from service vide OB No.2392 dt: 16.09.2022 by SP/HQrs Peshawar.

10. Leave Account

<u>Total leave at his credit</u>	<u>Availed leaves</u>	<u>Balance</u>
512 days	Nil	512 Days

*Advised  
Zulma*

*PA My 10/11*

*Jan  
CRC  
10/11*

بخدمت جناب انسپٹر جنرل آف پولیس خیرپور خواہ کراچی  
 درخواست برطرف  
 Office of the  
 Provincial Police Officer,  
 Khyber Pakhtunkhwa, Peshawar  
 Complaint Cell  
 No. 1293 /Complain  
 Dated 12/5/22  
 جناب عالی ا  
 SSP/ops  
 Line Peshawar

تذرا دس لاکھ سائل سے متعلق جنیبل جنیڈل متینہ پولیس لائن نے  
 پولیس میں دعویٰ کرنے کیلئے کل مبلغ 60,000 روپے وصول کیے اور  
 کہا کہ بقایا بلیئے دعویٰ کرنے کے بعد دو ہفتے کے بعد کافی وقت انتظار کیا  
 مگر بعد میں پتہ چلا کہ مذکورہ جنیبل ایسا دعویٰ کرنا نہیں ہے اور عملہ  
 میں بھی کافی مذاکرات ہوئے۔ جب ہم نے اپنی رقم کا مطالبہ کیا تو انہوں نے ہمیں  
 ہتکوتہ بھی کہا اور جو رقم بلیئے لگانے کے وقت وصول ہوگی اسے  
 اگلا وقت میں بلیئے نہیں دیں گے۔  
 ہمارے بار بار کے مطالبے پر بھی وہ کبھی سے میں نہیں ملا اور والد صاحب  
 دیئے کہ اگر بلیئے لے سکتے ہو تو لے لو۔ نسیم شہری شہری ہے اور فالان کو  
 اپنے ہاتھ میں نہیں لے سکتے۔

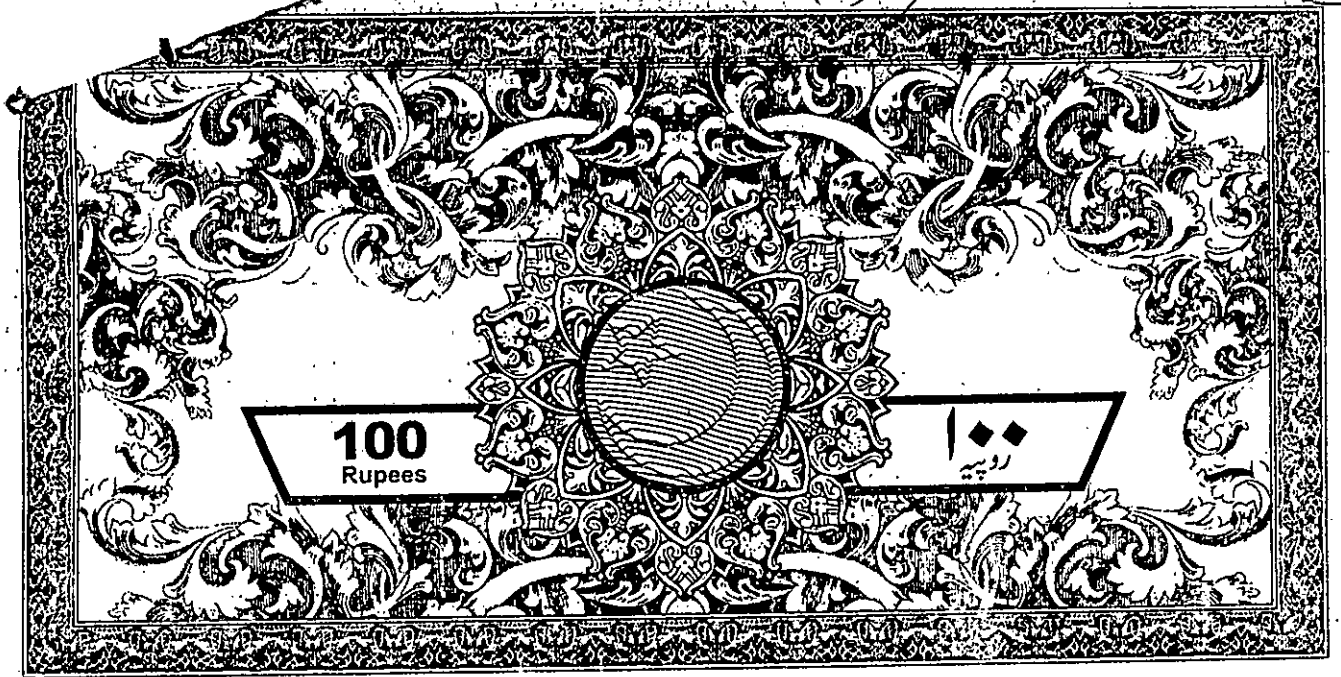
انسپٹر صاحبان سے بذریعہ درخواست استدعا ہے کہ جنیبل  
 جنیڈل ولد اختر گل سے ہماری رقم برآمد کرے اور ان کے خلاف قانونی کارروائی  
 کرے۔ مشکور فرمائیں۔

العارض  
 مورخہ 12-5-2022  
 Part 12-5-22

کواثر خان ولد محمد گل  
 حضرت علی ولد نیاز اللہ  
 Sub: Complaint Against  
 Constable Junaed 0333-0916470  
 Gul police 0347-5070844  
 Line Peshawar.

نوٹ: تمام بلیئے ہتکوتہ اور دیگر دستاویزات اندازگی میں پیش کر دینا۔  
 جنیبل جنیڈل والیہ پشاور: 0345-9380212 / 0340-9176534





## بیان حلفی

منکہ جنید گل ولد اختر گل ساکن گلی نمبر 2 بلاک بی محلہ شیخ آباد نمبر 3 پشاور بقاگی ہوش و حواس خمسہ حلفاً بیانی ہوں بدینوجہ کہ من مقرر مسیان حضرت علی ولد نیاز اللہ ساکن دریاب کورونہ ڈاکخانہ منہ مغل خیل شب قدر ضلع چارسدہ اور نواز خان ولد محمد گل ساکن دریاب کورونہ ڈاکخانہ منہ مغل خیل شب قدر ضلع چارسدہ کیلئے بعض مبلغ - 300,000/- روپے سی پیک میں بطور کانشیل (7 سکیل) بمورخہ 10-02-2022 تک کام کر کے دوں گا۔ یہ کہ من مقرر نے مبلغ - 60,000/- ساٹھ ہزار روپے ضرب پاکستانی وصول پالنے ہیں جبکہ - 240,000/- دو لاکھ چالیس ہزار روپے ضرب پاکستانی بتایا ہیں جو کہ کام ہونے کے بعد مسیان حضرت علی اور نواز خان دینے کا پابند ہے۔ یہ کہ اگر کام نہ ہوا تو من مقرر رقم مذکورہ واپس کرنے کا پابند ہوں لہذا یہ تحریر لکھ دی ہے

تا کہ سند رہے اور عند الضرورت کام آوے۔ الرقوم 27-01-2022



العب  
جنید گل ولد اختر گل

17301-5246673-5

*J. Gul*

العب  
حضرت علی ولد نیاز اللہ

17101-1797840-7

*حضرت علی*



العب  
نومان ولد محمد گل

17103-0393203-9

*Noman*

*محمد گل*

HBL HABIB BANK

Habib Bank Limited, Pakistan

G.T. ROAD BR PESHAWAR ORAKZAI GREENRTOWER G.T. ROAD



Cheque No. 00000183

Date 06/04/2022

Pay Self or bearer

Rupees Sixty Thousands only

PKR 60000/-

PK60 HABB 0011817900609701

JUNAID GUL SO AKHTAR GUL

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Signature

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HBL HABIB BANK

Habib Bank Limited, Pakistan

G.T. ROAD BR PESHAWAR ORAKZAI GREENRTOWER G.T. ROAD



Cheque No. 00000178

Date 06/04/2022

Pay Self or bearer

Rupees Sixty Thousands only

PKR 60000/-

PK60 HABB 0011817900609701

JUNAID GUL SO AKHTAR GUL

Please do not write below this line

Signature

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18-4-2022

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پنجاب عالی

گزارش کی جاتی ہے کہ سائل نے بغرض ایسٹ بھدہ خشت سے لینے کے لئے کنسٹیبل جنید گل 945 متعین جوڈیشل کپلیس کو مبلغ 80 ہزار روپے کا رقم تقریباً 06 ماہ پہلے سے دیئے ہے۔ مذکورہ تاحال مذکورہ ججے ایسٹ بھوائے ہے اور نہ میرا رقم واپس کر رہا ہے مذکورہ کنسٹیبل نے مجھے جعلی چیک بھی دیئے ہیں جو کہ ایک نو ممبر بار شخص ہے اور میرا رقم ہرپ کرتا چاہتا ہے۔

بذریعہ درخواست استدعا ہے کہ مذکورہ کنسٹیبل جنید گل 954 کی تنخواہ بند کی جاوے اور مذکورہ کنسٹیبل سے میرا رقم نکلوانے میں میری مدد کی جائے۔

عین نوازش ہوگی۔

العارض

آپ کا تابع حکم مہراں خان 4911/HO متعین پولیس لائن پشاور۔  
 موبائل نمبر 0314-9951869  
 قرض دار: جنید گل 954 متعین جوڈیشل کپلیس پشاور  
 نوٹ: بینک چیک کی کاپی مہر و لف ہے۔

موبائل نمبر 0345-9380212

جنید گل

جنید گل

مذکورہ سے متعلق پولیس رپورٹ  
 رپورٹ نمبر 15/4/22

Sir,

Forwarded for  
 remaining  
 Lot for  
 15/4/22

mmpl  
 15-4-2022

Sir,

Forwarded

Fast  
 RTHA  
 For 15/4/22

DS/Complaint

For enquiry and report

Sir, Forwarded A

Dy: Supdt: of Police  
 Headquarters, C.C.F  
 Peshawar  
 15.04.2022

mm  
 25-5-22

Superintendent of Police  
 Peshawar  
 15/4/22

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Alireu Bank

DALAKAK ROAD DALAFAN ROAD, PESHAWAR

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PK95ABPA0010045331780018  
JUNAID GUL

*Handwritten signature*

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HBL

HABIB BANK LIMITED  
S.T. ROAD 44 PESHAWAR SPECIAL GREENKINOWER S.T. ROAD

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PK95ABPA0010045331780018  
JUNAID GUL

00001810087185400100453317800180000

HBL

HABIB BANK LIMITED  
S.T. ROAD 44 PESHAWAR SPECIAL GREENKINOWER S.T. ROAD

*Handwritten signature and scribbles*

PK95ABPA0010045331780018  
JUNAID GUL

000000185400100453317800180000

*Handwritten signature: Akter Lay*

(11)  
(9)

**CHARGE SHEET**

I, Superintendent of Police, Headquarters, Capital City Police Peshawar, as a competent authority, hereby, charge that you Constable Junaid No.954 of Capital City Police Peshawar with the following irregularities.

"That you Constable Junaid No.954 found guilty in preliminary enquiry conducted by DSP Complaint & Enquiry, CCP Peshawar on the application submitted by HC Mihran Gul No.4911. This amounts to gross misconduct on your part and is against the discipline of the force."

You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

Your written defence, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that you have nothing to defend and in that case ex-parte action shall follow against you.

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed.

*Attested  
Rizwan*

*Junaid*  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

12

46 (2)

**CHARGE SHEET**

I, Superintendent of Police, Headquarters, Capital City Police Peshawar, as a competent authority, hereby, charge that you Constable Junaid No.954 of Capital City Police Peshawar with the following irregularities.

"That you Constable Junaid No.954 found guilty in preliminary enquiry conducted by DSP Complaint & Enquiry, CCP Peshawar on the application submitted by Nawaz Muhammad s/o Muhammad Gul r/o Shabqadar vide No.297/PA dated 24.06.2022. This amounts to gross misconduct on your part and is against the discipline of the force."

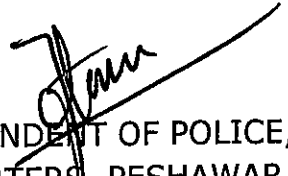
You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

Your written defence, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that you have nothing to defend and in that case ex-parte action shall follow against you.

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed.

Attached  
S. M. No

  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

2 (13)

8

**DISCIPLINARY ACTION**

I, Superintendent of Police, Headquarters, Capital City Police Peshawar as a competent authority, am of the opinion that Constable Junaid No.954 has rendered him-self liable to be proceeded against under the provision of Police Disciplinary Rules-1975

PA D.S.PHQrs

**STATEMENT OF ALLEGATION**

S: NO: 1577

Date: 10.06.2022

"That Constable Junaid No.954 found guilty in preliminary enquiry conducted by DSP Complaint & Enquiry, CCP Peshawar on the application submitted by HC Mihran Gul No.4911. This amounts to gross misconduct on his part and is against the discipline of the force."

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and DSP Mihran Gul is appointed as Enquiry Officer.

2. The Enquiry Officer shall, in accordance with the provisions of the Police Disciplinary Rules, 1975, provide reasonable opportunity of hearing to the accused officer, record his finding within 30 days of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused.
3. The accused shall join the proceeding on the date time and place fixed by the Enquiry Officer.

*[Signature]*  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

09-6-22

No. 95 /E/PA, dated Peshawar the \_\_\_\_\_ /2022

1. DSP Mihran Gul Peshawar is directed to finalize the aforementioned departmental proceeding within stipulated period under the provision of Police Rules-1975.

2. Official concerned

*Accused  
Junaid*

14

45

4

**DISCIPLINARY ACTION**

I, Superintendent of Police, Headquarters, Capital City Police Peshawar as a competent authority, am of the opinion that Constable Junaid No.954 has rendered him-self liable to be proceeded against under the provision of Police Disciplinary Rules-1975

**STATEMENT OF ALLEGATION**

That Constable Junaid No.954 found guilty in preliminary enquiry conducted by DSP Complaint & Enquiry, CCP Peshawar on the application submitted by Nawaz Muhammad s/o Muhammad Gul r/o Shabqadar vide No.297/PA dated 24.06.2022. This amounts to gross misconduct on his part and is against the discipline of the force."

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and DSP - civil sectt is appointed as Enquiry Officer.

2. The Enquiry Officer shall, in accordance with the provisions of the Police Disciplinary Rules, 1975, provide reasonable opportunity of hearing to the accused officer, record his finding within 30 days of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused.

3. The accused shall join the proceeding on the date time and place fixed by the Enquiry Officer.

*Call him*

*[Signature]*  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

No. 110 /E/PA, dated Peshawar the 1-7- /2022

1. Dsp - civil sectt is directed to finalize the aforementioned departmental proceeding within stipulated period under the provision of Police Rules-1975.

2. Official concerned

PA  
Por 21/9  
*[Signature]*  
Off. Supdt. of Police  
Headquarters, CCP Peshawar  
*[Signature]*

آج صبح 07 بجوئے 20 بجوئے 11 بجوئے اس وقت کینٹل جنڈل  
میلڈ 954 میں سے آ رہا جو ان خود دست بردا کر رہا  
ہاڈسٹن اور پشوری آف الیکشن و ہول کی اور اقرار  
کیا کہ اس کا جواب میں ساجاد نے انڈر انڈر روٹھا  
وردہ آ - میرے خلاف کچھ بڑا دعویٰ کر رہے ہیں  
الو علی





**OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE**  
**HQrs: CCP PESHAWAR.**



No. 1577 /PA,  
E(31)

dated Peshawar the 26 August-2022.

To: The Superintendent of Police HQrs.,  
Peshawar.

Subject:- **ENQUIRY REPORT AGAINST CONSTABLE JUNAID GUL NO.954.**  
Memo:

Kindly refer to your office Dy: No.95/E/PA, dated 09/06/2022 on the subject cited above.

**ALLEGATIONS:-**

"That Constable Junaid Gul No.954 found guilty in preliminary enquiry conducted by DSP Complaint & Enquiry, CCP Peshawar on the application submitted by Mehran Gul No.4911. This amounts to gross misconduct on his part and is against the discipline of the force".

**PROCEEDINGS:-**

To dig out the real facts, alleged FC Junaid Gul No.954 was summoned time and again vide this office Parwana No.497/R, dated 18.07.2022, No.531/R, dated 22.07.2022 and No.611/R, dated 15.08.2022 but he took deaf ear on it and not attended the enquiry proceedings deliberately. Furthermore, he was also contacted at his Cell No.0345-9380212 from this office Land line No.091-9213523 but he intentionally avoided all the directions issued by undersigned and did not attend the phone call of the office of undersigned.

The Moharrar Police Lines and then Moharrar PS Urmar were also asked through Parwana regarding the present position of alleged official and he reported that the said constable namely Junaid Gul No.954 was informed and directed to appear before the enquiry officer. The said constable has also been absented from his lawful duties vide DD No.22, dated 13.08.2022 Police Station Urmar Peshawar.

**CONCLUSION:**

Keeping in view of the above facts and figures it came to the conclusion that the alleged constable Junaid Gul No.954 is not interested in the said enquiry while deliberately avoided all the directions and did not appear before the enquiry officer. Therefore, keeping in view the above circumstances, Ex-parte departmental action may be initiated/taken against him.

Submitted please.

*18842 FSCM*

**Dy: Superintendent of Police**  
HQrs: CCP Peshawar.

**Superintendent of Police**  
HQrs: CCP Peshawar.

*Attended  
Sana*

*[Handwritten signature]*

16

43

Subject: **DEPARTMENTAL ENQUIRY REPORT AGAINST FC JUNAID GIL NO.954 WHILE POSTED AT POLICE STATION URMAR PESHAWAR.**

Please refer to your office Endst: No110/E/PA dated 01.07.2022 on the subject cited above.

Respected sir,

Departmental Proceedings were initiated against FC Junaid Gul No.954 to scrutinize the conduct of the delinquent official I was nominated as enquiry Officer. The competent authority issued charge sheet in the name of the accused official as follows.

**Charge Sheet:-**

The delinquent official FC Junaid Gul No.954 of PS Urmr was charge sheeted on the basis of allegations that he was found guilty in preliminary enquiry conducted by DSP complaint CCP, Peshawar on the complaint submitted by Nawaz Muhammad s/o Muhammad Gul r/o Shabqadar vide No.29/PA, dated 24.06.2022, this amounts to gross misconduct on his part and is against the discipline of the force.

**Proceedings of Enquiry:-**

On perusal of charge sheet and summary of allegations the delinquent official FC Junaid Gul No.954 was summoned charge sheet and summary of allegations were served upon him. He was advised to submit replay to the charge sheet with in the stipulated period. He was also directed to produce solid and convincing proof in his defense. He received the charge sheet and promised in written from that he will come again on 21.07.2022 alongwith the complainant (Nawaz Khan) and on the same day he will return the amount of Rs 60000/- to the complainants.

On 27.07.2022 FC Junaid Gul No.954 was contacted on his Cell No.0345-9380212 and he was told to join the enquiry proceeding but he replied that he will come on 28.07.2022. On 04.08.2022 he was again contacted on his Cell Number but he did not receive the call.

**Facts:-**

After going through the contents of the preliminary enquiry report and other relevant papers the following facts were observed:-

1. FC Junaid Gul No.954 has deceived two citizens Namely (Muhammad Nawaz and Hazrat Ali) on the pretext that they will be enlisted in Police.
2. He has taken Rs.30000/- from each.

*Accepted  
Zaid*

3. FC Junaid Gul NO.954 has confessed that he taken the amount from them. The affidavit is annexed as a proof.
4. In receive of amount FC Junaid Gul No.954 has given two different cheques as guarantee but both the cheque been dishonored by the bank.
5. During enquiry it has also been learnt that FC Junaid Gul No.954 is habitual of such activities.

### Conclusion:-

After going through the facts and circumstances I have come the conclusion that the allegations leveled against FC Junaid Gul No.954 stands proved. He was given ample opportunity of defense but he is reluctant to submit his reply to the charge sheet. His attitude speaks that he has nothing in his defense. He is a cheater. He has deceived two citizens and deprived them from their legal right.

### Recommendation:-

Keeping in view the aforementioned facts the delinquent official has been found guilty of allegations beyond reasonable doubt. He is stigma on the face of Police. His retention in service will be harmful to KP Police. Hence it is recommended that suitable punishment may be awarded to him in accordance with Police Rules 1975 (as amended in 2014)

Enquiry report containing two pages bearing my signature on each page is submitted for kind perusal and orders.

*Hukam Khan*

**(HUKAM KHAN)**

**Dy: Superintendent of Police  
(Security), Civil Secretariat,  
Peshawar.**

No. 188 /R, Dated 10 / 08 /2022

Encl. (16)

*Issue Final Show  
Cause Notice*

**W/SP/Hqrs**

*SP-Hqrs  
17/8/22*

*Attested  
Law*

18

6

**FINAL SHOW CAUSE NOTICE**

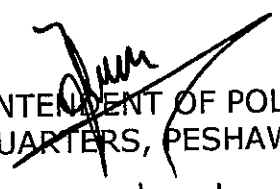
I Superintendent of Police, Headquarters, Capital City Police Peshawar, as competent authority, under the provision of Police Disciplinary Rules 1975 do hereby serve upon you, Constable Junaid Gul No.954 the final show cause notice.

The Enquiry Officer, DSP HQrs, after completion of departmental proceedings, has recommended you for Ex-parte punishment for the charges/allegations leveled against you in the charge sheet/statement of allegations.

And whereas, the undersigned is satisfied that you Constable Junaid Gul No.954 deserve the punishment in the light of the above said enquiry report.

And as competent authority, has decided to impose upon you the penalty of minor/major punishment under Police Disciplinary Rules 1975.

1. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
2. If no reply to this notice is received within 7 days of its receipt, in normal course of circumstances, it shall, be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.

  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

No. 95 /PA, SP/HQrs: dated Peshawar the 11/9 /2022.

Copy to official concerned

Attested  


**FINAL SHOW CAUSE NOTICE**

I Superintendent of Police, Headquarters, Capital City Police Peshawar, as competent authority, under the provision of Police Disciplinary Rules 1975 do hereby serve upon you, Constable Junaid Gul No.954 the final show cause notice.

The Enquiry Officer, DSP Security, Civil Secretariat, after completion of departmental proceedings, has recommended you for suitable punishment for the charges/allegations leveled against you in the charge sheet/statement of allegations.

And whereas, the undersigned is satisfied that you Constable Junaid Gul No.954 deserve the punishment in the light of the above said enquiry report.

And as competent authority, has decided to impose upon you the penalty of minor/major punishment under Police Disciplinary Rules 1975.

1. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

2. If no reply to this notice is received within 7 days of its receipt, in normal course of circumstances, it shall, be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.

  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

No. 110 /PA, SP/HQrs: dated Peshawar the 26/8/2022.

Copy to official concerned

*Attested  
Rous*