

## FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 487/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/04/2024	<p>The appeal of Mr. Azeem presented today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 03.04.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p><b>REGISTRAR</b></p>

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

SERVICE APPEAL NO. 489 /2024

Azeem

VS

Police Department

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THROUGH:

APPELLANT



(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT  
Cell# 0333-9390916

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**SERVICE APPEAL NO. 489/2024**

Azeem Ex-Constable No.5256,  
Police Station East Cantt. Peshawar.

**(APPELLANT)**

**VERSUS**

1. The Capital City Police Officer, Peshawar.
2. The Senior Superintendent of Police, (Operation) Peshawar.

**(RESPONDENTS)**

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**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974  
AGAINST THE ORDER DATED 15.12.2023, WHEREBY  
MAJOR PUNISHMENT OF REMOVAL FROM  
SERVICE WAS IMPOSED UPON THE APPELLANT  
AND AGAINST THE ORDER DATED 05.03.2024,  
WHEREBY THE DEPARTMENTAL APPEAL OF THE  
APPELLANT WAS REJECTED FOR NO GOOD  
GROUNDS.**

**PRAYER:**

**THAT ON THE ACCEPTANCE OF THIS APPEAL, THE  
ORDER DATED 15.12.2023 AND 05.03.2024 MAY  
KINDLY BE SET ASIDE AND THE APPELLANT MAY  
BE REINSTATED INTO HIS SERVICE WITH ALL  
BACK AND CONSEQUENTIAL BENEFITS. ANY  
OTHER REMEDY, WHICH THIS HONORABLE  
TRIBUNAL DEEMS FIT AND APPROPRIATE THAT,  
MAY ALSO, BE AWARDED IN FAVOUR OF  
APPELLANT.**

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant was appointed in the respondent department as Constable and completed all his due training and has performed his duty with great devotion and honesty, whatsoever assigned to him and no complaint has been filed against him regarding his performing.
2. That the appellant while posted at PS East Cantt Peshawar, charge sheet along with statement of allegations were issued to the appellant in which following allegations were leveled against the appellant that it has been learnt through reliable source that during the confinement period ASI Nazar Gul and constable Azeem No.5256 (appellant) contacted the brother of the accused Yasir and demand 01 lac rupees and 02 09 MM pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) Pistols to ASI Nazar Gul Khan and Constable Azeem. The appellant submitted his reply to the charge sheet in which he denied the allegations and clearly mentioned in his reply that he has not arrested the Yasir nor did any illegal demand from him for his release and previously statement was taken from him under pressure by SDPO Cantt during preliminary inquiry which he denied and in respect of allegation of demand of 02 09 MM Pistols for mutual bargaining the appellant clearly mentioned in his reply that he has properly paid money for 02 09 Pistols and bought them from the relative of Yasir namely Ishtaq as Yasir was working in Arms Factory and had not made mutual bargaining with Yasir as he has no authority to release the accused Yasir and baseless allegations were leveled against him. **(Copies of charge sheet along with the statement of allegations and reply are attached as Annexure-A&B)**
3. That inquiry was conducted against the appellant in which no proper opportunity of defense was provided to the appellant as neither statements were recorded in the presence of the appellant nor gave him opportunity of cross examination, even the inquiry report is not provided to the appellant, however statement recorded by Ishtaq during the inquiry proceeding was obtained by the appellant in which he clearly mentioned that Azeem Khan has obtained 02 09 MM pistols in lieu of payment. As the inquiry report was not provided to the appellant, therefore, he filed an application for provision of inquiry report, however inquiry report was not provided to him which may be requisite from the department. **(Copy of statement of Ishtaq and application are attached as Annexure-C&D)**
4. That on the basis of baseless allegations, the appellant was removed from service vide order dated 15.12.2023 without issuing show cause notice to the appellant. The appellant filed departmental on 22.12.2023 against removal order dated 15.12.2023, which was

rejected on 05.03.2024 for no good grounds. (Copies of removal order dated 15.12.2023, departmental appeal and order dated 30.01.2024 is attached as Annexure-E,F&G)


5. That the appellant now wants to file the instant appeal in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

**GROUND:**

- A) That the impugned orders dated 15.12.2023 and 05.03.2024 are against the law, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B) That no proper and regular inquiry was conducted against the appellant because no opportunity of defense was provided to the appellant as neither statements were recorded in the presence of the appellant nor gave him opportunity of cross examination, which is violation of law and rules and such the impugned orders are liable to be set aside on this ground alone.
- C) That one allegation leveled against the appellant is that during the confinement period ASI Nazar Gul and constable Azeem No.5256 (appellant) contacted the brother of the accused Yasir and demand 02 09 MM pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) Pistols to ASI Nazar Gul Khan and Constable Azeem, but the appellant and ASI Nazar Gul did not demand 02 09 MM pistols from Yasir for mutual bargaining and the appellant properly paid for the pistols and lieu of payment he got the pistols from the relative of Yasir namely Ishtaq as Yasir was working in the Arms Factory and which can also be endorsed from the statement given by Ishtaq during the inquiry proceeding, but despite that the appellant was removed from service on the baseless allegation of demanding 02 09 MM pistols of which after mutual bargaining without conducting regular and proper inquiry to dig out the reality about the allegation which is against the norms of justice and fair play.
- D) That other allegation leveled against the appellant is that during the confinement period ASI Nazar Gul and constable Azeem No.5256 (appellant) contacted the brother of the accused Yasir and demand 01 lac rupees of which after mutual bargaining, but the appellant never demand the 01 lac rupees and that allegation was not proved against the appellant during inquiry proceeding which means that the appellant was punished on presumption bases which is not permissible under the law.

- E) That in charge sheet it was mentioned that learnt through reliable sources but it was not specify that kind of reliable sources it was learnt nor inquiry officer did out the proper and regular to dig out the realty about the allegations which is violation of law and rules and as such the impugned orders are liable to be set aside.
- F) That no corroborative evidence was present against the appellant but respondent department took action against the appellant on presumption basis which is against the norms of justice and fair play.
- G) That show cause notice was not issued to the appellant before passing the impugned removal order which is against the natural justice and fair play.
- H) That the appellant clearly mentioned in his reply to charge sheet that during preliminary inquiry no proper opportunity of defence was provided to the appellant as neither statements were recorded in the presence of the appellant nor gave him opportunity of cross examination and the SDPO Cantt took the statement from his under pressure which he denied.
- I) That in charge sheet it was mentioned that it has been learnt through reliable source that during the confinement period ASI Nazar Gul and constable Azeem No.5256 (appellant) contacted the brother of the accused Yasir and demand 01 lac rupees and 02 09 MM pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) Pistols to ASI Nazar Gul Khan and Constable Azeem, but the appellant never contacted with the bother of Yasir and contacted only Ishtaq who is the relative of Yasir to buy 02 09 MM pistols from him.
- J) That the appellant denied the allegations leveled against him in his reply to charge sheet but without observing his reply to charge sheet and without conducting proper and regular inquiry, the appellant was removed from service on baseless allegations, which is not permissible under the law.
- K) That the appellant has right of fair defence under Article-10-A of the Constitution of Pakistan which was not observed by the inquiry officer during inquiry proceeding, which is clear violation of Arrticle-10-A of the Constitution of Pakistan.
- L) That the appellant has not been treated in accordance with law and rules and has been condemned unheard throughout.
- M) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that on the acceptance of this appeal, the order dated 15.12.2023 and 05.03.2024 may kindly be set aside and the appellant may be reinstated into his service with all back and consequential benefits. Any other remedy, which this honorable tribunal deems fit and appropriate that, may also, be awarded in favour of appellant.

  
APPELLANT  
Azeem

THROUGH:

  
(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT,

  
(SHAKIR ULLAH TORANI)  
ADVOCATE

&   
(SHOAIB AKHTAR)  
ADVOCATE

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

SERVICE APPEAL NO. \_\_\_\_\_/2024

Azeem

VS

Police Department

**AFFIDAVIT**

I, Azeem Khan Ex-Constable No.5256, Police Station East Cantt Peshawar (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.



**DEPONENT**



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**CHARGE SHEET**

1. Whereas I am satisfied that a formal enquiry as contemplated by Efficiency Disciplinary Rules 1975 is necessary & expedient.
2. And whereas, I am of the view that the allegations if established would call for major/minor penalty, as defined in rule 3 of the aforesaid Rules.
3. Now therefore, as required by Rule 6 (1) of the said Rules 1, Lt Car Kashif Aftab Ahmad Abbasi, P SP, SSP Operations, Peshawar hereby charge you the following police officials under Efficiency & Disciplinary Rules 1975 on the allegations mentioned in the enclosed Summary of allegations.
  - I. ASI Nazar Gul Khan PS East Cantt
  - II. Constable Azeem No. 5226 PS East Cantt
  - III. Constable Noor Ul Basar No. 6070
4. And I hereby you further under the said Rule to put forth written defence within 7 days of the receipt of this charge Sheet as to why the proposed action should not be taken against you and also stating at the same time whether you desire to be heard in persons.
5. And in case your reply is not received within the specified period, it shall be presumed that you have no defense to offer and ex-parte action will be taken against you.
6. Statement of allegations is enclosed.

(Lt Cdr KASHIF AFTAB AHMAD ABBASI)  
Senior Superintendent of Police  
(Operations) Peshawar

No. 286/PA dated Peshawar the 06.11.2023.

Copy of the above is forwarded to the Enquiry Officer for initiating proceeding against the above named officer.

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SUMMARY OF ALLEGATIONS

1. Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP Operations Peshawar, as competent authority, is of the opinion that the following police officials have rendered themselves liable to be proceeded against departmentally as they have committed the following acts/omission within the meaning of the Khyber Pakhtunkhwa (E&D) Rules, 1975.

- i. ASI Nazar Gul Khan PS East Cantt
- ii. Constable Azeem No. 5256 PS East Cantt
- iii. Constable Noor ul Basar No. 6070

STATEMENT OF ALLEGATIONS

- A preliminary enquiry conducted by SDPO Cantt vide his office memo No. 2467/PA dated 01.11.2023 that in light of the directions the accused namely Yasir Khan s/o Shakeel Khan r/o Masho Khel Badaber, Peshawar, was rearrested by the surveillance team and was confined at Police Station East Cantt.
- It has been learnt through reliable sources that during the confinement period ASI Nazar Gul Khan and Constable Azeem No. 5256 contacted the brother of the accused Yasir and demanded 01 lac Rupees and 02 9-MM Pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) pistols to ASI Nazar Gul Khan and Constable Azeem
- Being a part of disciplinary force their this act is highly objectionable and renders them liable for disciplinary proceedings under (E&D) Rules, 1975.

2. For the purpose of scrutinizing the conduct of afore said police official in the said episode with reference to the above allegations ASP Nayab is appointed as Enquiry Officer under Efficiency & Disciplinary Rule 1975.

3. The Enquiry Officer shall in accordance with the provision of the Efficiency & Disciplinary Rules 1975, provide reasonable opportunity of hearing to the accused Official and make recommendations as to punish or other action to be taken against the accused official.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBASI, PSP  
Senior Superintendent of Police  
Operations) Peshawar

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### SUMMARY OF ALLEGATIONS

1. Lt Cdr Kashif Aftab Ahmad Abbasi, PSP, SSP Operations Peshawar as competent authority am of the opinion that the following police officials have rendered themselves liable to be proceeding against departmentally as they have committed the following acts/omission with in the meaning of the Khyber Pakhtunkhwa (E&D) Rules , 1975.

- I. ASI Nazar Gul Khan PS East Cantt.
- II. Constable Azeem No 5226 PS East Cantt
- III. Constable Noor Ul Basar No 6070

### STATEMENT OF ALLEGATIONS

A Preliminary enquiry conducted by SDPO Cantt vide his office memo No. 2467/PA dated 01.11.2023 that in light of the directions the accused namely Yasir Khan S/o Shakeel Khan r/o Masho Khel Badaber, Peshawar was rearrested by the Surveillance team and was confined at Police Station East Cantt.

It has been learnt through reliable that during the confinement period ASI Nazar Gul Khan and Constable Azeem No 5226 contacted the brother of the Accused Yasir and demanded 01 lac Rupees and 02 9-MM Pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) to ASI Nazar Gul Khan and Constable Azeem.

Being a part of disciplinary force their this act is highly objectionable and render them liable for disciplinary proceedings under (E&D) Rules, 1975.

2. For the purpose of scrutinizing the conduct of the aforesaid police officials in the said episode with reference to the above allegations ASP Nayab is appointed as Enquiry Officer under Efficiency & Disciplinary Rules 1975.
3. The Enquiry Officer shall in accordance with the provision of the Efficiency & Disciplinary Rules 1975, provide reasonable opportunity of hearing to the accused Official and make recommendations as to punish or other action to be taken against the accused Official.

(Lt Cdr KASHIF AFTAB AHMAD ABBASI PSP  
Senior Superintendent of Police  
Operations) Peshawar)

تاریخ

5256

مقام

*[Handwritten signature]*

میں نے اپنے تمام حقوق محفوظ رکھے ہیں۔ اس پر کوئی اور بھی نہیں لکھ سکتا۔  
اس پر کوئی اور بھی نہیں لکھ سکتا۔ اس پر کوئی اور بھی نہیں لکھ سکتا۔  
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اس پر کوئی اور بھی نہیں لکھ سکتا۔ اس پر کوئی اور بھی نہیں لکھ سکتا۔

06.11.2023 تا 28/11/2023

مقام

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FRANCIS SUZUKI

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## بخدمت جناب نایاب خان ASP، حیات آباد پشاور

بحوالہ چارج شیٹ نمبر PA/286، بتاریخ 06/11/2023

جناب عالی!

مذکورہ بالا چارج شیٹ / شوکاز نوٹس کے بابت عرض ہے کہ جملہ الزامان درج متذکرہ بالا چارج شیٹ مبنی بر دروغ گوئی اور خود ساختہ ہے اور ان کا حقیقت سے دور کا تعلق یا واسطہ نہ ہے۔ یہ کہ یاسر نامی شخص نہ ہم نے گرفتار کیا تھا اور نہ من سائل نے اس سے کسی قسم کا غیر قانونی مطالبہ کیا ہے۔ جب ایک بندہ ہمارے ساتھ ملزم نہ ہو تو ان کی رہائی یا ان سے کسی قسم کا غیر قانونی مطالبہ کا سوال ہی پیدا نہیں ہوتا۔ یہاں یہ امر ضروری ہے کہ موجودہ بیان سے پہلے من سائل سے ایک بیان محترم DSP صاحب نے دباؤ کے تحت لیا ہے جس سے میں لا تعلق کا اظہار کرتا ہوں کہ انکو آڑی افسر نے بیان خود تحریر کر کے من سائل کے سامنے رکھ کر بیانی ہوا کہ اسی طرح بیان اپنے قلم سے اسی وقت تحریر کر کے دستخط کرے اور مجھے حوالہ کریں۔

مذکورہ بالا انکو آڑی میں لگائے گئے تمام الزامات یکسر مسترد کرتا ہوں، جہاں تک دو پستول کا سوال ہے اس نسبت من سائل نے اشتیاق نامی شخص سے بات کر کے جس نے دو عدد پستول لا کر اور میرے سامنے چیک کر کے مجھے حوالہ کئے اور میں نے ان پستولوں کا قیمت اسی سے اس کو ادا کی ہیں۔ مزید یہ کہ اشتیاق یاسر کا دوست تھا اور بات یاسر تک پہنچ گئی تو یاسر نے مجھے کہا کہ نذر گل خان جانتے ہوں تو میں نے جو ابا کہا کہ ہاں تو اس نے کہا مجھے نذر گل خان ملا دے میں نے نذر گل خان اسے سے ملایا، اس لالچ کے خاطر کہ ہمیں صحیح چیز تھوڑا کم ریٹ ملے گا۔ باقی پستولوں کی ادائیگی چیک کرنے کے بات کی گئی ہے۔ نہ میں نے نہ نذر گل خان نے کسی بھی شخص سے مفت میں پستول لی ہے اور اس نسبت کسی سے غیر قانونی مطالبہ کیا ہے۔ میرا چودہ سالہ پولیس ریکارڈ بالکل صاف و شفاف ہے اور اپنی ڈیوٹی ایمانداری سے کرتا ہوں، جس کے عوض مجھے اچھی تنخواہ ملتا ہے جس پر ہمارا گزارا ہوتا ہے۔ تمام الزامات غلط اور بے بنیاد ہے اور اس میں کسی قسم کی صداقت نہیں ہے۔ لہذا استدعا ہے بمنظوری جواب ہذا سائل کے خلاف انکو آڑی چارج شیٹ داخل دفتر فرمانے کا احکامات صادر فرمایا جائے۔ میں عمر بھر دعا گو ہوں۔

آپ کا مخلص

عظیم خان، کانسٹیبل بیلٹ نمبر 5256

تھانہ شرقی

Handwritten text at the top of the page, possibly a title or header.

Handwritten signature or name, possibly "I. Khan".

Main body of handwritten text, appearing to be a list or detailed notes.

17301-1213329-1

03538977856

Handwritten text below the numbers, possibly a date or reference.

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بیان آذان اشتیاق ولو آ میر شاہ نلند ماشوفیل ماشو بلاہو پیر

0333-8997856  
17301-12133 29-1

میں اس تحریر کے دو سے خلفاً بیان کرتا ہوں کہ عظیم خان کنٹیل  
نے جو دو عدد پستول آڈیٹنگ 9MM سے لی ہے جسکی رقم  
میرے حوالے کی ہے۔

لیزا میں کنٹیل عظیم اود ندرگل ASI کے علاقہ کسی  
قسم کا روٹی نہ کرنے کا حودیاں ہوں۔

آ لعرش

اشتیاق ولد آ میر شاہ

عزیز صاحب  
صاحب خان

کتابخانه صاحب  
مدرسہ اعلیٰ مدرسہ اسلامیہ  
پتہ لاہور ٹرانس اکسپریس روڈ  
سید احمد شاہ آباد لاہور  
کراچی

25/12/2023  
اساتذہ  
لاہور

3256  
6070



(11)

خدمت جناب CCPO صاحب کیشور  
جناب عالی!

گزارش سنیکہ ساٹلان مورفہ 15/12/2023 ریپول آف سروس  
اڈر ہو چکی ہے جسکی انکو ایٹری کاپی مینی حق ہے کہ ساٹلان کو  
فائل انکو ایٹری کے کاپی موصول ہو جائے لہذا اسٹریٹری کپی ہے  
کہ انکو ایٹری فائل کے فوٹو کاپی دینے کا حکم صادر فرما لے  
مشکور فرمائش

الفارص

25/12/2023.

سٹیشن نذر گل  
AS1  
3256 منظم  
کیشیل نور الدین



E 12

ORDER

1. This office order will dispose of formal departmental proceedings against ASI Nazar Gul Khan No. 682/P, Constable Noor-ul-Basar No. 6070, Constable Azeem No. 5256 while posted at Police Station East Cantt was proceeded against departmentally vide this office No. 286/E/PA dated 06.11.2023, on allegations that a preliminary enquiry conducted by SDPO Cantt vide his office memo No. 2467/PA dated 01.11.2023 that in light of the directions the accused namely Yasir Khan s/o Shakeel Khan r/o Masho Khel Badaber, Peshawar was rearrested by the surveillance team and was confined at Police Station East Cantt. It has been learnt through reliable sources that during the confinement period ASI Nazar Gul Khan, Constable Azeem No. 5256 and Constable Noor ul Basar No. 6070 contacted the brother of the accused Yasir and demanded 01 lac Rupees and 02 9-MM Pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) pistols to ASI Nazar Gul Khan and Constable Azeem.
2. Under Police Rules 1975 (amended 2014) proper charge sheet alongwith summary of allegation were issued against them and ASP Hayatabad was appointed as Enquiry Officer, who submitted his finding; wherein he concluded that the allegations against delinquent officials have been proved and they stand guilty of the charges and agree with the preliminary enquiry. The E.O further recommended them for major punishment.
3. Having gone through the enquiry file and other relevant record, the undersigned is fully satisfied that the delinquent officials have committed a gross misconduct, which is proved beyond any shadow of doubt. Thus, they brought bad name to the police department. The undersigned being a competent authority do agree with the recommendations of the enquiry officer, therefore, ASI Nazar Gul Khan No. 682/P, Constable Noor-ul-Basar No. 6070, Constable Azeem No. 5256 are hereby awarded major punishment of "Removal from Service" with immediate effect.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBAS)PSP  
Senior Superintendent of Police  
(Operations) Peshawar

No. 2106-11 PA dated Peshawar, the 15/12 2023.

Copy for information and necessary action to:-

1. The Capital City Police Officer, Peshawar.
2. SsP Cantt & HQrs, CCP Peshawar.
3. SDPO Cantt, CCP Peshawar.
4. EC-II/OASI/CRC/PO, FMC along with complete enquiry file for record (58).
5. Officials concerned.

4. Video footage was examined, showing that police officials visited an Arms Company in civilian clothing, but no illegal exchange or transaction was observed. (USB attached)
5. The accused party admits in their written statements that they received... and do not wish to pursue further action... (attached).

F (13)

# بخدمت جناب چیف کیپٹل سٹی پولیس آفیسر پشاور

عنوان :- اپیل بمراد بحالی ملازمت ایپلانٹ بمعہ مراعات ضبط شدہ

جناب عالی :- اپیلانٹ حسب ذیل عرض رساں ہے۔

1- یہ کہ ایپلانٹ ایک شریف اور باعزت خاندان سے تعلق رکھتا ہے اور قانون کی پاسداری کرنے والا شہری ہے اور ضلع نوشہرہ کارہائشی و پیدائشی باشندہ ہے۔

2- یہ کہ ایپلانٹ محکمہ پولیس میں بحیثیت کنسٹیبل بمطابق نمبر 15256 اپنی خدمات خوش اسلوبی سے سرانجام دے رہا تھا اور کبھی بھی افسران بالا شکایت کا موقع نہیں دیا نیز سائل نے پہلے کسی بھی تھانہ میں جنرل ڈیوٹی سرانجام نہیں دی ہے چونکہ تھانہ شرقی سائل کی پہلی جنرل ڈیوٹی تھانہ ہے اور اس سے قبل بطور گنر افسران اور ایف آر پی ہیڈ کوارٹر تعینات رہ چکا ہے اور محرر سٹاف نے جملہ ملزمان کیساتھ ڈیوٹی بیرک کنسٹیبلان بمعہ ایپلانٹ کی ڈیوٹی لگائی تھی اور کوئی ہدایات وغیرہ نہیں دیے گئے تھے کہ ملزمان کس جرم میں گرفتار ہیں۔

3- یہ کہ یہاں پر اس امر کی وضاحت کرنا ضروری ہے ملزم کی رہائی کو ایپلانٹ کو مورد الزام ٹھہرایا گیا ہے حالانکہ ایپلانٹ/تھانہ شرقی پولیس ملزم مذکورہ کو تھانہ بڈھ بیر پولیس پشاور کو بحفاظت حوالہ کیا تھا مگر نہ جانے کس بناء پر تھانہ بڈھ بیر نے ملزم یا سر کورہا کیا یا کسی جرم میں چالان کیا ہے ایپلانٹ کو اس کے متعلق کوئی علم نہ ہے لیکن جناب ڈی ایس پی صاحب کینٹ نے اس سلسلے میں ایپلانٹ کو مورخہ 31-10-2023 کو بوقت 22:00 بجے مد نمبر 37 روز نامہ پولیس لائن کوارٹر گارڈ میں بند کیا گیا تھا اور مد نمبر 59 مورخہ 02-11-2023 بوقت 20:10 بجے کوارٹر گارڈ سے بمطابق روز نامہ پولیس لائن رہا کیا۔ (جملہ نقولات مد میں جو غیر حاضری کا ذکر کیا گیا ہے وہ ایپلانٹ کی تھانہ شرقی میں کوئی غیر حاضری درج نہ ہے یہ کوارٹر گارڈ کی سزا اس فعل کی دی گئی ہے۔

4- یہ کہ ملزم مذکورہ کی رہائی متعلق ایپلانٹ کو چارج شیٹ کیا گیا اور انکوائری آفیسر نے ایپلانٹ کی انکوائری حقیقت اور شواہد/بیانات کے خلاف مرتب کر کے ایپلانٹ کو غیر قانونی طور پر بلا جواز نوکری سے بمطابق چٹھی نمبر 2105-11 PA مورخہ 15-12-2023 (Removal from Service) کر دیا گیا۔ (جملہ دستاویزات لف اپیل ہذا

(ہیں)

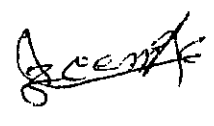
5- یہ کہ اپیلانٹ ایک غریب بندہ ہے اور اپیلانٹ اپنے گھرانے کا واحد طور پر کفیل ہے اور اپیلانٹ کا گزر بسر بشکل ہو رہا ہے اور آمدنی کا دیگر کوئی ذریعہ نہ ہے نیز اپیلانٹ کے 04 چھوٹے چھوٹے بچے ہیں جن کی کفالت سائل کے کندھوں پر ہے۔

6- یہ کہ اس ناامیدی کے حالت میں آپ جناب سے انصاف کی توقع رکھتے ہوئے اور اپیلانٹ کے چھوٹے چھوٹے بچوں کے خاطر اپیلانٹ کو اپنی ملازمت پر بعد واجبات بحالی کا حکم صادر فرمائیں سائل اس کے لیے عمر بھر دعا گو رہے گا۔

لہذا استدعا ہے کہ منظوری اپیل ہذا اپیلانٹ کو اپنی ملازمت پر بحالی اور عطائگی مراعات کے احکامات جاری فرمائیں اس امر کے لیے اپیلانٹ دعا گو رہے گا۔

المرقوم:- 22-12-2023

ارض



اپیلانٹ:-

کنسٹبل عظیم نمبر 5256

قومی شناختی کارڈ نمبر 3-4038604-17201

رابطہ نمبر 0314-9822769



**OFFICE OF THE  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR**

Phone No. 091-9210989 Fax: No. 091-9212597

**ORDER.**

This order will dispose of the departmental appeal preferred by Ex-Constable Azeem Khan No. 5256, who was awarded the major punishment of "dismissal from service" under KP PR-1975 (amended 2014) by SSP/Operations, Peshawar vide order No. 2106-11/PA, dated 15.12.2023.

2- Brief facts leading to the instant appeal are that the defaulter Constable was proceeded against departmentally on the charges that in light of the directions, the accused namely Yasir Khan s/o Shakeel r/o Masho Khel Badaber, Peshawar was arrested by the surveillance team and was confined at PS East Cantt: till further orders. During the confinement period, the defaulter Constable contacted brother of the accused namely Yasir and demanded 01 Lac Rupees and two 09-MM (Local made) Pistols. After mutual bargaining, brother of the accused i.e. Yasir, handed over two 09-MM (Local made) Pistols to ASI Nazar Gul and Constable Azeem.

3- He was issued Charge Sheet and Summary of Allegations by SSP/Operations, Peshawar. ASP/Hayatabad, Peshawar was appointed as Enquiry Officer to scrutinize the conduct of the accused official. The Enquiry Officer after conducting departmental enquiry submitted his findings in which he was recommended for major punishment. The competent authority in light of the findings of the Enquiry Officer awarded him the major punishment of dismissal from service.

4- He was heard in person in Orderly Room. During personal hearing, he was given an opportunity to prove his innocence. However, he failed to submit any plausible explanation in his defense. Therefore, his appeal for setting aside the punishment awarded to him by SSP/Operations, Peshawar vide order No. 2106-11/PA, dated 15.12.2023, is hereby rejected/filed.

**"Order is announced"**

**CAPITAL CITY POLICE OFFICER,  
PESHAWAR**

No. 1051-88 /PA/CCP, dated Peshawar the 05 / 03/2024

Copies for information and necessary action to the:-

1. SSP/Operations Peshawar.
2. SP/HQrs., Peshawar.
3. AD/IT CCP Peshawar.
4. EC-II, AS & Pay Officer.
5. FMC along with complete Fouji Missal.
6. Official concerned.

# بعدالت

سروس ڈسٹریبیوٹن لیسٹیاور

مورخہ

مقدمہ

دعویٰ

جرم

عظیم 2 مخمب

عظیم

بنام محکمہ پولیس

## باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام لیسٹیاور کیلئے رٹنر میں خاندان شاکر اللہ ٹرڈا کی معینہ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے کے تقررات و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضعی دعویٰ اور درخواست ہر قسم کی تصدیق زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پرواخذہ منظور قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ اتوائے مقدمہ ہوں گے سب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا عد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔

Accepted

Attested

کہ پیروی مذکور کریں۔ ایذا و کالت نامہ لکھ دیا کہ سندر ہے۔

المقوم

واہ العبد

عظیم خان

کے لئے منظور ہے

مقام