


# FORM OF ORDER SHEET

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

**Appeal No. 590/2024**

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge  |
|-------|---------------------------|---|
| 1     | 2                         | 3   |
| 1-    | 23/04/2024                | <p>The appeal of Mr. Mohabat Khan resubmitted today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 24.04.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p> |




The appeal of Mr. Mohabat Khan received today i.e on 16.04.2024 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Annexures of the appeal are unattested.
- 3- Appeal has not been flagged/marked with annexures marks.
- 4- Affidavit is not attested by the Oath Commissioner.
- 5- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal, be placed on it.
- 6- Annexures of the appeal are illegible.
- 7- Four more copies/sets of the appeal along with annexures i.e. complete in all respect be submitted with the appeal.
- 8- The documents that are to be provided must be readable/legible.

No. 789 /S.T.

Dt. 17-4 /2024.

  
17/4/24  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Taimur Ali Khan Adv.  
High Court Peshawar.

*Respected Sir*

*1- Removed*

*2- Removed*

*3- Removed*


*4- Removed*

*5- Copies of charge sheet, show cause notice and inquiry report were not provided to the appellatant, therefore he is unable to answer with the appeal.*

*6- Removed*

*7- Removed*

*8- Removed*

*Resubmitted after compliance  
23/10/2024* 

# KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

## CHECK LIST

Case Title: Mohabat

v/s

Police Deptt.

| S# | CONTENTS   | YES | NO |
|----|--|-----|----|
| 1  | This Appeal has been presented by: <u>Taimur Ali Khan Adv.</u>   | ✓   |    |
| 2  | Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?   | ✓   |    |
| 3  | Whether appeal is within time?   | ✓   |    |
| 4  | Whether the enactment under which the appeal is filed mentioned?   | ✓   |    |
| 5  | Whether the enactment under which the appeal is filed is correct?  | ✓   |    |
| 6  | Whether affidavit is appended?   | ✓   |    |
| 7  | Whether affidavit is duly attested by competent Oath Commissioner?   | ✓   |    |
| 8  | Whether appeal/annexures are properly paged?   | ✓   |    |
| 9  | Whether certificate regarding filing any earlier appeal on the subject, furnished?   | x   | ✓  |
| 10 | Whether annexures are legible?   | ✓   |    |
| 11 | Whether annexures are attested?  | ✓   |    |
| 12 | Whether copies of annexures are readable/clear?  | ✓   |    |
| 13 | Whether copy of appeal is delivered to AG/DAG?   | ✓   |    |
| 14 | Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?   | ✓   |    |
| 15 | Whether numbers of referred cases given are correct?   | ✓   |    |
| 16 | Whether appeal contains cutting/overwriting?   | x   | ✓  |
| 17 | Whether list of books has been provided at the end of the appeal?  | ✓   |    |
| 18 | Whether case relate to this court?   | ✓   |    |
| 19 | Whether requisite number of spare copies attached?   | ✓   |    |
| 20 | Whether complete spare copy is filed in separate file cover?   | ✓   |    |
| 21 | Whether addresses of parties given are complete?   | ✓   |    |
| 22 | Whether index filed?   | ✓   |    |
| 23 | Whether index is correct?  | ✓   |    |
| 24 | Whether Security and Process Fee deposited? On _____   | ✓   |    |
| 25 | Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____ | ✓   |    |
| 26 | Whether copies of comments/reply/rejoinder submitted? On _____   | ✓   |    |
| 27 | Whether copies of comments/reply/rejoinder provided to opposite party? On _____  | ✓   |    |

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Taimur Ali Khan

Signature: \_\_\_\_\_

Dated: 23-04-2024

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

SERVICE APPEAL NO. 590 /2024

Mohabat

VS

Police Department

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**INDEX**  
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| S.No. | Documents   | Annexure | P. No. |
|-------|---|----------|--------|
| 1     | Memo of Appeal  | -----    | 01-06  |
| 2     | Affidavit   | -----    | 07     |
| 3     | Copy of FIRs  | A        | 08-09  |
| 4     | Copies of report dated 29.12.2023<br>and order dated 29.12.2023       | B&C      | 10-11  |
| 5     | Copies of departmental appeal and<br>rejection order dated 20.03.2024 | D&E      | 12-17  |
| 6     | Vakalat Nama  | -----    | 18     |

**APPELLANT**

THROUGH:

**TAIMUR ALI KHAN**  
**(ADVOCATE HIGH COURT)**

Cell# 0333-9390916

  
Adv: Shakin Gulah Torani

(1)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

SERVICE APPEAL NO. 590 /2024

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 12214

Dated 16-04-2024

Mohabat Ex-Constable No.6584,  
PP Science College PS AMIS, Peshawar.

▼ (APPELLANT)

**VERSUS**

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

(RESPONDENTS)

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APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 29.12.2023, WHEREBY MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE WAS IMPOSED UPON THE APPELLANT AND AGAINST THE ORDER DATED 20.03.2024, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED FOR NO GOOD GROUNDS.

Filed to-day  
Registrar  
16/4/24

**PRAYER:**

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 29.12.2023 AND 20.03.2024 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.

Re-submitted to-day  
and filed.

Registrar  
23/4/24

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant was appointed as Constable the year 2014 and completed all his due trainings. The appellant since his appointment has performed his duty with devotion and honesty whatsoever assigned to him and no complaint has been filed against him regarding his performance.
2. That the appellant was posted in Police Post Science College Police Station Yakathoot. The appellant along with ASI Zeeshan Khan, who was in-charge of the Police Post was on routine gasht on ring road has stopped Suzuki pick up and put down two suspected persons from the Suzuki and on their search narcotics were recovered from them and they disclosed their name as Gul Nazar and Mustaqim. The ASI Zeeshan Khan informed SHO of concerned Police Station Yakathoot about the matter on which the SHO directed the ASI Zeeshan Khan to trace the main person with the help of that arrested persons.
3. That on the direction of SHO, ASI Zeeshan Khan asked from the accused about the person who provide them narcotics for distribution on which Gul Nazar told ASI Zeeshan Khan that a person namely Gul g provide them narcotics for distribution on which the appellant took mobile from Gul Nazar and contacted Gul g through his mobile in order to persuaded him to come to the spot so that they trap him and arrest him as per direction of his SHO on which he wanted some bargain on the release of the accused, however, ASI Zeeshan Khan told the appellant to insist Gul g to come to the spot on ring road so that they also arrest him, however, Gul g told him that he is not present and his partner will come to the spot near at KDF Restaurant on ring road and the ASI Zeeshan Khan also contacted with his informer (Younas) to come to the spot near KDF Restaurant on ring road to help them to trap and arrest of partner of Gul g on which the informer (Younas) came to the spot and as per direction of the ASI Zeeshan Khan informer (Younas) was waiting for the partner of Gul g at the spot near KDF Restaurant on ring road and the appellant along with ASI Zeeshan Khan were waiting on the other side of the road and in meanwhile the police team comprised of SDPO Pishtakhara and SHO Sarband along with other Police Officials came to the spot and arrested informer Younas on which ASI Zeeshan Khan came near to the police team and told them that the person you arrested is his informer and told them that he has contacted with his SHO about the arrest of accused Gul Nazar and Mustaqim and on his direction to trap

the main person who provided narcotics to Gul Nazar and Mustaqim he has done the whole process and told them the whole story and that moment ASI Zeeshan also contacted with his SHO of concerned Police Station Yakathoot and told him about the occurrence on which the SHO told the ASI Zeeshan that he is present with the DSP Subrab and tell him on which DSP Subrub also contacted SDPO Pishtakhara through his mobile phone and told him about the reality of the issue. It is pertinent to mention here that properly FIRs were also lodged against the accused namely Mustaqim and Gul Nazar. **(Copies of FIRs are attached as Annexure-A)**

4. That SP City Division CCP, Peshawar submitted report on 29.12.2023 to the SSP Operation, Peshawar about the incident and recommended for proper departmental proceeding against the appellant, but without conducting any inquiry against the appellant, he was dismissed from service on the same day of submission of report i.e 29.12.2023 vide order dated 29.12.2023. **(Copies of report dated 29.12.2023 and order dated 29.12.2023 are attached as Annexure-B&C)**
5. That the appellant filed departmental appeal on 19.01.2024 against the dismissal order dated 29.12.2023, which was rejected on 20.03.2024 for no good ground. **(Copies of departmental appeal and rejection order dated 20.03.2024 are attached as Annexure-D&E)**
6. That the appellant wants to file the instant appeal in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

**GROUND:**

- A) That order dated 29.12.2023 and 20.03.2024 are against the law, rules, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That inquiry was not conducted against the appellant to dig out the reality about the allegation/incident before passing the dismissal order dated 29.12.2023, which is violation of law and rules and as such the impugned orders dated 29.12.2023 and 20.03.2024 are liable to be set aside.
- C) That SP City Division CCP, Peshawar submitted report on 29.12.2023 to the SSP Operation Peshawar about the incident and recommended

for proper departmental proceeding against the appellant, but despite of recommendation of SP City for proper departmental proceeding, no inquiry was conducted against the appellant to dig out the reality about the allegation/incident and dismissed the appellant from his service on the same day of submission report i.e 29.12.2023 vide order dated 29.12.2023. which means that the appellant has not been treated in accordance with law and rules and has been punished in slip shod manner without conducting proper inquiry about the allegations/incident, which is not permissible under the law and as such the impugned orders dated 29.12.2023 and 20.03.2024 are liable to be set aside.

D) That when ASI Zeeshan Khan Incharge Police Post and appellant has arrested two persons due to recovery of narcotics from them, ASI Zeeshan has properly informed his SHO of the concerned Police Station Yakathoot about the matter on which the SHO directed the ASI Zeeshan Khan to trace the main person with the help of that arrested persons and on the direction of SHO, the ASI Zeeshan Khan asked from the accused about the person who provide them narcotics for distribution on which Gul Nazar told the ASI Zeeshan Khan that a person namely Gul g is the person who provide them narcotics for distribution, on which appellant took mobile from Gul Nazar and contacted Gul g through his mobile in order to persuaded Gul g to come to the spot so that they trap him and arrest him as per direction of his SHO and told Gul g about the arrest of Gul Nazar and Mustaqim on which he wanted some bargain for release of accused, however, the ASI Zeeshan Khan told the appellant to insist Gul g to come to the spot on ring road so that they also arrest him, however, Gul g told the appellant that he is not present and his partner will come to the spot near at KDF Restaurant on ring road and ASI Zeeshan Khan also contacted with his informer (Younas) to come to the spot near KDF Restaurant on ring road to help them to trap and arrest of partner of Gul g on which the informer (Younas) came to the spot and as per direction of ASI Zeeshan Khan informer (Younas) was waiting for the partner of Gul g at the spot near KDF Restaurant on ring road and the appellant along with SI Zeeshan Khan were waiting on the other side of the road and in meanwhile the police team comprised of SDPO Pishtakhara and SHO Sarband along with other Police Officials came to the spot and arrest informer Younas on which the appellant along with ASI Zeeshan Khan came near to the police team and ASI Zeeshan Khan told them that the person you arrested is his informer and told them that he has contacted with his SHO about



the arrest of accused Gul Nazar and Mustaqim and on his direction to trap the main person who provided narcotics to accused Gul Nazar and Mustaqim for distribution he has done the whole process and told them the whole story, which means that the appellant did not commit any misconduct and all has done on the direction of his SHO to trap main person who distributed the narcotics, but despite that high ups of the appellant connected the matter with appellant on presumption basis without conducting regular and proper inquiry to dig out the realty about the issue/allegation which is against the norms of justice and fair play.

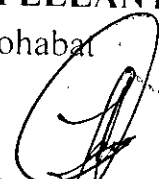
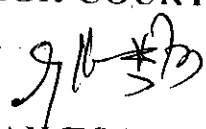
- E) That in the dismissal order, it is mention that the ASI Zeeshan along with the appellant has not informed his any senior officer about the matter, but ASI Zeeshan Khan has properly informed his SHO of Police Station Yakathoot about the matter and arrest of the Nazar Gul and Mustaqim and even when the police team arrived to the spot and arrested informer Younas, at that moment the ASI Zeeshan Khan also contacted with his SHO of concerned Police Station Yakathoot and told him about the occurrence on which the SHO told the ASI Zeeshan Khan that he is present with the DSP Subrab and tell him on which DSP Subrub also contacted SDPO Pishtakhara through his mobile phone and told him about the realty of the issue, which means that the appellant did not commit any misconduct and has been punished for no fault on his part.
- F) That the appellant told the police team on the spot as well as during personal hearing that ASI Zeeshan Khan who was the incharge of the Police Post has timely informed his SHO about the matter and on the direction of the SHO he done all the process in order to trap and arrest the main person of narcotics, but even the statement of SHO of Police Station Yakathoot was not recorded to dig out the realty about the matter/allegation and dismissed the appellant in slip shod manner which is not permissible under the law and rues.
- G) That no charge sheet was issued to the appellant before passing the impugned dismissal order dated 29.12.2023, which is violation of law and rules.
- H) That even the show cause notice was not issued to the appellant before passing the dismissal order dated 29.12.2023, which is against the norms of justice and fair play.

- I) That the appellant has right of fair defence under Article-10-A of the Constitution of Pakistan which was not observed by the authority before passing the impugned dismissal order dated 29.12.2023, which is clear violation of Article-10-A of the Constitution of Pakistan.
- J) That the appellant has not been treated in accordance with law and rules and has been condemned unheard throughout.
- K) 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 29.12.2023 and 20.03.2024 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  
Mohabat

THROUGH:

  
(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT  
&   
(SHAKIR ULLAH TORANI)  
ADVOCATE

7

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

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

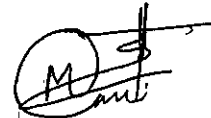
Mohabat

VS

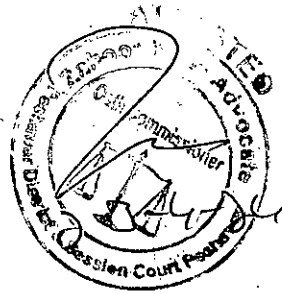
Police Department

**AFFIDAVIT**

I, Mohabat Ex-Constable No.6584, PP Science College PS AMIS, 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**



A (8)



پولیس فارم نمبر 24-5-1)

سیریل نمبر:--005012

ابتدائی اطلاعی رپورٹ نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دلد 154 مجموعہ ضابطہ فوجداری

نمبر: 2391/23 قتانہ: آند میر جانی شاہ ضلع: پشاور ای ٹیک نمبر: AMJ-12/28/2023-2391

تاریخ و وقت وقوع: 28-12-2023 11:40 PM

|   |   |  |   |                                |            |
|---|---|--|---|--------------------------------|------------|
| 1 | تاریخ و وقت رپورٹ   | حوالہ نمبر (27)<br>29-12-2023 12:35 AM   | 6 | قتانہ سے روانگی کی تاریخ و وقت | سیریکل عام |
| 2 | نام و سکونت اطلاع دہندہ مستغیث  | Zeeshan Khan HC پتہ: قتانہ، موجودہ پتہ: قتانہ، آغا میر جانی<br>شاہ پتہ: پولیس آفس<br>فون نمبر: 03169296221 |   |                                |            |
| 3 | مختصر کیفیت جرم (معد و دفعہ) و مال اگر کچھ کھو گیا ہے                               | بجراہ:<br>2D-CNSA  |   |                                |            |
| 4 | جائے وقوعہ و فاصلہ قتانہ سے اور سمت   | ریگ روڈ اور کالونی   |   |                                |            |
| 5 | کارروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہو اور اس کی وجہ بیان کی جاوے | برسیدگی تحریری مراسلہ پر مقدمہ درج و رجسٹر کیا گیا۔  |   |                                |            |

دستخط: Mazhar Sher بیٹ نمبر: 4887 عہدہ: ASI علی فون نمبر: 03134288162

(ابتدائی اطلاع نیچے درج کریں)

بوقت صبح ایک تحریری مراسلہ منجانب ڈیٹان خان ASI سے بدست کنسٹیبل محبت 6584 موصول ہو کر جو زمین ہے بخدمت جناب آفسر اچھا راج صاحب قتانہ AMJS اشب ہراہ کنسٹیبلان محبت 6584 نیاز علی 3686 کے بسلسلہ ناکہ بندی بمقام جائے وقوعہ بالا پر موجود تھا کہ اسی دوران جناب حیات آباد سے سواری کا ایک سوزو کی پک اپ آکر چیکنگ کی غرض سے روکنے کا اشارہ دے کر روڈ کے کنارے پر کھڑا کر کے جس سے ایک شخص مشتبہ حالت میں نیچے اتارا جا کر بدریافت آجانام مستقیم ولد عبد الباق ساکن تیراہ بتلایا جامہ تلاشی لینے پر 3 کورہ کے بڑھا طور سے ایک بیگت ہیر وئن زرد سلوشن ٹیپ میں لپٹا ہوئی برآمد ہو کر موقع بزریدہ ڈیپوٹیل سکیل وزن کرنے پر 1050 گرام نکلی جس میں سے 01 گرام ہیر وئن علیحدہ کر کے بغرض تجزیہ FSL بند پارسل نمبر 1 میں اور بتایا 1049 گرام ہیر وئن بند پارسل نمبر 2 میں بند مریہر کر کے پارسل ہائے کے اندر 1/1 عدد نمونہ مہر اسی BM بطور ثبوت بندی جبکہ پارسل ہائے پر 3/3 عدد مہر اسی BM حبت کی پارسل ہائے ہیر وئن بروئے لرو قبضہ پولیس میں کر کے ملزم بالا کو مریح جرم بالا کا پاکر حسب ضابطہ گرفتار کر کے مراسلہ بغرض قاضی مقدمہ بدست کنسٹیبل محبت 6584 اسال قتانہ ہے پرچہ دیا جا کر انوشی گیش سٹاف کو ماسور تفتیش کیا جاوے دستخط انگریزی ڈیٹان خان ASI اچھا راج چکی سائنس کالج مورخہ 29.12.23 کارروائی قتانہ مراسلہ حرف بحرف درج بالا ہو کر پرچہ مجرم بالا چاک کیا جا کر نقول پرچہ جات بغرض تفتیش حوالہ صابر خان SI/INV کے جاتے ہیں پرچہ گزارش ہے۔

ATTSTED

ASI Mazhar Sher  
29-12-2023

9

سرینل نمبر: 005013

پولیس فارم نمبر 24-5-1)



ابتدائی اطلاعی رپورٹ نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر درجہ 154 مجموعہ شاہد نوچداری

نمبر: 2392/23 قحانہ: آڈ میر جانی شاہ ضلع: پشاور ای ٹک نمبر: AMJ-12/28/2023-2392

تاریخ وقت وقوع: 29-12-2023 12:10 AM

|   |  |   |  |                             |             |
|---|--|---|--|-----------------------------|-------------|
| 1 | تاریخ وقت رپورٹ  | تعداد رپورٹ نمبر (29)                             | 6  | قحانہ سے روائی کی تاریخ وقت | سرینکل نظام |
| 2 | نام و سکونت اطلاع دہندہ مستفیض   | 29-12-2023 01:05 AM                               | حیدر خان ASI: قحانہ آڈ میر جانی شاہ، سوچو روچہ: قحانہ آقا میر جانی شاہ، پشور: پولیس آفس<br>فون نمبر: 03219067113 |                             |             |
| 3 | مختصر کیفیت جرم (معدوقہ) و مال اگر کچھ کو کیا ہے                                       | بجرم:<br>9D-CNSA                                  |  |                             |             |
| 4 | جائے وقوع و فاصلہ قحانہ سے اور سمت   | راستہ روعدہ سائیس گانج روڈ                        |  |                             |             |
| 5 | کارروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہو اور قحانہ کی وجہ بیان کی جاوے | برسیدگی تحریری مراسلہ پر مقدمہ درج رجسٹر کیا گیا۔ |  |                             |             |

دستخط: Mazhar Sher پلیٹ نمبر: 4887 عہدہ: ASI پلی فون نمبر: 03134288169

(ابتدائی اطلاع نیچے درج کریں)

پروقت مدد پرچے ایک تحریری مراسلہ منتخب حیدر خان ASI سے بدست کنسٹیبل ظہیر الدین 837 موصول ہو کر جو ذیل ہے بخیر مت افسر امپارچ صاحب قحانہ AMJS مراد کنسٹیبلان ظہیر الدین 837 ساچہ 5614 کے بسلسلہ موبائل گفت، مقام جائے وقوعہ بالا پر موجود تھا کہ ایک جوان العر فاضل پیدل آتا ہوا کھڑا کر کے دریافت اپنا نام گل نظر ولد گلاب سکندر تیراہ غلامی یاد کورہ کے دائی ہاتھ سے ایک ڈزنی شاہ پر رنگ بڑیا جا کر پیک کرنے پر شاہ سے ایک ٹیکٹ میر وٹن زرد سلوش نیپ میں لپٹی ہوئی برآمد ہو کر موقع بذریعہ ڈیپٹی سکیل وزن کرنے پر 1030 گرام کلی جس میں سے 01 گرام میر وٹن علیہہ کر کے بھروسہ تجزیہ FSL بندہ پارسل نمبر 01 میں اور بھاپا پیکٹ ڈزنی 1029 گرام بندہ پارسل نمبر 02 میں بندہ سر بھر کر کے پارسل حائے کے اندر 1/1 عدد نمونہ مواہیر ای BM بندہ کی جبکہ پارسل حائے پر 3/3 عدد مواہیر ای BM حبت کی ہر دو (2) پارسل بر دئے فرد قبضہ پولیس میں کر کے لازم ہلا کو مرکب جرم ہالا کا پیکو حسب ضابطہ گرفتار کر کے مراسلہ بھروسہ چا کیدگی پر چہ بدست کنسٹیبل ظہیر الدین 837 اور سال قحانہ ہے پر چہ دیا جا کر انوشی گیشن سٹاف کو ماسور تفتیش کیا جاوے دستخط انگریزی حیدر خان ASI قحانہ AMJS مورخہ 29.12.2023 کارروائی قحانہ مراسلہ درج ہالا ہو کر چہ بجرم چاک کیا جا کر نعتول پر چہ جات بھروسہ تفتیش حوالہ افضل خان OII کے جائے ہلا پر چہ گزارش ہے۔

ASI Mazhar Sher  
29-12-2023

ATTSTED



OFFICE OF THE  
SUPERINTENDENT OF POLICE CITY DIVISION  
CAPITAL CITY POLICE PESHAWAR

091-92253333 / spciv@peshawar@yahoo.com

No 2791 /Reader

dated 29/12/2023

B (10)

To The Senior Superintendent of Police,  
Operations, Peshawar.

Subject: INCIDENT REPORT

It is submitted that audio messages between two parties regarding bargaining for the release of two arrested accused of narcotics were widely viral on social media which were tasked to the undersigned for proper enquiry by the high ups:

To trace the involved individual, a special team comprising of SDPO Pishtakhara and SHO Sarband was constituted who contacted the dealing hands and fixed two lac in lieu of release of arrested accused. The dealer fixed the venue for receiving the fixed amount. At about 1730 Hrs on dated 28.12.2023, the team arranged the money and reached to the venue where the team succeeded to apprehend the dealer red handed. After interviewing, the dealer disclosed his name Younas s/o Sifat Shah resident of Superior Science College PS AMJS and deposed that he made bargaining on the directions of ASI Zeeshan Incharge PP Science College and his gunner FC Mohabbat in connection with the release of arrested accused Gul Nazar and Mustaqem resident of Tirah.

To verify the statement of Younas s/o Sifat Shah, the ASI Zeeshan and FC Mohabbat were called to the office and were heard in person who supported his version.

After going through the whole episode, both the officials were found guilty therefore, they are recommended for proper departmental proceedings.

  
**ATTYSTED**

  
Superintendent of Police City Division  
Capital City Police, Peshawar

10

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**OFFICE OF THE  
SUPERINTENDENT OF POLICE CITY DIVISION  
CAPITAL CITY POLICE PESHAWAR**

To

The Senior Superintendent of Police,  
Operation, Peshawar

Subject: INCIDENT REPORT

It is submitted that audio messages between two parties regarding bargaining for the release of two arrested accused of Narcotics were widely viral on Social Media which were tasked to the undersigned for proper by the high ups.

To trace the involved individual, a special team comprising of SDPO Pishtakhara and SHO Sarband was constituted who contracted the dealing hands and fixed two lac in view of release of arrested accused. The dealers fixed the venue for receiving the fix amount. At about 17:30 hrs on dated 28.12.2023 the team arranged the money and reached to the venue where the team succeeded to apprehend the dealer red handed. After interviewing, the dealer disclosed his name Younis S/o Sifat Shah R/o Superior Science College PSMIS and deposed that he made bargaining on the directions of ASI Zeeshan Incharge PP Science College and his Gunner FC Mohabbat in connection with the released of arrested of the accused Gul Nazar and Mustaqeem R/o Tirah.

**ATTSTED**

To verify the statement of Younas S/o Sifat Shah, ASI Zeeshan, FC Mohabbat were called to the office and were heard in person who supporting his version.

After going through the whole episode, both the official were found guilty therefore, they are recommended for proper Departmental proceedings.

Superintendent of Police  
Capital city Police. Peshawar

**ORDER**

On the recommendation of SP City, Peshawar vide his office memo No. 2791/F dated 29.12.2023, that audio messages between two parties regarding bargaining for the release of two arrested accused of narcotics were widely viral on social media which were tasked to the Enquiry Officer for proper enquiry by the high-ups. To trace the involved individual, a special team comprising of SDPO Pishtakhara and SHO Sarband was constituted who contacted the dealing hands and fixed two lac in lieu of release of arrested accused. The dealer fixed the venue for receiving the fixed amount at about 1730 hrs on dated 28.12.2023, the team arranged the money and reached to the venue where the team succeeded to apprehend the dealer red handed. After interviewing, the dealer disclosed his name Younas s/o Sifat Shah r/o Superior Science College PS AMJS and deposed that he made bargaining on the directions of ASI Zeeshan incharge PP Science College and his gunner Constable Mohabat in connection with the release of arrested accused Gul Nazar and Mustaqeem resident of Tirah. To verify the statement of Younas s/o Sifat Shah the ASI Zeeshan and Constable Mohabat were called to the office and heard in person who supported his version. After going through the whole episode, both the officials were found guilty. Later on the accused were charged in case wide FIR No. 2391 dated 29.12.2023 u/s 9DCNSA and FIR No. 2390 dated 29.12.2023 u/s 9DCNSA Police Station AMJS.

Keeping in view the above explained position, they were called in Orderly Room on 29.12.2023 and heard in person. The accused officials during personal hearing were given ample opportunities to defend themselves but they failed to produce any plausible reasons in their defense. They were also cross examined. They stated that they wanted to trap and arrest the man to whom he was talking for bargaining. They were questioned as to whether they informed their senior officers before the trap/dealing to which they replied in negative. They also admit to have had dealing conversation on record. It is crystal clear that they did not inform any senior officers before dealing which smells a rat on their part, thus, the allegations leveled against them stand proved beyond any shadow of doubt and like such negligence and unfair actions of black sheeps who were dressed in police uniform cannot be ignored. Thus, they brought bad name to the police department. Therefore, I, Kashif Aftab Ahmad Abbasi, Senior Superintendent of Police, Operations, Peshawar, in exercise of the powers conferred on me under Police Rules, 1975 award them the major punishment of "Dismissal" from service with immediate effect.

1. ASI Zeeshan Khan No. 5775 I/C PP Science College PS AMJS.
2. Constable Mohabat No. 6584 PS AMJS.

Order announced

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

No. 2194-99 PA dated Peshawar, the 29/12/2023.

Copy for information and necessary action to:-

1. The Capital City Police Officer, Peshawar.
2. SSP Coordination Peshawar.
3. SsP City, Security & HQrs, CCP Peshawar.
4. SDPOs Suburb/Pishtakhara CCP Peshawar.
5. EC-II/OASI/CRC/PO/FMC along with complete enquiry file for record ( ).

**ATTSTED**

... dated the 29/12/2023 ...  
... Peshawar ...  
... Peshawar ...  
... Peshawar ...  
... Peshawar ...  
... Peshawar ...



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ORDER

On the recommendation of SP City Peshawar vide his office memo No. 2791/F dated 29.12.2023, the audio message between two parties regarding bargaining for the released of two arrested accused of narcotics were widely viral on social media which were task to the inquiry officer for proper inquiry by the High-Ups.

To traced the involved individuals a special Team comprising SDPO Pisthakara and SHO Sarband was constituted who connecting the dealing hands and fixed two lac in lieu of release of arrested accused. The dealer fixed the venue for receiving the fixed amount at about 1730 hrs on dated 28.12.2023, the team arranged the money and reached to the venue where the team succeeded to apprehend the dealer red handed. After interviewing the dealer disclose his name Younas S/o Sifat R/o Superior Science College PSAMJS and disposed that he made bargaining on the direction of ASI Zeeshan Incharge PP Science College and his Gunner Constable Mohabat in connection with the released of arrested accused Gul Nazar and Mustaqeem R/o Tirah to verify the statement of Younas S/o Sifat Shah ASI Zeeshan and Constable Mohabat were called to the office and heard in person who supported his version. After going through the whole episode, both the official were found guilty. Later on the accused were charged in case vide FIR No. 2391 dated 29.12.2023 U/S 9-D, CNSA and FIR No. 2390 dated 29.12.2023 U/S 9-D CNSA, Police Station AMJS.

Keeping in view the above explained position they were called in orderly Room on 29.12.2023 and heard in person. The accused official during personal hearing were given ample opportunities to defend themselves but they failed to produce plausible reason in their defense. They were also cross examined they stated that they wanted to trap and arrest the man whom he was talking for bargaining. They were questioned as to whether they informed their senior officer before the trap dealing to which they replied in negative. They also admit to have had dealing conversation on record. It is crystal clear that they did not inform any senior officer before dealing which smiles a rate on their part, thus, the allegation levelled against them stand proved beyond any shadow of doubt and like such negligence and unfair action of black sheep's who were dressed in Police inform cannot be ignored. Thus they brought bad name to the Police department therefore, I, Kashif Aftab Abbasi, Senior Superintendent of Police Operation, Peshawar, in exercise of the power conferred on me under Police Rules, 1975 award him the major punishment of "Dismissed" from service with immediate effect.

1. ASI Zeeshan Khan No. 5775 I/C PP Science College PS AMJS.
2. Constable Mohabat No. 6584 PS AMJS.

Order announced.

(Lt Cdr Kashif Aftab Ahmad ABB, (ASI) PSP

Senior Superintendent of Police,  
Operation, Peshawar

No. 2194-99/PA dated Peshawar, the 29/12/2023

Copy of information and necessary action to:

1. The Capital City Police Officer, Peshawar.
2. SSP Coordination Peshawar.
3. SSP City, Security and HQRs CCP Peshawar.
4. SDPO Subordinate Pishtakhara CCP Peshawar.
5. EC HQAS/CCP/CCP/CCP/CCP

  
**ATTSTED**

PA-CCPO  
19-01-2024

12

The worthy Capital City Police Officer, Peshawar.

**SUBJECT: DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 29.12.2023, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE.**

**RESPECTED SIR,**

That the appellant was appointed as Constable the year 2014 and completed all his due trainings. The appellant since his appointment has performed his duty with devotion and honesty whatsoever assigned to him and no complaint has been filed against him regarding his performance.

That the appellant was posted in Police Post Science College Police Station Yakathoot. The appellant along with ASI Zeeshan Khan, who was in-charge of the Police Post, was on routine gasht on ring road on 28.1.2023 has stopped Suzuki pick up and put down two suspected persons from the Suzuki and on their search narcotics were recovered from them and they disclosed their name as Gul Nazar and Mustaqim. The ASI Zeeshan Khan informed SHO of concerned Police Station Yakathoot about the matter on which the SHO directed the ASI Zeeshan Khan to trace the main dealer with the help of that arrested persons.

That on the direction of SHO, ASI Zeeshan Khan asked from the accused about the dealer who provide them narcotics for distribution on which Gul Nazar told ASI Zeeshan Khan that a person namely Gul g is the dealer who provide them narcotics for distribution on which the appellant took mobile from Gul Nazar and contacted Gul g through his mobile in order to persuaded him to come to the spot so that they trap him and arrest him as per direction of his SHO on which he wanted some bargain on the release of the accused, however, ASI Zeeshan Khan told the appellant to insist Gul g to come to the spot on ring road so that they also arrest him, however, Gul g told him that he is not present and his partner will come to the spot near at KDF Restaurant on ring road and the ASI Zeeshan Khan also contacted with his informer (Younas) to come to the spot near KDF Restaurant on ring road to help them to trap and arrest of partner of Gul g on

FMC  
17/1/2024

Sp-Legal  
for comments  
19.01.2024

ATTSTED

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To

The worthy Capital City Police Officer, Peshawar.

**SUBJECT: DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 29.12.2023, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE.**

**RESPECTED SIR,**

1. That the appellant was appointed as Constable the year 2014 and completed all his due trainings. The appellant since his appointment has performed his duty with devotion and honesty whatsoever assigned to him and no complaint has been filed against him regarding his performance.
2. That the appellant was posted in Police Post Science College Police Station Yakathoot. The appellant along with ASI Zeeshan Khan, who was in-charge of the Police Post, was on routine gasht on ring road on 28.1.2023 has stopped Suzuki pick up and put down two suspected persons from the Suzuki and on their search narcotics were recovered from them and they disclosed their name as Gul Nazar and Mustaqim. The ASI Zeeshan Khan informed SHO of concerned Police Station Yakathoot about the matter on which the SHO directed the ASI Zeeshan Khan to trace the main dealer with the help of that arrested persons.
3. That on the direction of SHO, ASI Zeeshan Khan asked from the accused about the dealer who provide them narcotics for distribution on which Gul Nazar told ASI Zeeshan Khan that a person namely Gul g is the dealer who provide them narcotics for distribution on which the appellant took mobile from Gul Nazar and contacted Gul g through his mobile in order to persuaded him to come to the spot so that they trap him and arrest him as per direction of his SHO on which he wanted some bargain on the release of the accused, however. ASI Zeeshan Khan told the appellant to insist Gul g to come to the spot on ring road so that they also arrest him, however, Gul g told him that he is not present and his partner will come to the spot near at KDF Restaurant on ring road and the ASI Zeeshan Khan also contacted with his informer (Younas) to come to the spot near KDF Restaurant on ring road to help them to trap and arrest of partner of Gul g on

  
**ATTSTED**

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which the informer (Younas) came to the spot and as per direction of the ASI Zeeshan Khan informer (Younas) was waiting for the partner of Gul g at the spot near KDF Restaurant on ring road and the appellant along with ASI Zeeshan Khan were waiting on the other side of the road and in meanwhile the police team comprised of SDPO Pishtakhara and SHO Sarband along with other Police Officials came to the spot and arrested informer Younas on which ASI Zeeshan Khan came near to the police team and told them that the person you arrested is his informer and told them that he has contacted with his SHO about the arrest of accused Gul Nazar and Mustaqim and on his direction to trap the real dealer of narcotics he has done the whole process and told them the whole story and that moment ASI Zeeshan also contacted with his SHO of concerned Police Station Yakathoot and told him about the occurrence on which the SHO told the ASI Zeeshan that he is present with the DSP Subrab and tell him on which DSP Subrub also contacted SDPO Pishtakhara through his mobile phone and told him about the reality of the issue.

4. That SP City Division CCP, Peshawar submitted report on 29.12.2023 to the SSP Operation, Peshawar about the incident and recommended for proper departmental proceeding against the appellant, but without conducting any inquiry against the appellant, he was dismissed from service on the same day of submission of report i.e 29.12.2023 vide order dated 29.12.2023. **(Copy of order dated 29.12.2023 is attached as Annexure-A)**
5. That the appellant now wants to file departmental appeal to your Honor against the order dated 29.12.2023 on the following grounds.

**GROUND:**

- A) That order dated 29.12.2023 is against the law, rules, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That inquiry was not conducted against the appellant to dig out the reality about the allegation/incident before passing the dismissal order dated 29.12.2023, which is violation of law and rules and as such the order 29.12.2023 is liable to be set aside.

  
**ATTSTED**

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which the informer (Younas) came to the spot and as per direction of the ASI Zeeshan Khan informer (Younas) was waiting for the partner of Gul g at the spot near KDF Restaurant on ring road and the appellant along with ASI Zeeshan Khan were waiting on the other side of the road and in meanwhile the police team comprised of SDPO Pishtakhara and SHO Sarband along with other Police Officials came to the spot and arrested informer Younas on which ASI Zeeshan Khan came near to the police team and told them that the person you arrested is his informer and told them that he has contacted with his SHO about the arrest of accused Gul Nazar and Mustaqim and on his direction to trap the real dealer of narcotics he has done the whole process and told them the whole story and that moment ASI Zeeshan also contacted with his SHO of concerned Police Station Yakathoot and told him about the occurrence on which the SHO told the ASI Zeeshan that he is present with the DSP Subrab and tell him on which DSP Subrub also contacted SDPO Pishtakhara through his mobile phone and told him about the realty of the issue.

4. That SP City Division CCP, Peshawar submitted report on 29.12.2023 to the SSP Operation, Peshawar about the incident and recommended for proper departmental proceeding against the appellant, but without conducting any inquiry against the appellant, he was dismissed from service on the same day of submission of report i.e 29.12.2023 vide order dated 29.12.2023. **(Copy of order dated 29.12.2023 is attached as Annexure-A)**
5. That the appellant now wants to file departmental appeal to your Honor against the order dated 29.12.2023 on the following grounds.

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- A) That order dated 29.12.2023 is against the law, rules, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That inquiry was not conducted against the appellant to dig out the realty about the allegation/incident before passing the dismissal order dated 29.12.2023, which is violation of law and rules and as such the order 29.12.2023 is liable to be set aside.

*He*  
**ATTSTED**

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(C) That SP City Division CCP, Peshawar submitted report on 29.12.2023 to the SSP Operation Peshawar about the incident and recommended for proper departmental proceeding against the appellant, but despite of recommendation of SP City for proper departmental proceeding, no inquiry was conducted against the appellant to dig out the reality about the allegation/incident and dismissed the appellant from his service on the same day of submission report i.e 29.12.2023 vide order dated 29.12.2023. which means that the appellant has not been treated in accordance with law and rules and has been punished in slip shod manner without conducting proper inquiry about the allegations/incident, which is not permissible under the law and as such the order dated 29.12.2023 is liable to be set-aside.

(D) That when ASI Zeeshan Khan Incharge Police Post and appellant has arrested two persons due to recovery of narcotics from them, ASI Zeeshan has properly informed his SHO of the concerned Police Station Yakathoot about the matter on which the SHO directed the ASI Zeeshan Khan to trace the main dealer with the help of that arrested persons and on the direction of SHO, the ASI Zeeshan Khan asked from the accused about the dealer who provide them narcotics for distribution on which Gul Nazar told the ASI Zeeshan Khan that a person namely Gul g is the dealer who provide them narcotics for distribution, on which appellant took mobile from Gul Nazar and contacted Gul g through his mobile in order to persuaded Gul g to come to the spot so that they trap him and arrest him as per direction of his SHO and told Gul g about the arrest of Gul Nazar and Mustaqim on which he wanted some bargain for release of accused, however, the ASI Zeeshan Khan told the appellant to insist Gul g to come to the spot on ring road so that they also arrest him, however, Gul g told the appellant that he is not present and his partner will come to the spot near at KDF Restaurant on ring road and ASI Zeeshan Khan also contacted with his informer (Younas) to come to the spot near KDF Restaurant on ring road to help them to trap and arrest of partner of Gul g on which the informer (Younas) came to the spot and as per direction of ASI Zeeshan Khan informer (Younas) was waiting for the partner of Gul g at the spot near KDF Restaurant on ring road and the appellant along with SI Zeeshan Khan were waiting on the other side of the road and in meanwhile the police team comprised of SDPO Pishtakhara and SHO Sarband along with other Police Officials came to the spot and arrest informer Younas on which the appellant along with ASI Zeeshan Khan came near to the police team and ASI Zeeshan Khan told them that the person you arrested is

ATTSTED

- C) That SP City Division CCP, Peshawar submitted report on 29.12.2023 to the SSP Operation Peshawar about the incident and recommended for proper departmental proceeding against the appellant, but despite of recommendation of SP City for proper departmental proceeding, no inquiry was conducted against the appellant to dig out the realty about the allegation/incident and dismissed the appellant from his service on the same day of submission report i.e 29.12.2023 vide order dated 29.12.2023. which means that the appellant has not been treated in accordance with law and rules and has been punished in slip shod manner without conducting proper inquiry about the allegations/incident, which is not permissible under the law and as such the order dated 29.12.2023 is liable to be set aside.
- D) That when ASI Zeeshan Khan Incharge Police Post and appellant has arrested two persons due to recovery of narcotics from them, ASI Zeeshan has properly informed his SHO of the concerned Police Station Yakathoot about the matter on which the SHO directed the ASI Zeeshan Khan to trace the main dealer with the help of that arrested persons and on the direction of SHO, the ASI Zeeshan Khan asked from the accused about the dealer who provide them narcotics for distribution on which Gul Nazar told the ASI Zeeshan Khan that a person namely Gul g is the dealer who provide them narcotics for distribution, on which appellant took mobile from Gul Nazar and contacted Gul g through his mobile in order to persuaded Gul g to come to the spot so that they trap him and arrest him as per direction of his SHO and told Gul g about the arrest of Gul Nazar and Mustaqim on which he wanted some bargain for release of accused, however, the ASI Zeeshan Khan told the appellant to insist Gul g to come to the spot on ring road so that they also arrest him, however, Gul g told the appellant that he is not present and his partner will come to the spot near at KDF Restaurant on ring road and ASI Zeeshan Khan also contacted with his informer (Younas) to come to the spot near KDF Restaurant on ring road to help them to trap and arrest of partner of Gul g on which the informer (Younas) came to the spot and as per direction of ASI Zeeshan Khan informer (Younas) was waiting for the partner of Gul g at the spot near KDF Restaurant on ring road and the appellant along with SI Zeeshan Khan were waiting on the other side of the road and in meanwhile the police team comprised of SDPO Pishtakhara and SHO Sarband along with other Police Officials came to the spot and arrest informer Younas on which the appellant along with ASI Zeeshan Khan came near to the police team and ASI Zeeshan Khan told them that the person you arrested is

  
**ATTSTED**

his informer and told them that he has contacted with his SHO about the arrest of accused Gul Nazar and Mustaqim and on his direction to trap the real dealer of narcotics he has done the whole process and told them the whole story, which means that the appellant did not commit any misconduct and all has done on the direction of his SHO to trap the real dealer of the narcotics which has given to ASI Zeeshan Khan, but despite that high ups of the appellant connected the matter with appellant on presumption basis without conducting regular and proper inquiry to dig out the realty about the issue/allegation which is against the norms of justice and fair play.

- D) That in the dismissal order, it is mention that the ASI Zeeshan along with the appellant has not informed his any senior officer about the matter, but ASI Zeeshan Khan has properly informed his SHO of Police Station Yakathoot about the matter and arrest of the Nazar Gul and Mustaqim and even when the police team arrived to the spot and arrested informer Younas, at that moment the ASI Zeeshan Khan also contacted with his SHO of concerned Police Station Yakathoot and told him about the occurrence on which the SHO told the ASI Zeeshan Khan that he is present with the DSP Subrab and tell him on which DSP Subrub also contacted SDPO Pishtakhara through his mobile phone and told him about the realty of the issue, which means that the appellant did not commit any misconduct and has been punished for no fault on his part.
- F) That the appellant told the police team on the spot as well as during personal hearing that ASI Zeeshan Khan who was the incharge of the Police Post has timely informed his SHO about the matter and on the direction of the SHO he done all the process in order to trap and arrest the main dealer of narcotics, but even the statement of SHO of Police Station Yakathoot was not recorded to dig out the realty about the matter/allegation and dismissed the appellant in slip shod manner which is not permissible under the law and rues.
- G) That no charge sheet was issued to the appellant in order to defend himself, which is violation of law and rules.
- H) That even the show cause notice was not issued to the appellant before passing the dismissal order dated 29.12.2023, which is against the norms of justice and fair play.

  
**ATTSTED**



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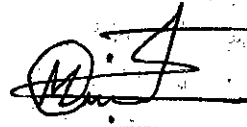
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- F) That the appellant told the police team on the spot as well as during personal hearing that ASI Zeeshan Khan who was the incharge of the Police Post has timely informed his SHO about the matter and on the direction of the SHO he done all the process in order to trap and arrest the main dealer of narcotics, but even the statement of SHO of Police Station Yakathoot was not recorded to dig out the realty about the matter/allegation and dismissed the appellant in slip shod manner which is not permissible under the law and rues.
- G) That no charge sheet was issued to the appellant in order to defend himself, which is violation of law and rules.
- H) That even the show cause notice was not issued to the appellant before passing the dismissal order dated 29.12.2023, which is against the norms of justice and fair play.

*g*  
**ATISIL**

- 16
- I) That the opportunity of proper defense was not provided to the appellant, which is against the spirit of Article 10-A of the Constitution.
- J) That the appellant has not been treated in accordance with law and rules and has been condemned unheard throughout.

*It is, therefore most humbly requested that on acceptance of this departmental appeal, the order dated 29.12.2023 may kindly be set aside and the appellant may be reinstated into service with all back and consequential benefits.*



APPELLANT

Dated: 19-01-2024.

Mohabat, Ex-Constable No.6584,  
PP Science College PS AMJS

ATTSTED

Better copy (16)

- I) That the opportunity of proper defense was not provided to the appellant, which is against the spirit of Article 10-A of the Constitution.
- J) That the appellant has not been treated in accordance with law and rules and has been condemned unheard throughout.

*It is, therefore most humbly requested that on acceptance of this departmental appeal, the order dated 29.12.2023 may kindly be set aside and the appellant may be reinstated into service with all back and consequential benefits.*

APPELLANT

Dated:

Mohabat, Ex-Constable No.6584,  
PP Science College PS AMJS

  
**ATTSTED**



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 Muhabat Khan No. 6584**, who was awarded the major punishment of “**dismissal from service**” under KP PR-1975 (amended 2014) by SSP/Operations, Peshawar vide order No. 2194-99/PA, dated 29.12.2023.

2- Brief facts leading to the instant appeal are that the defaulter Constable while posted as gunner of I/C PP Science College, PS AMJ-Shah Peshawar was held responsible that as per recommendation of SP/City, Peshawar vide his office memo No. 2791/R, dated 29.12.2023, that an audio message between the 02 parties regarding bargaining for release of 02 accuseds of narcotics were widely viral on social media which were tasked to the Enquiry Officer for proper enquiry by the high-ups. To trace the involved individuals, a special team comprising of SDPO Pishtakhara and SHO Sarband was constituted who contacted the dealing hands and fixed 02 lacs in lieu of release of arrested accused. The dealer fixed the venue for receiving the said amount at about 17:30 hrs dated 28.12.2023, the team arranged the money and reached to the venue where the team succeeded to apprehend the dealer red handed. After interviewing, the dealer disclosed his name Younas s/o Sifat Shah r/o Superior Science College PS AMJ-Shah and disposed that he made bargaining on the direction of ASI Zeeshan I/C PP Science College and his gunner Constable Mohabat in connection with the release of arrested accuseds i.e. Gul Nazar and Mustaqeem resident of Tirah. On account of this, he was awarded the major punishment of dismissal from service.

3- 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. 2194-99/PA, dated 29.12.2023 is hereby **rejected/filed**.

**“Order is announced”**

CAPITAL CITY POLICE OFFICER,  
PESHAWAR

No. 1184-93 /PA, dated Peshawar the 20/ 03/2024

Copies for information and necessary action to the:-

1. SSP/Operations Peshawar.
2. SP/HQrs: Peshawar
3. AD/IT CCP Peshawar.
4. PO, EC-II, AS, CRC, OASI & FMC alongwith complete Fuji Misal.
5. Official concerned.

*Allestid*

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**VAKALAT NAMA**

NO. \_\_\_\_\_/2024

IN THE COURT OF KP Service Tribunal, Peshawar

Mohabat (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Police Department (Respondent)  
(Defendant)

I/We, \_\_\_\_\_

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/2024

[Signature]  
(CLIENT)

**ACCEPTED**

[Signature]  
**TAIMUR ALI KHAN**  
Advocate High Court

BC-10-4240  
CNIC: 17101-7395544-5  
Cell No. 03339390916

[Signature]  
Adv: Shakir Luah Torani