


Form-A

FORM OF ORDERSHEET

Court of _____

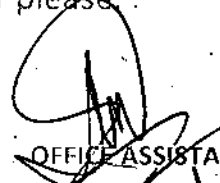
Case No. 833/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12.06.2024	<p>As per direction of the Hon'ble Member Judicial the present appeal is fixed for preliminary hearing before Single Bench at Peshawar on 13.06.2024. Parcha Peshi given to counsel for the appellant.</p> <p style="text-align: right;"> REGISTRAR</p>


Respected Madam,

It is submitted that the present appeal was returned to counsel for the appellant for removing the deficiencies (Flag-A). Today i.e. 11.06.2024 the learned counsel re-filed the appeal without removing the objection no. 7&8 with detail reply (Flag-B).

The appeal is now submitted to your honor under rules 7 (c) of the Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order please.


OFFICE ASSISTANT
12/6/24

Hon'ble Member (J).


Fix before the court in P.H. 
708 tomorrow. 12/6/24

The appeal of Mr. Mubarak Shah received today i.e on 29.05.2024 is incomplete on the following score which is returned to the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Annexures of the appeal are unattested.
- 4- Memorandum of appeal is not signed by the appellant.
- 5- Printing of the memorandum of appeal is dim.
- 6- Copy of dismissal order mentioned in the memo of appeal is not attached with the appeal be placed on it.
- 7- Copy of departmental appeal against the impugned dismissal order is not attached with the appeal be placed on it.
- 8- 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.
- 9- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 95 /Inst;/2024/KPST,

Dt. 30/05 /2024.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Syed Salman Zahid Adv.
High Court Peshawar.

Respected Sir,

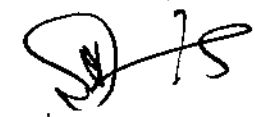
Objections No. 1,2,3,4,5,6 & 9 have been removed.

However, Objections No. 7 & 8 regarding Charge Sheet, Statement of allegations, Show Cause Notice etc, the same is not in possession of the Appellant; nor communicated to him, because the Appellant was at Central Jail.

Kindly put up before the upcoming SB.

Reply Submitted.

11/06/24


Syed Salman Zahid
A, HC Peshawar.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

In S.A No. 833 /2024

Mubarak Shah (Ex Constable)

VERSUS


Inspector General of Police & others

INDEX

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4.	Copy of FIR + Suspension Order + impugned dismissal Order dt: 14.12.16	A, A/1 & A/2	6
5.	Copy of Impugned Order dated: 23.11.2018	B	7
6.	Copy of Acquittal Order Dated 31.01.2023	C	8-13
7.	Copies of Revision Petition & Order dated: 07.05.2024	"C/19D"	14, 15
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Appellant

Through


SYED SALMAN ZAHID
Advocate High Court
Peshawar

①

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No. 833/2024

Mubarak Shah, Ex-Constable, Belt No. 08, Resident of Mohallah Essa Zai, Sarband, Tehsil & District Peshawar.

..... Appellant

Versus

1. *Inspector General of Police, Khyber Pakhtunkhwa.*
2. *Capital City Police Officer Peshawar.*
3. *Superintendent of Police Headquarter, Peshawar.*

..... Respondents

Appeal under Section 04 of the Khyber Pakhtunkhwa Services Tribunal Act 1974 against the impugned Office Order OB No. 4205 Dated 14-12-2016 of the Office of SP Headquarters Peshawar, whereby the Appellant was dismissed from service & against the impugned Office Order No. 1326-31/PA Dated 23-11-2018 of the Office of Capital City Police Office Peshawar, whereby the Departmental Appeal of the Appellant was turned down & against the impugned Office Order No. 985-990/24 Dated 07-05-2024 of the Office of Inspector General of Police Khyber Pakhtunkhwa, whereby the Revision Petition of the Appellant was rejected in a classical cursory and whimsical manner.

Respectfully Sheweth,

1. *That the Appellant is a bona-fide citizen of Islamic Republic of Pakistan & hails from a respectable family of District Peshawar.*
2. *That the Appellant got on to the rolls of the Respondent Department years back as Constable. During the course of his employment, the Appellant remained a pragmatic and devoted fellow, who never left any stone unturned in performance of obligations bestowed upon his shoulders.*
3. *That it was in the backdrop of 2016, when the Appellant was charged in a false & fabricated case bearing FIR No. 760 Dated 08-07-2016, charged U/s 302,324,148,149,427 PPC of Police Station Sarband and thereafter, the Appellant went into hiding and was unable to attend his official duties. (Copy of FIR is annexed herewith as Annexure "A").*

4. That in light of the captioned false & fabricated FIR, the Appellant got dismissed from the rolls of the Respondent Department vide Office Order OB No. 4205 Dated 14-12-2016 of the Office of SP Headquarters Peshawar.
5. That thereafter, the Appellant surrendered himself before the competent Court of law and afterwards, was released on Bail, where-after, the Appellant preferred a Departmental Appeal, which was turned down without following the codal formalities vide Office Order No. 1326-31/PA Dated 23-11-2018 of the Office of CCPO Peshawar. (Copy of impugned Order Dated 23-11-2018 is annexed herewith as Annexure "B" respectively)
6. That the appellant approach several time respondent to give copy of dismissal order dated ~~14-12-~~ 2016 and copy of departmental appeal but respondent refuse to hand over the copies to appellant.
7. That the Appellant faced trial in the captioned case, whereby he got acquitted from the charge leveled against him vide Order Dated 31-10-2023 of the Learned Additional Session Judge XV Peshawar. (Copy of Acquittal Order Dated 31-01-2023 is annexed herewith as Annexure "C")
8. That after getting acquitted, the Appellant straight away rushed to the Office of the Inspector General of Police Khyber Pakhtunkhwa and preferred a Revision Petition seeking his re-instatement into service with all back benefits, but here again the deuce fate of the Appellant prevailed and the same got rejected vide Office Order No. 985-990/24 Dated 07-05-2024 of the Inspector General of Police Khyber Pakhtunkhwa. (Copies of Revision Petition & Order Dated 07-05-2024 are annexed herewith as Annexure "D" respectively).
9. That feeling highly aggrieved, the Appellant approaches this Hon'ble Tribunal for setting aside the impugned Orders mentioned in the heading of the Service Appeal and for his re-instatement into service with all back benefit, upon the following grounds, inter-alia,

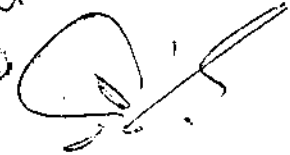
GROUNDS:

- A. That the impugned Orders so issued by the Respondents are illegal, unlawful, void-ab-initio and are liable to be struck down.
- B. That no show-cause notice or no statement of allegation was ever served upon the Appellant, but even then, the impugned orders were passed in haste without following the codal formalities.
- C. That neither any Charge Sheet got issued, nor any inquiry ever got conducted or initiated against the Appellant, hence the major ingredients of law are missing in case of the Appellant.
- D. That it is a human conduct that when a person is charged in a criminal case, so he went into hiding, therefore was unable to procure his attendance into service, which was neither intentional nor deliberate but beyond the control of the Appellant.

- E. That even although, the Appellant got acquitted from the charges leveled against him, and has timely moved a Revision Petition for his re-instatement, but even then the Major Penalty so imposed upon the Appellant was retained.
- F. That from every angle, the impugned Dismissal Order, impugned Order upon Departmental Appeal & impugned Order upon the Revision Petition are wrong, illegal, & unlawful and are liable to be struck down.
- G. That any other grounds will be raised at the time of arguments, with prior permission of this Hon'ble Court.

It is therefore most humbly prayed that on acceptance of the instant Service Appeal, the impugned Office Order OB No. 4205 Dated 14-12-2016 of the Office of SP Headquarters Peshawar, whereby the Appellant was dismissed from service, the impugned Office Order No. 1326-31/PA Dated 23-11-2018 of the Office of Capital City Police Office Peshawar, whereby the Departmental Appeal of the Appellant was turned down & the impugned Office Order No. 985-990/24 Dated 07-05-2024 of the Office of Inspector General of Police Khyber Pakhtunkhwa, whereby the Revision Petition of the Appellant was rejected may kindly be set-aside and the Appellant may kindly be re-instated into Service with all back and ancillary benefits.

Dated: 24/05/2024

OC/14
Appellant
Through 

Syed Salman Zahid
Advocate High Court,
Peshawar

(4)

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

In S.A No. _____/2024

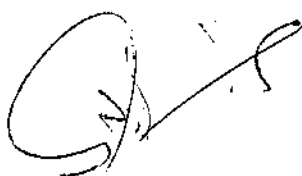
Mubarak Shah (Ex Constable)

VERSUS

Inspector General of Police & others

AFFIDAVIT

I, MUBARAK SHAH S/O MAQBOOL SHAH R/O MOHALLAH ESA ZAI, SARBUND, TEHSIL AND DISTRICT PESHAWAR, do hereby solemnly affirm and declare that all the contents of this Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

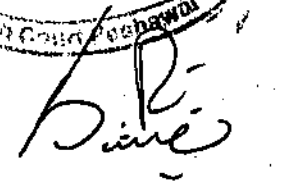


IDENTIFIED BY:

SYED SALMAN ZAHID
Advocate, High Court,
Peshawar.

Deponent _____
Mubarak Shah
CNIC: 17301-1633357-3




24/05/24.

(5)

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

Service Appeal No _____/2024

Mubarak Shah (Ex Constable)

Appellant

VERSUS

Inspector General of Police KPK and others

Respondents

ADDRESSES OF PARTIES

ADDRESS OF PETITIONER

Mubarak Shah Ex-Constable, Belt No. 08, Resident of Mohallah
Essa Zai Sarband Tehsil and District Peshawar

ADDRESSES OF RESPONDENTS

1. Inspector General of Police Khyber Pakhtunkhwa.
2. Capital City Police Officer Peshawar.
3. Superintendent of Police Headquarter Peshawar.

Dated : 24.05.2024

Through

Appellant


Syed Salman Zahid
Advocate High Court,
Peshawar

Handwritten notes in Urdu script, likely a list or report. The text is dense and difficult to read due to cursive handwriting. It appears to contain names, dates, and possibly numerical data points.

Handwritten signature or initials, possibly "Amna".

1	17501-9763694-3 0314 = 9728403	08/7/2016
2	Handwritten notes	Handwritten notes
3	Handwritten notes	Handwritten notes
4	Handwritten notes	Handwritten notes
5	Handwritten notes	Handwritten notes
6	Handwritten notes	Handwritten notes
7	Handwritten notes	Handwritten notes

760 23

Annex A

(6)

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Handwritten text, possibly a date or location.

ORDER

Ann A/i

6A

Constable Mubarak Shah No:08 of CCP Peshawar while posted at DAR is hereby placed under suspension & closed to Police Lines with immediate effect due to involvement in criminal case vide FIR No.760 dated 08.07.2016 u/s 302/324/148/149-PPC PS Sarband.

Charge sheet & summary of allegations is being issued to him separately.

[Signature]
SUPERINTENDENT OF POLICE
HEADQUARTER PESHAWAR

O.B No 2533
Dated 21/7/2016

No. 2855-63 /PA/SP/H.Qrs: dated Peshawar, the 21/7/2016

Copy to:

1. The Capital City Police Officer Peshawar
2. The SSP Coordination, Peshawar
3. The SSP Operations, Peshawar
4. CRC /OASI/ Pay Officer/FMC.
5. Official concerned.

Ms. Azeem Khan

As per instruction
[Signature]
25-7-16

Attended
[Signature]

Ann A/2

6B

ORDER

This office order relates to the disposal of formal departmental enquiry against Constable Mubarak No.08 of Capital City Police Peshawar on the allegations that he while posted at Police Lines, Peshawar absented himself from lawful duty w.e.f 07.07.2016 till date without taking permission or leave.

In this regard, he was issued charge sheet and summary of allegations. SDPO Faqirabad was appointed as Enquiry Officer. He conducted the enquiry and submitted his report that defaulter official did not attend the enquiry proceedings. The E.O further recommended major punishment for the defaulter official vide Enquiry Report No.60/St dated 17.11.2016.

Upon the finding of Enquiry Officer, he was issued final show cause notice & delivered him on home address through local Police PS Sarband which received by his father namely Maqbool Shah. The alleged official has been involved in criminal case vide FIR No:760 dated 08.07.2016 u/s 302/324/148/149-PFC PS Sarband & declared him as P.O as per report of SHO PS Sarband.

In the light of recommendations of E.O & other material available on record, the undersigned came to conclusion that the alleged official found guilty of prolong absence which resulted involvement in criminal case & declared him as P.O. Therefore, he is hereby dismissed from service under Police & Disciplinary Rules-1975 with immediate effect. Hence, the period he remained absent from 07.07.2016 till date is treated without pay.

Aslam
**SUPERINTENDENT OF POLICE
HEADQUARTERS, PESHAWAR**

OB. NO. 4205 / Dated 14/12/2015

No. 4649-55/PA/SP / dated Peshawar the 14/12/2015

Copy of above is forwarded for information & n/action to:

- ✓ Capital City Police Officer, Peshawar.
- ✓ DSP/HQrs, Peshawar.
- ✓ Pay Office, OASI, CRC & FMC along-with complete departmental file.
- ✓ Officials concerned.

Attested

Mr. Iqbal Ahmad

no. 19

14/12





OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

Phone No. 091-9210989

Fax No. 091-9212597

(7)

Annex B

ORDER.

This order will dispose off the departmental appeal preferred by Ex-Constable Mubarak Shah No.08 who was awarded the major punishment of "Dismissal from service" by SP/HQrs Peshawar vide OB No 4205, dated 14-12-2016.

2- The allegations leveled against him were that he while posted at Police Lines Peshawar absented himself from his lawful duty w.e from 07-07-2016 till his dismissal i.e 14-12-2016 (05 months & 07 days).

3- He was issued proper charge sheet and summary of allegations by SP/HQrs Peshawar and SDPO Faqir Abad was appointed as enquiry officer. The enquiry officer in his findings submitted that the delinquent official did not attend the enquiry proceedings and recommended him for major penalty. On perusal of findings of the enquiry officer the competent authority issued him Final Show Cause Notice which was delivered to him on home address through local Police which was received by his father namely Maqbool Shah. The appellant was also charged in a criminal case vide FIR No.760 dated 08-07-2016 u/s 302/324/148/149-PPC PS Sarband and declared as PO. The competent authority, hence awarded him the above major punishment.

4- He was heard in person in O.R. The relevant record perused along with his explanation but he failed to submit any plausible explanation in support of his absence. The competent authority has completed all codal formalities before awarding him the major punishment. Moreover, his appeal is also time-barred for 01 year and 09 months hence his appeal for setting aside the order of major punishment awarded to him vide OB No.4205 dated 14-12-2016 is hereby dismissed/rejected.

(QAZI JAMIL UR REHMAN) PSP
CAPITAL CITY POLICE OFFICER,
PESHAWAR

No. 1326-31 /PA dated Peshawar the 23/11 2018

Copies for information and n/a to the:-

1. SP-HQr: Peshawar.
2. BO/OASI/CRC for making necessary entry in his S.Roll.
3. FMC along with FM
4. Official concerned.

ATTACHED

THE COURT OF NASRULLAH KHAN


ADDITIONAL SESSIONS JUDGE-XV, PESHAWAR

Annexure 8.c

Case No.	Institution	Original Institution	Decision	No. Of Pages	Short Order
230/Sc	17-12-2022	11.04.2018	31-01-2023	156	Acquittal On 265K

State vs Arif

S.No	Page No.	No. of Pages	Detailed Particulars of Pages
			PART-A
1	1-144	144	Index, Order sheets , final order , charged , statements , Compromise Deed With CNICS , complete judicial file along-With supplementary Challans , Misc Application.
			PART-B
2	1-12	12	Notices.
Total (156) No of pages are consigned to record room.			


Muharrir of the Court

PART A =144

PART B=12

TOTAL PAGES =156

Checked & Found Correct

AD&SJ-XV, Peshawar



(28) 9

In the Court of Ishfaq Ali Haider Additional Sessions Judge-V Peshawar

Charge Sheet

FIR No. 760 dated 08.07.2016 u/s 302-324-427-148-149 PPC

Registered at PS Sarband, Peshawar

I, Ishfaq Ali Haider, Additional Sessions Judge-V, Peshawar Division Peshawar do hereby charge you accused:-

1. Sakhi Shah aged about 40 years
2. Mubarak Shah aged about 35 years Ss/o. Magbool Shah r/o Sarband, Peshawar, as follows.

Firstly: - That on 08.07.2016 at 08:00 hours at Sarband Muhallah Esa Zai falling within the criminal jurisdiction of Police Station Sarband you accused along with acquitted accused Arif Ullah, Wajid, Gulbar and Arif Khan, while duly armed with your respective fire arms, in furtherance of your common object, committed Qatl-e-Amd of Fazle Rehman (brother of complainant) and thereby committed an offence punishable u/s 302/149 PPC and within cognizance tried by this Court.

Secondly:- That on the above mentioned date, time and place falling within the criminal jurisdiction of Police Station Sarband, you accused along with acquitted accused Arif Ullah, Wajid, Gulbar and Arif Khan, in furtherance of your common object attempted at the life of each other and thereby committed an offence u/s 324/149 PPC and within cognizance tried by this Court.

Thirdly:- That on the above mentioned date, time and place falling within the criminal jurisdiction of Police Station Sarband you accused along with acquitted accused Arif Ullah, Wajid, Gulbar and Arif Khan, formed an unlawful assembly for the purpose of rioting and committed an offence punishable u/s U/S 148/149 PPC within my cognizance tried by this Court.

And, I hereby direct that you will be tried by this Court under the said charge.

ATTESTED
07 FEB 2016
M
District Court Peshawar

(Ishfaq Ali Haider)
AD&SJ-V Peshawar

10

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Note: The charge has been read over and explained to accused.

Q. Have you heard and understood the charge as explained to you?

A. Yes.

Q. Do you want to plead guilty or have any defense to make?

A. No. we do not plead guilty and claim trial.

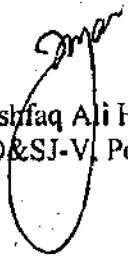
RO & AC

25/10/2019

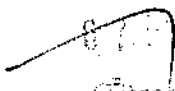
Certificate u/s 364 Cr.PC

Sakhi Shah
(Accused)

Mubarak Shah
(Accused)


(Istifaq Ali Haider)
AD&SJ-V, Peshawar

ATTESTED


(Istifaq Ali Haider)
District Court Peshawar

(11)


IN THE COURT OF NASRUALLAH KHAN
ADDITIONAL SESSIONS JUDGE-XV, PESHAWAR

Case No. 230/SC

State ...VS... Saki Shah and other

ORDER-
31/01/2023

Accused Saki Shah and Mubarak Shah present alongwith counsel. Complainant not in attendance. PP for state present. Arguments on the part of the counsel for the accused upon the application U/S 265-K CrPc already been heard whereas learned counsel for state heard today. Record gone through.

By means of this order it is directed to dispose off an application for acquittal of the accused in the instant case FIR No. 760 dated 08/07/2016, crime registered U/S 302/324/427/148/149 PPC registered at PS Sarband Peshawar. In the said application it alleged that the accused petitioner Saki Shah and Murbark Shah are quite innocent as there is absolutely no ocular as well as circumstantial evidence regarding the commission of an offence by the accused petitioners. Further added that the alleged occurrence is nocturnal and identity of the assailants is highly doubtful while there is inordinate delay in reporting the matter to the police which preceded by deliberations and consultations. That the ocular account is belied by the medical evidence, the site plan and other attending circumstances of the case; Further added that the charge against the accused is highlighted exaggerated one as wide net has been thrown by the complainant for false implication of the accused petitioners; that the prosecution failed to bring on record any evidence regarding any sort of nexus of the petitioners in the instant case, other co-accused of similar role namely Arif Ullah, Wajid and Gulbar have been acquitted by this court on the basis of compromise, meaning disbelieving of the whole prosecution case and there is no additional evidence brought a fresh by the prosecution against the petitioner to differentiate his case that from the acquittal accused; Further added that the petitioner had not at all absconded. They were not in the knowledge of the instant false charge and till the surrender before the court regularly attended the court on each and every date. Further added that the complainant knows the real couplet with whom the complainant party made compromise and as a result of compromise the other accused party paid the amount of diyat in favor of the legal heirs of the deceased and there is no likelihood of the present accused petitioner in the near future of probability of the conviction of the accused rather evidence on the record do not warrant any conviction and the continuation of the trial against the petitioners will be a futile exercise, sheer wastage of time and abuse of process of the court, hence, the instant application.


31.01.2023
NASRUALLAH KHAN
Additional Sessions Judge-XV
Peshawar

ATTN

Dist. Peshawar

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Perusal of the record shows that the complainant charged six accused in the FIR for cross firing upon each other as a result of cross firing of the accused of the first party namely Arif, Wajid, Hanif Ullah S/o Majeed Khan, Gulberg S/o Aslam and of the second party accused Saki Shah and Mubark Shah S/o Maqbool Shah have been charged for effecting firing, the complainant's brother namely Fazal Ur Rehman who was passerby was hit with firearm who was rushing to the hospital on the way he succumbed to the injuries on the way. The instant FIR was lodged against the accused for the commission of an offence. Accused were arrested and subsequently released by the different courts. Investigation in the instant case has been conducted. Complete challan was submitted against the accused facing trial. During proceedings of the trial complainant and other legal heirs of the deceased made compromise with the accused Arif Ullah, Wajid, Arif and Gulberg and on the basis of compromise effected by the complainant and legal heirs of the deceased accused Arif Ullah, Wajid, Gulberg and Arif were acquitted by the learned Additional Sessions Judge Peshawar dated on 13/02/2019. Complainant party has not made compromise with the accused Saki Shah and Mubarak Shah, resultantly formal charge against the accused framed on dated 25/10/2019 to which the accused did not plead guilty and claimed to face the trial. Since the framing of formal charge against the accused Mubarak Shah and Saki Shah on dated 25/10/2019 no official PWs appeared before the court. Complainant made attendance before the court. His statement was recorded as PW1. Complainant stated in categorical manner in the cross examination that it was a cross firing between the two parties and the accused party have no motive with the deceased rather a land dispute was existed between the accused party and also admitted that party one accused Arif Ullah, Wajid, Gulberg and Arif while second party accused Mubarak Shah and Saki Shah S/o Maqbool Shah. Complainant admitted that no specific role has been attributed to any accused and have not specifically mentioned that from any particular accused his brother was hit and admitted this factum that party No.1 is on the back side while party No.2 is on the front side and admitted that he has not mentioned the description of weapon of offence. Site plan available on the case file shows that the first party accused have been shown on the back side of the deceased passerby and the present 2nd party accused is on the front side. Medicolegal report/post mortem report placed on file which shows that the deceased Fazal Ur Rehman received entry wound on the back side where the position of the first party of the accused assigned. The first party accused have already made compromise with the complainant party by making payment of diyat amount to the legal heirs of the deceased. Record is completely silent in respect of any specification of role to the accused Saki Shah, Mubarak Shah. Six persons have been charged for single injury upon the person of deceased Fazal Ur Rehman but it cannot be determined that who caused the said injury to the


NASRULLAH KHAN
Additional Sessions Judge-IV
Peshawar

ATTESTED

07 FEB 2023

(Examined)

District Court Peshawar

13

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deceased and who not rather complainant admitted this factum in categorical manner in the evidence that no specific role has been given to any particular accused for firing upon the person of the deceased Fazal Ur Rehman. No motive whatsoever exist of the accused with the complainant and the deceased party. Accused have not made any confessional statement in respect of the commission of an offence nor made any pointation nor made any recovery and discovery as a result of pointation. PWs are not appearing before the court despite time and again despite issuance of process which clearly clues disinterest on the part of the prosecution to give evidence in respect of the version of the complainant party. In the light of the statement of the complainant and the material available on the record there is no probability of conviction of the accused if the whole prosecution evidence is recorded in pursuance of the version of the prosecution even then there is no earning of conviction rather the ultimate fact will be the acquittal of the accused. Section 265-K empowers the court to acquit the accused at any stage when the allegation on the face of the record there is no probability of conviction of the accused, resultantly in the circumstances in hand, the said Section 265-K CrPc is hereby attracted by this court, consequently accused Saki Shah and Mubarak are also acquitted of the charges leveled against them by accepted the application U/S 265-K CrPc. Sureties of the accused are absolved from the liability of the bail bonds. Case property if any be kept intact till expiration of period of appeal.

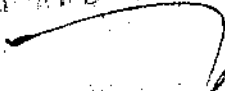
Case file be consigned to record room after its necessary completion and compilation.

Announced
31/01/2023


Nasrullah Khan,
ASJ-XV, Peshawar

NASRULLAH KHAN
Additional Sessions Judge-XV
Peshawar

No:	GB42
Date:	02/02/23
Name:	12/05/22
Work:	GF
Fee:	
Signature of Clerk:	
Date of Preparation:	07/02/23
Date of Delivery:	07/02/23

DELIVERED TO RECORD ROOM

Coping up with the Court
Peshawar

315-9894521

332-9084121

Handwritten text in Urdu, possibly a title or header.

Handwritten text, possibly a name or signature.

14-02-2023

Main body of handwritten text in Urdu, containing several lines of information.

Handwritten text at the bottom left, possibly a date or reference.

(14)

Handwritten text at the bottom center, possibly a signature or name.

CP No 11292/SB 14/10/23



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

(15)

Annexure 10

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Mubarak Shah No. 08. The petitioner was awarded major punishment of dismissal from service by SP HQrs: Peshawar on the allegations that he was posted at Police Lines Peshawar absented himself w.e.f 07.07.2016 till the date of dismissal i.e. 14.12.2016 (05 months & 07 days). The appellant was also charged in criminal case vide FIR No. 760 dated 08.07.2016 u/s 302/324/148/149 PPC PS Sarband and declared as Proclaimed Offender.

His appeal was rejected by CCPO/Peshawar, vide order Enc'd: No. 13256-31/PA, dated 23.11.2018 being meritless & being time-barred by 01 year and 09 months.

He was acquitted u/s 265-K CrPC by the court of Additional Session Judge XV Peshawar, vide judgment dated 31.01.2023. On the basis of acquittal decision, he preferred an appeal to worthy IGP

Meeting of Appellate Board was held on 02.05.2024 wherein petitioner was heard in person. The petitioner contended the allegations are baseless.

Perusal of the enquiry papers reveals that the allegations leveled against the petitioner have been proved. During hearing, petitioner failed to advance any plausible explanation in rebuttal of the charges. The Board sees no ground & reasons for acceptance of his petition; therefore, his petition is hereby rejected.

Sd/-

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

No. S/ 985-990 /24, dated Peshawar, the 07-05-2024.

Copy of the above is forwarded to the:

1. Capital City Police Officer Peshawar. One Service Roll, One Fauji Missal and Enquiry File (01) of the above named Ex-FC received vide your office memo: No. 6491/CRC, dated 29.03.2023 is returned herewith for your office record.
2. SP Headquarters, Peshawar.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt: I-IV CPO Peshawar.

(SONIA SHAMROZE KHAN) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

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Handwritten text in the middle of the page, possibly a name or title.

Inspector General of Police
Muzakir Shah (EK constant)
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16
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