


FORM OF ORDER SHEET

Court of _____

Appeal No. 832/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/06/2024	<p>The appeal of Mr. Muhammad Ali Khan presented today by Mr. Muhammad Aslam Tanoli Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 27.07. 2024. Parcha Peshi given to counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No = 832 / 2024

Muhammad Ali Khan Sub. Inspector No.174/H presently posted in
Anti-Corruption Branch at Abbottabad..... (**Appellant**)

VERSUS

1. District Police Officer, Abbottabad.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. Provincial Police Officer Khyber Pakhtunkhwa Peshawar
.....(**Respondents**)

SERVICE APPEAL

INDEX

S/No.	Description of documents.	Annexure	Page No.
1.	Memo of appeal & condonation application.		01- 11
2.	Charge Sheet & its Reply	"A&B"	12- 16
3.	Order dated 8-11-23	"C"	17
4.	Application for police assistance, Order of AC (Rev) dated 27-09-2023, Fard Jamabandi of Khasra Nos.618, 619, 621,622 & 623, Demarcation Report & Roznamcha.	"D, E & F"	18 19 20-21
5.	FIR No.1211 dated 05-10-2023, Medical check-up and other relevant papers	"G"	22-29
6.	Departmental appeal & RPO order dated 23-02-2024	"H&I"	30-33 34-35
7.	Revision Petition and PPO Order dated 23-05-2024	"J&K"	36-41 42
8.	Wakalatnama		


APPELLANT

THROUGH

(MUHAMMAD ASLAM TANOLI)
ADVOCATE HIGH COURT
ABBOTTABAD

Dated: 11-06-2024

①

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No.....832/2024

Muhammad Ali Khan Sub. Inspector No.174/H presently posted in
Anti-Corruption Branch at Abbottabad..... (Appellant)

VERSUS

1. District Police Officer, Abbottabad.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. Provincial Police Officer Khyber Pakhtunkhwa Peshawar
.....(Respondents)

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT
1974 AGAINST ORDER DATED 08-11-2023 OF THE DISTRICT POLICE
OFFICER ABBOTTABAD WHEREBY APPELLANT WAS AWARDED MINOR
PUNISHMENT OF STOPPAGE OF THREE YEAR INCREMENTS WITH
COMULATIVE EFFECT AND ORDER DATED 23-02-2024 OF THE
REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD
WHEREBY APPELLANT'S PUNISHMENT WAS ENHANCED TO DISMISSAL
FROM SERVICE AND ORDER DATED 23-05-2024 OF THE PROVINCIAL
POLICE OFFICER KPK PESHAWAR WHEREBY WHILE ACCEPTING HIS
REVISION PETITION PUNISHMENT OF PETITIONER HAS BEEN MODIFIED
FROM DISMISSAL IN TO REVERSION IN RANK FROM INSPECTOR TO
SUB. INSPECTOR AND OUT OF SERVICE PERIOD TREATED AS LEAVE
WITHOUT PAY AND WITH THIS RE-INSTEAD IN SERVICE.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL ALL THREE
ORDERS DATED 08-11-2023, 23-02-2024 AND 23-05-2024 OF THE
RESPONDENTS MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE
REINSTATED IN HIS RANK OF INSPECTOR AND OUT OF SERVICE
PERIOD BE TREATED AS ON DUTY WITH ALL CONSEQUENTIAL SERVICE
BACK BENEFITS.**

Respectfully Sheweth:

1. That petitioner while posted as SHO Police Station Mirpur
Abbottabad was issued with a Charge Sheet by the
District Police Officer Abbottabad which was duly
responded explaining all facts and vehemently denying

2

the allegations being incorrect, false, fabricated. **(Copies of the Charge Sheet and its Reply are attached herewith as "A & B").**

2. That thereafter the appellant was served upon with a Final Show Cause which was also replied by him explaining all the facts and denying the allegations inserted therein being incorrect, false and fabricated ones.
3. That no proper departmental inquiry was conducted. No witness was produced in presence of appellant before the Inquiry Officer to depose in support of allegations against him. Inquiry Report, if any, was not issued. Even opportunity of personal hearing before awarding punishment was not provided and appellant was condemned unheard in violation of law, departmental rules, regulations and principle of natural justice.
4. That vide order dated 08-11-2023 the District Police Officer, Abbottabad awarded the petitioner with minor punishment of "Stoppage of 03 years increments with cumulative effect" and that too without any proof and in violation the law, departmental rules & regulations governing the terms and conditions of petitioner's services. **(Copy of the punishment order dated 08-11-2023 is attached as "C").**
5. That brief facts of the case are that appellant while performing his duties as SHO Police Station Mirpur (Abbottabad), the Assistant Commissioner (Revenue) Abbottabad through his letter dated 27-09-2023 requested the DPO Abbottabad for provision of police

3

assistance to Revenue Staff for carrying out demarcation proceedings of property of one Haider Shah situated in village Banda Qazi. Appellant directed his ASHO Khursheed Khan, a senior most, well experienced and seasoned police officer" to carry out the job. ASHO Khursheed Khan alongwith police officials reached the spot for his duties. Some persons from opposite side "Yasir s/o Sadiq" tried to interfere and create law and order situation in demarcation proceeding but ASHO Khursheed Khan and police staff handled the situation with care, caution and experienced and the whole demarcation was carried out in a peaceful manner. **(Copies of Application for police assistance, Order of AC(Rev) dated 27-09-2023, Fard Jamabandi of Khasra Nos.618,619,621,622 and 623, Demarcation Report & Roznamcha are attached as "D,E &F").**

6. That after completion of their task, the Revenue Staff as well as Police officials left the spot and reached the Police Station. Those who had tried to interfere and create disturbance in demarcation proceedings were booked u/s 107-151 CrPC by the ASHO and brought to PS.
7. That on the way back to Police Station, ASHO Khursheed Khan found that the way was blocked with sand and blocks near village Banda Qazi. ASHO informed the appellant of the situation; appellant rushed to the reported place, removed the blockage, cleared the way and took the Video clips of the spot which were provided in the shape of USB to his police high-ups. All the persons of both the parties had already left the blockage place before the appellant reached over there. It is incorrect

4

that anybody equipped with fire arm was present on there at that time.

8. That after return of Police and Revenue Staff from the demarcation place, those of both the parties who remained there, started quarreling and making firing upon each other in the absence of police. Haider Shah complained this incident to the police that persons namely Waseem, Naveed, Rasheel, Waqar etc and others had severely beaten his servant/gunman namely Fareed, abducted and took him away with his 12 bore gun and valid licensed. In support of his claim he also produced a Video clip of the occurrence. Video Clip of this incident is also available which was produced before police high-ups as a token of proof.
9. That so far as the allegation with regard to escape of accused namely "Fareed" from ATH Hospital is concerned, the same is incorrect and based on misunderstanding on the part of departmental authority. Accused "Fareed" was beaten, abducted and then brought by his opponent party "Yasir s/o Sadiq" etc and produced him before the SP Traffic with his 12 bore licensed gun and with the intention to make a cross-case when came to know that an FIR No.1211 dated 05-10-2023 U/S-365-506-148-149 PPC had been registered against them in Police Station Mirpur. An inquiry was ordered for digging out the veracity of complaint against Fareed before lodging an FIR. Fareed was then sent to ATH Hospital for his medical checkup & treatment. He never escaped from ATH Hospital rather he was released to proceed after checking and medical treatment. As he

5

was not under arrest or custody of the police so he could not be detained. **(Copies of FIR No.1211 dated 05-10-2023, Medical check-up and other relevant papers are attached as "G").**

10. That after awarding punishment of stoppage of 03 years increments, the appellant was transferred to District Upper Kohistan, and then from Upper Kohistan he was transferred and posted under Director Anti Corruption Khayber Pukhtunkhwa Peshawar and lastly before awarding penalty of Dismissal from service he was performing his duties as Inspector in Anti-Corruption Department KPK Peshawar.
11. That appellant aggrieved of the order dated 03-08-2023 of the District Police Officer Abbottabad preferred a departmental appeal before the Regional Police Officer, Hazara Division, Abbottabad who while rejecting appeal enhanced the minor penalty of "stoppage of increments" into Extreme Major Penalty of dismissal from service vide order dated 23-02-2024 in serious violation of Rule 11-A (3) of Police (E&D) Rule 1975 and against the facts on record. **(Copies of departmental appeal and its rejection order dated 23-02-2024 are attached as "H&I").**
12. That so far as allegations like **"Registration of FIR against the aggrieved and support to the aggressors, police officer acted criminally, not only creates an ugly image of the police, but also promotes crime and lawlessness, appellant carries the ill reputation for high headedness, blatant corruption and misuse of authority"** as incorporated in the punishment order dated 23-02-2023

6

by RPO, HR, Abbottabad are concerned they are totally incorrect, false, fabricated and the result of personal biasness and dissention of the respondent No.2. Appellant has rendered 21 years service in the police department and has been raised from Constable to the Rank of Inspector BPS-16. Even a single stance like any such allegations does not exist on the service record of appellant. Rather for his tremendous and exemplary services appellant's High-ups have awarded him with Commendation Certificates and Cash Rewards on different occasions. Allegations are, therefore, vehemently denied being incorrect, false and fabricated.

13. That appellant aggrieved of the dismissal order dated 23-02-2024 of the appellate authority (i.e. RPO Hazara Region Abbottabad) preferred a Revision Petition before the KPK Provincial Police Officer Peshawar who while accepting the same reinstated the appellant in service modifying punishment of dismissal, from service into reversion in rank i.e. from Inspector to Sub. Inspector and out of service period has been treated as leave without pay and re vide order dated 23-05-2024. **(Copies of Revision Petition and PPO Order dated 23-05-2024 are attached as "J & K").**

14. That all the respondents have awarded three different punishments (i.e. Stoppage of increments, Dismissal and reversion in rank) on the basis of same and one inquiry report which means that all the three respondents were not satisfied with the inquiry report and quantity of punishment. Such act of the respondents is contrary to the law, department rules and regulations governing the terms and conditions of appellant's service.

7

15. Hence instant service appeal, inter alia, on the following grounds.

GROUNDS:-

- A) That impugned orders dated 08-11-2023, 23-02-2024 and 23-05-2024 of the respondents are illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence liable to be set aside.
- B) That no proper departmental inquiry was conducted. No witness was produced in presence of appellant before the Inquiry Officer to depose in support of allegations against him. Inquiry Report, if any, was not issued. Even opportunity of personal hearing before awarding punishment was not provided and appellant was condemned unheard in violation of law, departmental rules, regulations and principle of natural justice.
- C) That all the respondents have awarded three different punishments (i.e. Stoppage of increments, Dismissal and then reversion in rank) on the basis of same and one inquiry report which means that all the three respondents were not satisfied with the inquiry report and quantity of punishment. Such act of the respondents is contrary to the law, department rules and regulations governing the terms and conditions of appellant's service.
- D) That respondents have not treated the appellant in accordance with law, departmental rules,

8

regulations and policy on the subject applicable to the terms and conditions of his service and have acted in violation of Article-4 of the constitution of Islamic Republic of Pakistan 1973 and unlawfully issued the impugned orders which are unjust, unfair hence not sustainable in the eyes of law.

- E) That appellate authority has also failed to abide by the law and even did not take into consideration the grounds taken in the memo of appeal and have decided the appeal and revision petition in different way and with different punishments. Thus act of respondent is contrary to the law as laid down in the KPK Police Rules 1934 read with section 24-A of General Clauses Act 1897 and Article-10 of the Constitution of Islamic Republic of Pakistan 1973.
- F) That the allegations as leveled in the impugned orders are incorrect. Nothing adverse could be brought on record against the appellant during departmental inquiry to connect him with the crime as attributed to him. Appellant is innocent and there is nothing wrong on his part.
- G) That instant service appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudicate upon the lis.

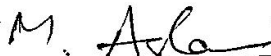
9

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant service appeal all the three orders dated 08-11-2023, 23-02-2024 and 23-05-2024 of the respondents may graciously be set aside and appellant be re-instated in rank of Inspector from the date of reversion and out of service period be treated as on duty with all consequential service back benefits. Any other relief which in the circumstances of the case this honorable Tribunal deems fit may also be granted.


Appellant

Through


(Muhammad Aslam Tanoli)
Advocate High Court
At Abbottabad

Dated: 11-06-2024

VERIFICATION

It is verified that contents of instant service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

Dated: 11-06-2024


Appellant

10

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Muhammad Ali Khan Sub. Inspector No.174/H presently posted in
Anti-Corruption Branch at Abbottabad..... (**Appellant**)

VERSUS

1. District Police Officer, Abbottabad.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. Provincial Police Officer Khyber Pakhtunkhwa Peshawar
.....(**Respondents**)

SERVICE APPEAL

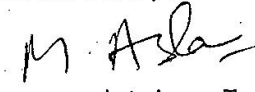
AFFIDAVIT

I, Muhammad Ali Khan, appellant do hereby solemnly declare
and affirm on oath that contents of instant service appeal are
true and correct to the best of my knowledge and belief and
nothing has been suppressed from this Honorable Tribunal.

Dated: // -06-2024



Deponent/Appellant

Identified By:


(Muhammad Aslam Tanoli)
Advocate High Court
ABBOTTABAD

Dated: // -06-2024


Appellant

10.6.2024


11

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Muhammad Ali Khan Sub. Inspector No.174/H presently posted in
Anti-Corruption Branch at Abbottabad..... **(Appellant)**

VERSUS

1. District Police Officer, Abbottabad.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. Provincial Police Officer Khyber Pakhtunkhwa Peshawar
.....**(Respondents)**

SERVICE APPEAL

CERTIFICATE

It is certified that no such appeal on the subject prior to this one
has ever been filed in this Honorable Service Tribunal or any other
court.

Dated: 11 - 06-2024


Appellant

74
12

CHARGE SHEET

Annex-A

- 1). I, Umar Tufail (PSP) District Police Officer Abbottabad as competent authority hereby charge you SI Muhammad Ali Khan No. 174 as explained in the attached statement of allegations.
- 2). You appear to be guilty of misconduct under Police Disciplinary Rules 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Police Disciplinary Rules.
- 3). You are therefore, directed to submit your written defense within seven days on the receipt of this Charge Sheet to the Enquiry Officer.
- 4). Your written defense, if any shall reach the Enquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.
- 5). Intimate whether you desire to be heard in person or otherwise.
- 6). A statement of allegations is enclosed.

**(Umar Tufail) P.S.P.
District Police Officer
Abbottabad**

Attested
[Signature]

13

DISCIPLINARY ACTION

I, Umar Tufail (PSP) District Police Officer Abbottabad as Competent Authority of the opinion that you SI Muhammad Ali Khan No. 174 rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975 (amended 2014).

STATEMENT OF THE ALLEGATIONS

It has been reported that on 05-10-2023 an incident of firing was occurred at Banda Qazi Mirpur and you SI Muhammad Ali Khan while posted as SHO PS Mirpur has visited the place of occurrence but being responsible has failed to take necessary legal action against duty armed persons/ individuals while the incident was witnessed by the residents of the area. You being supervisory officer has failed to handle the situation nor took legal action against the culprits. Furthermore, the accused namely Fared who made his escape good from ATH Hospital but no action was taken against him, neither any report was incorporated. All this your inefficiency, ill-will, rash negligence in performance of official duty, which leads to gross misconduct on your part, under E & D rules (amended 2014). Hence Charge sheeted.

- 2). For the purpose of scrutinizing your conduct with reference to the above allegations SP/TH An is hereby appointed as Enquiry officer.
- 3). The Enquiry Officer shall in accordance with the provision of this ordinance, provide reasonable opportunity of hearing to you, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against you.
- 4). You are hereby directed to attend the proceedings on the due date, time and place fixed by the Enquiry Officer.

(Umar Tufail) PSP
District Police Officer
Abbottabad

No: 251 /PA, Dated Abbottabad the 12/10 /2023.

Copy to:

1. Enquiry Officer for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975 (amended 2014) and submit findings within stipulated period.
2. SI Muhammad Ali Khan No. 174 (delinquent officer/ official).

Attested

14

Annex-B

To

The District Police Officer,
Abbottabad

Subject: STATEMENT

1. It is submitted that applicant deputed ASHO Mirpur kursheed khan for demarcation proceeding at banda qazi as per written order of DPO Abbottabad on the letter of AC (Revenue) Copy of letter of AC dated 27-09-2023 attached.
2. That as per Roznamcha dated 05-10-2023 Khurshid Khan ASHO along with 15th officials departed at the spot along with revenue staff for demarcation proceeding.
3. That during the demarcation proceedings, some person tried their best to stop the demarcation proceeding and they started interfering in the work of revenue staff and started quarreling with each other on this act of those person, The ASHO Khursheed tried to handled situation and in the mean while revenue staff completed the Demarcation proceeding peacefully.
4. That ASHO sensed that the person are in the mind of quarreling with each other therefore ASHO Khursheed khan arrested 2/3 people from the spot under section 107/151 crpc. However on the way back to P/S Mirpur he found that road was blocked with sand and concrete blocks etc by the some persons near banda qazi link road the ASHO called the applicant and inform me about the complete situation of the spot and blockage of road. Therefore applicant rushed to reach the spot where the road was blocked. In this regard video footage is attached in USB in this regard the applicant cleared the blocked road and further submitted that nor applicant neither ASHO saw any person equipped with fire arms weapons. (Video clips which reveals that no person/ equipped was having any arms [at the spot.
5. That applicant and the ASHO not found any arms/ammunitions with them is attached in USB.

Attested


15

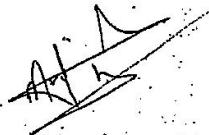
6. That applicants reached back to the police station Mirpur at about 2PM along with others persons charge under section 107/151 CRPC. (The copy of the roznamcha is attached.)
7. That when the applicant and police party reached back to P/S Mirpur in the mean while in absence of applicant and other police officials the persons left behind at the spot started fighting with each other and made aerial firing upon each other after the occurrence from one party Haider Shah complained that one person namely Farid has been abducted by Waseem, Naveed, Raheel, Waqar and other and video clip in support of his complaint accurate FIR under section 365-506 II 148-149 was registered against those persons in the P/S Mirpur (copy of FIR No 1211 dated 05-10-2023 is attached.)
8. That when accused nominated in the FIR came to know about the logging of FIR against them, they produced the abductee (Namely Farid) before SP Traffic Warden the same day.
9. That the abductee (namely farid) was handed over to SHO cantt for onward production to the P/S Mirpur on the verbal order of SP Traffic Warden.
As the result the abductee was produced in P/S Mirpur in very much injured condition along with 12 bore gun/ valid license therefore injured / abductee was sent to Ayub teaching hospital for his emergency treatment the applicant and his staff completed all the prescribed legal proceeding / formalities as per law in this regard roznamcha / Nakal Rapat Mad no 47 is attached. That it is worth mentioning there was no any FIR registered against Mr. Farid regarding commissions of affiance. (The medical report of injured abductee attached)
10. That as per law once abductee is recovered/ produced / appear before the police he is set free after completion of legal formalities therefore sending of police escort during his treatment in hospital does not arrive unless and until abductee so required.
11. That a complaint against the same abductee namely Farid regarding his trespass and Aerial firing were received in P/S Mirpur on 8PM dated 05/10/2023.

Attested
[Signature]

16

12. Hence applicant Prima facie thought the complaint of Mr. Yasir s/o Sadiq resident of Bandi Qazi was brought in to the notice of DSP Mirpur who directed inquire as whether complaint and its contents are Genuine are otherwise.
13. That after completion of inquires FIR was registered under section 506 II / 34 against Haider Shah, Malik Mujahid and Farid. (Copy of FIR is attached).
That applicant is innocent as well as law abiding police official and has not committed any misconduct, IL will; neglect is performance of his official duties.
14. That applicant solemnly affirm on oath during his 20 years' service he ever remained vigilant and proceed as per law describe in legal codes.
15. That applicant has been made a scape goat due to no fault on his part , the applicant has mentioned above has ever remained law abiding officers and served the department with complete devotions, defection and left no storm unturned in the smooth functioning of the police department.

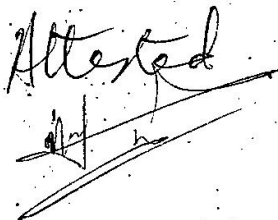
In the view of above it is pried charge sheet / disciplinary action against the applicant may be withdrawn so as to enable him to serve to department with peace of mind and dignity. (Relevant documents are enclose ready reference)



Muhammad Ali Khan

SI 174 Police Department.

Attested



ORDER

17

Annex - C

This office order will dispose-off the departmental enquiry against SI Muhammad Ali Khan No. H/ 174. It has been reported that on 05-10-2023 an incident of firing was occurred at Banda Qazi Mirpur and he while posted as SHO PS Mirpur has visited the place of occurrence but being responsible has failed to take necessary legal action against duly armed persons/ individuals while the incident was witnessed by the residents of the area. He being supervisory officer has failed to handle the situation nor took legal action against the culprits. Furthermore, the accused namely Fareed who made his escape good from ATH Hospital but no action was taken against him, neither any report was incorporated. All this showed his inefficiency, ill-will, rash negligence in performance of official duty, which leads to gross misconduct on his part, under E & D rules (amended 2014).

He was issued with Charge Sheet along with statement of allegations vide No. 231/PA dated 12-10-2023 and SP Cantt Abbottabad was appointed as Enquiry Officer to scrutinize the conduct of delinquent official. Enquiry Officer conducted proper departmental enquiry against the delinquent official and recorded statements of all concerned. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings wherein allegations have been proved against delinquent official. He was issued with Final Show Cause Notice vide No. 290/PA dated 31-10-2023. He was given ample opportunity of hearing but, he had nothing plausible to state in his defense.

Therefore, in exercise of the powers vested in the undersigned Police Disciplinary Rules-1975 (Amended 2014), I, Umar Tufail, PSP, District Police Officer, Abbottabad, as a competent authority, am constrained to award him the punishment of Stoppage of 03 years increments with accumulative effect with immediate effect.

Order announced.

OB No. 266

Dated 8-11-23

District Police Officer
Abbottabad

CC.

1. Pay Officer DPO Office.
2. Establishment Clerk DPO Office Abbottabad, alongwith Enquiry containing 67 pages for completion of record.

Attested


18

Annex-D

APPLICATION FOR RESUMPTION OF KHASRA NOS. 623, 621, 622, 618, 619 SITUATED AT MOUZA BANDA QAZI TEHSIL & DISTRICT ABHOTTABAD

Respectfully Sheweth,
That the petitioner is a sole owner of land bearing Khasra No. s 623, 621, 622, 618, 619 measuring 15K- 8M situated at Mouza Banda Qazi Tehsil & District Abhottabad.

That the petitioner intends to get demarcation done as per law of his land above mentioned khasra No's through legal procedure through Patwari Talga and Gardawar concerned. Furthermore, it is also requested that the compliance and presence of local police is also required and may kindly be directed to be at the spot during the whole procedure, in order to maintain peace.



On acceptance of the instant application, Patwari & Gardawar concerned may kindly be directed along with SHO local Police station to complete the procedure of demarcation as per law in presence of petitioner, any other relief which the Honorable Officer deems fit may also be granted.

03/10/23
Sayed Haider Ali Shah SPDO Mirpur
Muzir

(Petitioner)
Sayed Haider Ali Shah

Sr. Magar
19/10/23

Handwritten notes and signatures at the top of the page, including a signature that appears to be 'M. J. Khan'.



19

OFFICE OF THE **Anna-E**
ADDL ASSISTANT COMMISSIONER-REV
ABBOTTABAD
NO: 905-908 AAC(R)
Dated: 27-09-2023


To: The District Police Officer,
Abbottabad.

Subject: POLICE ASSISTANCE.

Memo:

The Khasra No. 623, 621, 622, 618, 619 located at mouza Banda Qazi is to be demarcated by revenue staff on the request of the respective owner. For peaceful conduct of demarcation of said Khasra number in presence of all owners, police assistance would be required on due date.


It is therefore requested that necessary police assistance including lady police may be provided to the revenue field staff at the time of demarcation.


ADDL ASSISTANT COMMISSIONER (REV)
ABBOTTABAD

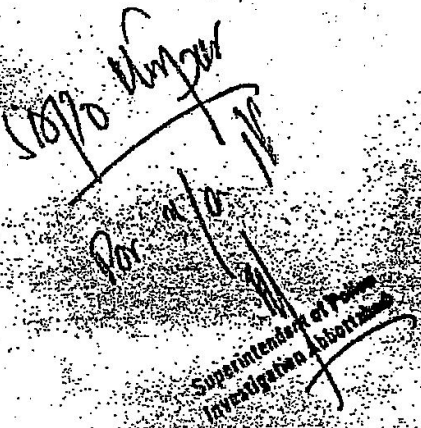
No & Date Even

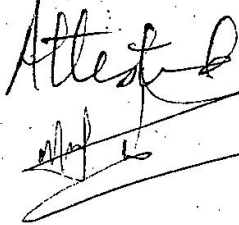
Copy forwarded to the:

1. Tehsildar Abbottabad with the direction to direct the revenue staff to approach concerned police station at the time of demarcation.
2. PS to Deputy Commissioner, Abbottabad.
3. Station House Officer, concerned.


ASSISTANT COMMISSIONER (REV)
ABBOTTABAD

27 SEP 2023


Superintendent of Police
Investigation Abbottabad



Attested

801	مجلس	✓	✓	15-9
802	مجلس	✓	✓	15-9
803	مجلس	✓	✓	15-9
804	مجلس	✓	✓	15-9
805	مجلس	✓	✓	15-9
806	مجلس	✓	✓	15-9
807	مجلس	✓	✓	15-9
808	مجلس	✓	✓	15-9
809	مجلس	✓	✓	15-9
810	مجلس	✓	✓	15-9

Annex-F
20

Attested

05 OCT 2023

10/10/23

Handwritten notes in Urdu script, including a list of numbers: 619, 623, 621, 622, 618.

13/10/23

Attest

ایم ای پور ایس پی

Handwritten text in Urdu, appearing to be a detailed report or account. It includes various numbers and names, such as '5061-148', '365-5061', and '5061-148'. The text is dense and difficult to transcribe accurately due to its cursive nature and some fading.

تاریخ	مقام	موضوع	ملاحظات
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10
17:40	5/10	16:00	5/10

ایم ای پور ایس پی
22
Amur

Attest

11/6/23

Handwritten notes in Urdu, including a circled section with a question mark and a list of items.

Handwritten notes in Urdu, including a signature and a date.

Handwritten notes in Urdu, including a signature and a date.

Handwritten notes in Urdu, including a signature and a date.

Handwritten notes in Urdu, including a signature and a date.

Handwritten notes in Urdu, including a signature and a date.

23

Handwritten notes in Urdu, including a signature and a date.

Handwritten signature

- Parv Mandislon
 - Blush discoloration
 - small lateral
 - Distal
 - Badder
 - Chest Ht of
 - 9.7
 - 8.7
 - 7.7
 - 6.7
 - 5.7
 - 4.7
 - 3.7
 - 2.7
 - 1.7
 - 0.7
 - 0.0

MLC# 1156/23

- 9.7
 - 8.7
 - 7.7
 - 6.7
 - 5.7
 - 4.7
 - 3.7
 - 2.7
 - 1.7
 - 0.7
 - 0.0

Book No. 39

AYUB TEACHING HOSPITAL, ABBOTT. Accident & Emergency Service Department



24

**RADIOLOGY & IMAGING DEPARTMENT
AYUB TEACHING HOSPITAL ABBOTTABAD**

DR. FAIZA AKRAM
Chairperson Radiology Department.

25

DR. GHAYYUR KHAN
Associate Professor.

DR. AZMAT ALI
Assistant Professor.

12-15-11

Name: <u>M. Farid</u>	Age: <u>-</u>	Source: <u>ER</u>	Date:
-----------------------	---------------	-------------------	-------

This report is only valid for treatment & not valid for court/MLC case.
ULTRASONOGRAPHY ABDOMEN FAST

Liver: Normal in size and echogenicity. No focal lesion noted. No intrahepatic cholestasis seen.

No calcification/hematomas of Liver, Spleen, & Kidneys or other major abdominal organs noted at the time of scan.

Gall Bladder: Well distended / Poorly distended / Contracted. Lumen is clear.

CBD:

PI:

Midline: The Pancreas is unremarkable.
No lymphadenopathy or ascites noted.

Spleen: Normal size and echogenicity. No focal lesion noted.

no free fluid in Morrison's/Spleno-renal pouch or pelvic cavity noted at the time of scan.

Kidneys: Right Kidney =

Left Kidney =

No stone or hydronephrosis noted on either side.
Bilateral renal echogenicity is normal.

Urinary Bladder: Well distended / Poorly distended / Empty. Lumen is clear.

FAST Scan Negative

IMPRESSION:



Attested
[Signature]

Handwritten signature at the top of the page.

Handwritten text and a stamp containing the date "11-10-2023" and other illegible markings.

Handwritten text including "NIC No 15503698146-5" and "Madhya Pradesh" (partially visible).

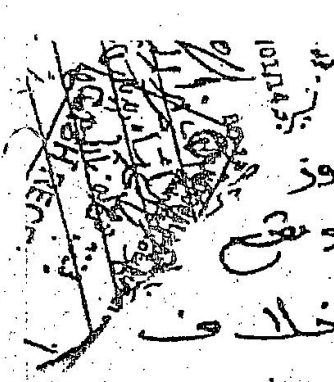
Main body of handwritten text in Hindi, appearing to be a letter or official communication, written in a cursive style.

Handwritten signature or scribble at the top of the page.

Scanned with CamScanner

Main body of handwritten text, appearing to be a list or notes, written in Urdu.

Handwritten text at the bottom of the page, including a circled number '27' and some scribbles.



28
 میری ذاتی واحد ملکیتی ٹکے
 سرفہ اہد عہادہ بر عہدہ بیوٹ اوز
 کہ ٹکے سے اٹھانے اور صومو صومو
 فائریگ سرفہ کی دعوتداری پر خلاف
 تمام نام زد صلہ صلہ کے خلاف سرفہ
 لینا سرفہ بھی ات سب سے جان کا خطرہ
 ہے۔ سرفہ خالونی تحفظ دیا جائے۔

المترقب
 5/10/23

سرفہ
 حیدر علی سرفہ
 نادر سید فراہین شاہ کراچی سرفہ
 خدمت سرفہ - 5/10/23
 ڈیٹا سرفہ
 ڈیٹا سرفہ 365/508/2023
 ڈیٹا سرفہ 148/149
 ڈیٹا سرفہ DTI سرفہ سرفہ

AS/PS/MS
 5-10-23

فریڈ خان ای
 SHO PS MIRPUR
 05-10-2023

Scanned with CamScanner

Attested
 [Signature]

No. 1156/23 Name Mukund Prasad Son of Abdul Javed Age 37/5/87 Sex Male Cast 2/1/1913 Occupation Surgeon
 Residence Jhansi Syedp Address 10/123 Date of examination 25/10/23
 Name of relative or friend Devsingh Particulars of injuries or symptoms, nature of poisoning

H/o of Physical Assault 4/10/23 Surveillance Surgeon Medical System
 Date and hour of arrival 5/10/23 11:40 PM
 No. and date of Police station PS Mirpur
 No. and date of Constable Khyac 1643
 Date of admission 5/10/23
 Date of discharge 11/10/23
 Date and hour of report sent to police 5/10/23 11:45 AM
 Spect of particulars as to further reference to the case date of
 being evidence in court of despatch of articles said to contain poison.
 Two Identification Marks Verified by Dr. Singh 1643
 1. Nature of injuries after radiology (X-ray) Multiple fractures of mandible
 (example, grievous or dangerous) Right mandible
 Probable duration of injury 10-12 hrs
 The kind of weapon used or poison suspected in the case of poisoning None dependent opinion

23

In Police case No fee Received In Police case Medical Officer
 No fee Received Medical Officer Paid to the Call No
 Escalating Medical Officer Signature of Throat
 Date 15 of 10 2023

[Handwritten signature]

30

Annex - H

BEFORE THE REGIONAL POLICE OFFICER HAZARA REGION
ABBOTTABAD

(Departmental Appeal by Sub Inspector Muhammad Ali Khan Abbottabad)

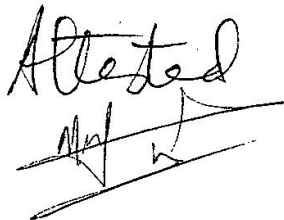
DEPARTMENTAL APPEAL AGAINST ORDER DATED 08-11-2023 OF THE
DISTRICT POLICE OFFICER ABBOTTABAD WHEREBY APPELLANT HAS
BEEN AWARDED PUNISHMENT OF "STOPPAGE OF 03 YEARS
INCREMENTS WITH COMMULATIVE EFFECT".

PRAYER: ON ACCEPTANCE OF THIS DEPARTMENTSL APPEAL ORDER
DATED 08-11-2023 OF DPO ABBOTTABAD MAY KINDLY BE SET ASIDE
AND APPELLANT'S "03 YEARS STOPPED INCREMENTS WITH
COMMULATIVE EFFECT" BE RELEASED FROM THE DATE OF ITS
STOPPAGE WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS ON
RENDITION OF ACCOUNT.

Respected Sir,

With respect and humble submission the following few lines are submitted for your kind consideration and favorable orders:-

1. That appellant while posted as SHO Police Station Mirpur Abbottabad was issued with a Charge Sheet by the District Police Officer Abbottabad which was duly responded explaining all facts of the matter and vehemently denying the allegations being false and incorrect. **(Copies of the Charge Sheet and its Reply are attached herewith as "A & B).**
2. That thereafter the appellant was served upon with a Final Show Cause which was also replied explaining the facts of the matter and denying the allegations being incorrect and against the facts. **(Copies of the Final Show Cause Notice and its Reply are attached herewith a "C & D").**
3. That proper departmental inquiry was not conducted. No witness was produced before the Inquiry Officer to

Attested



depose against the appellant. Inquiry Report, if any, was not issued. Even opportunity of personal hearing before awarding punishment was not provided and the appellant was condemned in violation of law, departmental rules and regulations and principle of natural justice.

4. That at last vide order dated 08-11-2023 the District Police Officer, Abbottabad awarded the appellant with punishment of "Stoppage of 03 years increments with cumulative effect" that too without any proof against the law, departmental rules and regulations governing the terms and conditions of appellant's service. **(Copy of the punishment order dated 08-11-2023 is attached as "E")**.

5. That in fact while appellant performing his duties as SHO Police Station Mirpur (Abbottabad), the Assistant Commissioner (Revenue) Abbottabad through his letter dated 27-09-2023 requested the DPO Abbottabad for provision of police assistance to Revenue Staff for carrying out demarcation proceedings of one Haider Shah's property situated in Band Qazi. Appellant directed his ASHO Khursheed Khan, a senior most, well experienced and seasoned police officer" to do the job. ASHO Khursheed Khan alongwith police officials reached the spot for his duties. Some persons from opposite side of "Yasir s/o Sadiq" tried to interfere and create quarrel situation in demarcation proceeding but ASHO Khursheed Khan and his staff handle the situation with tactics and experienced hand and the whole demarcation task was completed in a peaceful atmosphere.

Attested


6. That after completion their job, the Revenue Staff and Police Party left the spot and reached Police Station. Those 2/3 persons who had tried to interfere and create disturbance in demarcation proceeding were booked u/s 107-151 CrPC by the ASHO and brought to Police Station.
7. That on the way back to Police Station, ASHO Khursheed Khan found the way blocked with sand and blocks near village Banda Qazi. ASHO informed the appellant of the situation; therefore, the appellant rushed to the spot, removed the blockage, cleared the way and took the Video clips of the spot which was provided in the shape to USB to his high-ups. However when appellant reached the spot of blockage no one was found there available or equipped with any fire arms etc.
8. That after return of Police and Revenue Staff from the demarcation Spot, those from both the parties remained there, started quarreling and making firing upon each other in the absence of police. Haider Shah complained this incident to the police that persons namely Waseem, Naveed, Rasheel, Waqar etc and others had severely beaten his servant/gunman namely Fareed, abducted and taken him away with his 12 bore gun and valid licensed. He in support of his claim also produced a Video clip of the occurrence. Video Clip of this incident is also available which was produced before police high-ups as a token of proof. The same will also be produced before your-highness as a support of instant version.
9. That so far as the allegation with regard to escape of accused namely Fareed from ATH Hospital was

Attested


33

concerned, the same is incorrect and based on misunderstanding on the part of departmental authority. Accused "Fareed" was beaten, abducted and then brought by his opponent party, "Yasir s/o Sadiq" etc and produced him in a very injured condition with his 12 bore gun and its valid License before the SP Traffic in his office with the intention to make a cross-case when they came to know that an FIR No.1211 dated 05-10-2023 U/S-365-506-148-149 PPC had already been registered against them in Police Station Mirpur. An inquiry was ordered for veracity of complaint against Fareed before lodging an FIR. He was then sent to ATH Hospital for his medical checkup & treatment. He never escaped from ATH Hospital rather he was left to depart after checking/medical treatment. He was not under arrest or custody so that he could be detained.

10. That appellant is totally innocent and has discharged his duties with care and caution. There is nothing wrong on the part of appellant. The punishment awarded is without any proof, reason and needs to be set aside.

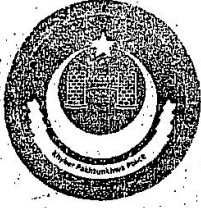
It is earnestly requested that on acceptance of instant departmental appeal orders 08-11-2023 of the DPO Abbottabad may kindly be set aside and appellant be released his "03 years stopped increments with cumulative effect" with all service back benefits on rendition. Appellant shall always pray for your good health and long life. Thanks.

Your obediently servant

(Muhammad Ali Khan)
Sub Inspector No. 174/H
District Upper Kohistan

Dated -11-2023

Muhammad Ali Khan
174/H



34

Annex-1

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

☎ 0992-9310021-22

☎ 0992-9310023

✉ r.rpohazara@gmail.com

NO: 1179 / PA · DATED: 23 02/2024

ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkawa Police Rules, 1975 submitted by SI Muhammad Ali Khan No. 174/H (now officiating Inspector) against the order of punishment i.e. stoppage of three years increments with cumulative effect awarded by DPO Abbottabad vide OB No.260 dated 08.11.2023.

“Brief facts leading of the instant request are that on 05-10-2023 an incident of firing occurred at Banda Qazi, Mirpur. He while posted as SHO PS Mirpur visited the place of occurrence but failed to take necessary legal action against duly armed persons/individuals while the incident was witnessed by the residents of the area. He failed to handle the situation and did not take legal action against the culprits. Furthermore, the accused namely Fareed made his escape good from ATH but no action was taken against him neither any report was incorporated at Police Station.”

The appellant was issued charge sheet along with summary of allegations and SP, Cantt, Abbottabad was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct in his findings and recommended him for appropriate punishment. He was issued final show cause notice and given reasonable opportunity of defense, however he failed to advance any cogent reason. Consequently, DPO Abbottabad awarded him minor punishment of stoppage of three years increments with cumulative effect. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of DPO Abbottabad were sought and examined/perused. The undersigned called the appellant in OR, heard him in person and provided reasonable opportunity to defend the allegations, however the appellant failed to advance any cogent justification in his defense. He, being SHO has been proved to have sided with armed aggressors by registering frivolous FIR for abduction on the complaint of an accused who had been caught along with a repeater rifle by the locals of a village and handed over to Police for legal action. Instead of registering FIR against culprits, the appellant released him without any record/legal authority and registered FIR w/s 365/506 (2)/147/148


Attested

(35)

PPC dated 05/10/2023 PS Mirpur against the aggrieved, and openly supported the aggressors. This act on the part of an SHO is one of the most heinous and abhorable act.

It is surprising to notice that the competent authority has taken a lenient view by awarding a nominal punishment on such an act, where the Police officer has acted criminally. Such officer not only creates an ugly image of the Police, but also promotes crime and lawlessness. Besides, the appellant carries the ill-reputation for high handedness, blatant corruption and misuse of authority.

In view of the above, and in exercise of the powers conferred upon the undersigned under Rule 11-4 (c) of Khyber Pakhtunkawa Police Rules, 1975 I am, therefore constrained to enhance the punishment of stoppage of three years increments with cumulative effect to major punishment of *dismissal from service* with immediate effect.

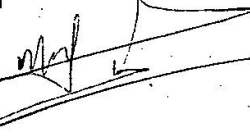

MUHAMMAD IJAZ KHAN (PSP)
Regional Police Officer
Hazara Region, Abbottabad

No. 1173-75/PA

dated Abbottabad the 23 /02/2024

Cc.

1. Addl. Inspector General of Police, Headquarters Khyber Pakhtunkawa for favor of information and necessary action.
2. Director Anti-Corruption Khyber Pakhtunkawa Peshawar for information and necessary action.
3. DPO Abbottabad for information and necessary action with reference to his office Memo No 10/PA dated 01-01-2024. Fuji Missal containing enquiry file of the appellant is returned herewith for record, however his service record (service book and service roll) was handed over to the appellant in connection with his attachment of pay in ACE.

Attested


36

Annex-J

BEFORE THE KPK PROVINCIAL POLICE OFFICER
PESHAWAR

(Revision petition by Ex-Inspector Muhammad Ali Khan No.174-H, KPK)

REVISION PETITION AGAINST ORDER DATED 08-11-2023 OF THE DISTRICT POLICE OFFICER ABBOTTABAD WHEREBY PETITIONER WAS AWARDED WITH PENALTY OF "STOPPAGE OF 03 YEARS INCREMENTS WITH COMULATIVE EFFECT" AND ORDER DATED 23-02-2024 OF THE REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD WHEREBY PETITIONER HAS BEEN DISMISSED FROM SERVICE AGAINST THE LAW, DEPARTMENTAL RULES & REGULATIONS AND FACTS.

PRAYER: ON ACCEPTANCE OF INSTANT REVISION PETITION ORDER DATED 08-11-2023 OF DPO ABBOTTABAD AND ORDER DATED 23-02-2024 OF THE RPO, HAZARA REGION, ABBOTTABAD MAY GRACIOUSLY BE SET ASIDE AND PETITIONER BE RE-INSTATED IN SERVICE FROM THE DATE OF DISMISSAL WITH ALL SERVICE BACK BENEFITS.

Respected Sir,

With reverence and humble submission the following few lines are laid down before your highness for kind consideration and favorable orders please:-

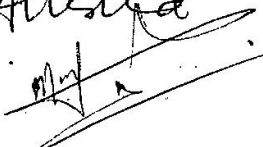
1. That petitioner while posted as SHO Police Station Mirpur Abbottabad was issued with a Charge Sheet by the District Police Officer Abbottabad which was duly responded explaining all facts and vehemently denying the allegations being false, fabricated and incorrect. **(Copies of the Charge Sheet and its Reply are attached herewith as "A & B).**
2. That thereafter the petitioner was served upon with a Final Show Cause which was also replied by him explaining all the facts and denying the allegations being incorrect,

Attested


37

false and fabricated ones. **(Copies of Final Show Cause Notice and its Reply are attached herewith a "C & D")**.

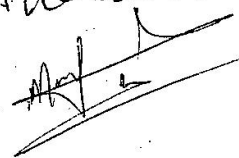
3. That proper departmental inquiry was not conducted. No witness was produced in his presence before the Inquiry Officer to depose in support of allegations against the petitioner. Inquiry Report, if any, was not issued. Even opportunity of personal hearing before awarding punishment was not provided and the petitioner was condemned unheard in violation of law, departmental rules, regulations and principle of natural justice.
4. That finally vide order dated 08-11-2023 the District Police Officer, Abbottabad awarded the petitioner with punishment of "Stoppage of 03 years increments with cumulative effect" and that too without any proof against the law, departmental rules & regulations governing the terms and conditions of petitioner's services. **(Copy of the punishment order dated 08-11-2023 is attached as "E")**.
5. That in fact while petitioner performing his duties as SHO Police Station Mirpur (Abbottabad), the Assistant Commissioner (Revenue) Abbottabad through his letter dated 27-09-2023 requested the DPO Abbottabad for provision of police assistance to Revenue Staff for carrying out demarcation proceedings of property of one Haider Shah's situated in Banda Qazi. Petitioner directed his ASHO Khursheed Khan, a senior most, well experienced and seasoned police officer" to carry out that job. ASHO Khursheed Khan alongwith police officials reached the

Attested


38

spot for his duties. Some persons from opposed to "Yasir s/o Sadiq" tried to interfere and create quarrel situation in demarcation proceeding but ASHO Khursheed Khan and his staff handled the situation with care, caution and experienced hand and the whole demarcation was carried out in a peaceful manner. **(Copies of Application for police assistance, Order of AC(Rev) dated 27-09-2023, Fard Jamabandi of Khasra Nos.618,619,621,622 and 623, Demarcation Report & Roznamcha are attached as "F")**.

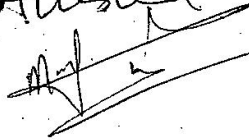
6. That after completion of their job, the Revenue Staff as well as Police Party left the spot and reached the Police Station. Those who had tried to interfere and create disturbance in demarcation proceedings were booked u/s 107-151 CrPC by the ASHO and brought to PS.
7. That on the way back to Police Station, ASHO Khursheed Khan found that the way was blocked with sand and blocks near village Banda Qazi. ASHO informed the petitioner of the situation; petitioner rushed to the spot, removed the blockage, cleared the way and took the Video clips of the spot which were provided in the shape of USB to his police high-ups. But when petitioner reached the spot of blockage all persons had already left the spot and there was no one found available equipped with any fire arms etc.
8. That after return of Police and Revenue Staff from the demarcation place, those of both the parties remained there, started quarreling and making firing upon each other in the absence of police. Haider Shah complained this incident to the police that persons namely Waseem,

Attested


39

Naveed, Rasheel, Waqar etc and others had severely beaten his servant/gunman namely Fareed, abducted and taken him away with his 12 bore gun and valid licensed. He in support of claim he also produced a Video clip of the occurrence. Video Clip of this incident is also available which was produced before police high-ups as a token of proof. The same can be produced before your-highness in support of instant version if desired.

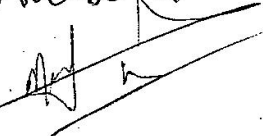
9. That so far as the allegation with regard to escape of accused namely "Fareed" from ATH Hospital is concerned, the same is incorrect and based on misunderstanding on the part of departmental authority. Accused "Fareed" was beaten, abducted and then brought by his opponent party "Yasir s/o Sadiq" etc and produced him before the SP Traffic with his 12 bore gun and license with the intention to make a cross-case when came to know that an FIR No.1211 dated 05-10-2023 U/S-365-506-148-149 PPC had been registered against them in Police Station Mirpur. An inquiry was ordered for digging out the veracity of complaint against Fareed before lodging an FIR. He was then sent to ATH Hospital for his medical checkup & treatment. He never escaped from ATH Hospital rather he was released to proceed after checking and medical treatment. As he was not under arrest or custody of the police so he could not be detained. **(Copies of FIR No.1211 dated 05-10-2023, Medical check-up and other relevant papers are attached as "G").**
10. That after awarding punishment of stoppage of 03 years increments, the petitioner was transferred to District Upper

Attested


40

Kohistan, where from the petitioner was transferred and posted under Director Anti Corruption Khayber Pukhtunkhwa Peshawar and lastly petitioner before awarding penalty of Dismissal from service the petitioner was performing his duties as Inspector in Anti-Corruption Department KPK Peshawar.

11. That petitioner aggrieved of the order dated 03-08-2023 of the District Police Officer Abbottabad preferred a departmental appeal before the Regional Police Officer, Hazara Division, Abbottabad who rejected the appeal and enhanced the minor penalty of "stoppage of increments" into Extreme Major Penalty of dismissal from service vide order dated 23-02-2024 in serious violation of Rule 11-A (3) of Police (E&D) Rule 1975 and against the facts on record. **(Copies of departmental appeal and its rejection order dated 23-02-2024 are attached as "H&I").**
12. That so far as allegations like **"Registration of FIR against the aggrieved and support to the aggressors, police officer acted criminally, not only creates an ugly image of the police, but also promotes crime and lawlessness, appellant carries the ill reputation for high-headedness, blatant corruption and misuse of authority"** as incorporated in the punishment order dated 23-02-2023 by RPO, HR, Abbottabad are concerned they are totally incorrect, false, fabricated and the result of personal biasness and dissention. Petitioner has rendered 21 years service in the police department and has been raised from Constable to the Rank of Inspector BPS-16. Even a single stance like any such allegations does not exist on

Attested



(41)

service record of petitioner. Rather for his tremendous and exemplary services petitioner's High-ups have awarded him with Commendation Certificates and Cash Rewards on different occasions. Allegations are, therefore, vehemently denied. Hence instant Revision Petition.

13. That petitioner is totally innocent and has discharged his duties with care, caution and honesty. There is nothing wrong on the part of petitioner. The punishment awarded is without any proof, reason and needs to be set aside.

It is earnestly requested that on acceptance of instant departmental appeal orders 08-11-2023 of the DPO Abbottabad and 23-02-2024 of the RPO, Hazara Region, Abbottabad may graciously be set aside and petitioner be re-instated in service with all service back benefits. Petitioner shall always pray for your good health and long life. Thanks.

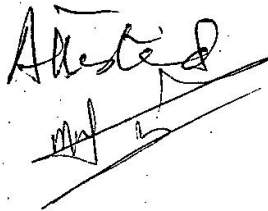
Your obediently servant


(Muhammad Ali Khan)
Ex-Inspector No. 174/H
KPK Police.

Dated -02-2024

Add:

House No.TC-3,
Mohallah: Muhammad Zai
Nawan Shehar,
Abbottabad
Cell No.0313-5888562





(42)

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

Annex-K

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-Inspector Muhammad Ali Khan No. 174/H (hereinafter referred to as Petitioner).

DPO/Abbottabad awarded minor punishment of stoppage of three years increments with cumulative effect to the petitioner vide OB No. 260, dated 08.11.2023 on the allegations that on 05.10.2023 an incident of firing occurred at Banda Qazi, Mirpur. He while posted as SHO PS Mirpur visited the place of occurrence but failed to take necessary legal action against the culprits. Furthermore, the accused namely Fareed made his escape good from ATH but no action was taken against him neither any report was incorporated at Police Station. The Appellate Authority i.e. RPO/Hazara heard the petitioner in OR. After perusal of the record, it was found that he being SHO sided with armed aggressors by registering frivolous FIR for abduction on the complaint of an accused who had been caught along with a repeater rifle by the locals of a village and handed over to the Police for legal action. Instead of registering FIR against culprits, the appellant released him without any legal authority and registered FIR u/s 365/506 (2)/147/148 PPC, dated 05.10.2023 PS Mirpur against the aggrieved, and openly supported the aggressors. The petitioner was awarded major punishment of dismissal from service by RPO/Hazara.

A meeting of Appellate Board was held on 17.05.2024 in CPO under the chairmanship of Additional IG Headquarters. Ex-Inspector Muhammad Ali Khan No. 174/H was present and heard in detail.


He was heard in person. The Board **accepted** his revision petition by **modifying** the major punishment of dismissal from service **into** major punishment of rank reversion i.e. from Inspector to Sub-Inspector. He is **reinstated** into service with immediate effect. The out of service period is treated as leave without pay.

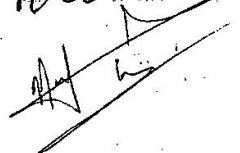
Sd/-
(AWAL KHAN) PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No: S/ 1370-75 /24, dated Peshawar, the 23-05- /2024.

Copy of the above is forwarded to the:

1. Regional Police Officer, Hazara. Service Roll, Service Book, Fauji Missal Containing Enquiry File of the above named petitioner received vide your office memo: No. 1752/PA, dated 01.04.2024 is returned herewith for your office record.
2. Director ACE, Khyber Pakhtunkhwa Peshawar.
3. District Police Officer, Abbottabad.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt: E-II, CPO Peshawar.


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

Attested


Accepted by
M. Akbar
Amir

06.2024

قرارداد اجاره طریقی

این قرارداد اجاره طریقی در تاریخ 06.2024 مابین طرفین منعقد گردید. این قرارداد شامل کلیه شرایط و ضوابط اجاره است. طرفین توافق نمودند که این قرارداد را به صورت رسمی ثبت نمایند. این قرارداد در دو نسخه تنظیم گردید که در هر دو نسخه امضاء و مهر طرفین درج شده است. این قرارداد در دو نسخه تنظیم گردید که در هر دو نسخه امضاء و مهر طرفین درج شده است. این قرارداد در دو نسخه تنظیم گردید که در هر دو نسخه امضاء و مهر طرفین درج شده است.

PROKOR & PARTNERS
امضاء و مهر طرفین

تاریخ: 06.2024

