FORM OF ORDER SHEET

Court of	·
Appeal No.	729/2024
	. —

Appeal N	lo.	 729/	2024

1 30	² /05/2024	The appeal of Mr. Asif Ghani presented today by	
1- 30	/05/2024		
1- 30	/05/2024		
		Mr. Rizwanullah Advocate. It is fixed for preliminary hearing	
		before Single Bench at Peshawar 03.06.2024. Parcha Pesh	
_		given to the counsel for the appellant.	
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		By the order of Chairman	
,		Ella Maria	
		REGISTRAR	
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BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA **SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 729 /2024

1. Asif Ghani (Ex-IHC No. 403) Police Station, Akora Khattak, District Nowshera r/o Yar Hussain Mohalla Meethakhel Tehsil Lahore, District Swabi.

(APPELLANT)

VERSUS

1. The District Police Officer, Nowshera etc

RESPONDENTS

INDEX

S.No	Particulars	Annexure	Pages #
1	Service Appeal		1-11
2	Affidavit		12
3	Copy of application 22-A Cr.PC	A	13-14
4	Copy of order of Addl: Sessions Judge, Nowshera	В	15-16
5	Copy of FIR with better copy	С	17-18
6	Copy of DD No.06 with better copy	D	19-19A
7	Copy of letter of FBR with better copy	E	20-20A
8	Copy of opinion of District Public Prosecutor	F	21
9	Copy of letter to NADRA	G	. 22
10	Copy of DD No. 37	H	23
11	Copy of application before Sessions Judge, Rawalpindi	I	24-25
12	Copy of inquiry report	J	26-27
13	Copy of Charge Sheet	K	28
14	Copy of Statement of allegations	L	29
15	Copy of reply with better copy	M	30-32
16	Copy of regular inquiry report	N _j	33-38
17	Copy of show cause notice	O	39
18	Copy of reply with better copy	P	40-42
19	Copy of dismissal order dated 20-03-2024	Q	43
20	Copy of departmental appeal dated 26-03-2024	R	44
21	Copy of compulsory retirement dated 30-04-2024	S	45-46



22	Copy of revision petition	T	47
23	Wakalatnama	. 	_

Appellant

Through

Dated: 28-05-2024

Rizwanullah Advocate High Court, Peshawar

BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 729 /2024

 Asif Ghani (Ex-IHC No. 403) Police Station, Akora Khattak, District Nowshera r/o Yar Hussain Mohalla Meethakhel Tehsil Lahore, District Swabi.

(APPELLANT)

VERSUS

- 1. The District Police Officer, Nowshera.
- 2. The Regional Police Officer, Mardan Region-I, Mardan.
- 3. The Provincial Police Officer, Government of Khyber Pakhtunkhwa, Peshawar

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 30-04-2024 <u>PASSED</u> THE REGIONAL **POLICE** OFFICER, MARDAN (RESPONDENT INCAPACITY AS APPELLATE AUTHORITY WHEREBY THE DISMISSAL ORDER OF THE *APPELLANT DATED 20-03-2024 RENDERED* THE *DISTRICT* **POLICE** OFFICER (RESPONDENT NO. 1) WAS MODIFIED AND CONVERTED INTO MAJOR <u>COMPULSORY RETIREMENT.</u> A REVISION <u>PETITION</u> UNDER 11**-**A (4)KHYBER PAKHTUNKHWA POLICE RULES <u> 1975 WAS FILED WITH THE PROVINCIAL</u> POLICE OFFICER KHYBER PAKHTUKHWA (RESPONDENT NO. 3) ON 07-05-2024 BUT THE SAME WAS NOT RESPONDED.

Prayer in Appeal

On the acceptance of instant appeal, the impugned orders dated 20-03-2024 and 30-04-2024 may very graciously be set-aside and the appellant may kindly be reinstated in service with full back wages and benefits.

Any other relief deemed appropriate in the circumstances of the case, not specifically asked for, may also be granted to the appellant.

RESPECTFULLY SHEWETH,

Short facts giving rise to the present appeal are as under:-

FACTS

2.

- 1. That the appellant joined the services of Police Department incapacity as Constable on 16-02-2022. He rose up to the post of IHC on account of dedication, devotion and sincerity to his job. He had 22 years unblemished service record to his credit.
 - That one Fazal Qadar s/o Madar Khan r/o Khairabad Tehsil Jahengira District Nowshera filed a petition under section 22-A CrPC before the Hon'ble District and Sessions Judge Nowshera praying therein for issuance of directions to the concerned police for registration of FIR against Ikram Rabbani s/o Muhammad Rasheed Siddiqui r/o House No. 69-B New Airport Road, Lahore, Askari 10, Lahore Cantt. for committing fraud with him. He stated in the petition that he was running the business under the name of "Fazal Qadir Marbel Tiles and Grinding Mill" at Khairabad Tehsil Jehangira District Nowshera; he desired to make a new Grinding Mill/factory at Khairabad for which, quotation of Ikram Rabbani and Co. was accepted and they entered into an agreement on 28-09-2020, whereby the latter (Ikram Rabbani) will provide machinery for installation and as such the former paid him Rs. 1,20,00,000/- as advance in presence of witnesses. Nevertheless, Ikram Rabbani neither provided the machinery nor returned the advance payment made to him.

(Copy of petition is appended as Annex-A)

3. That the above petition was entrusted to Mirza Muhammad Kashif, Additional Sessions Judge/Ex-Officio Justice of Peace for disposal. Hon'ble Court after hearing arguments directed the concerned SHO to proceed with the application filed by the petitioner in accordance with section 154CrPC, register the FIR, initiate investigation and submit *Challan* in accordance with law within stipulated period, positively vide order dated 07-06-2023.

(Copy of order of ASJ is appended as Annex-B)

4. In compliance with the directions of Hon'ble Court, FIR No. 524/2023 under sections 419/420PPC was duly registered against Ikram Rabbani and investigation thereof was entrusted to the appellant.

(Copy of FIR is appended as Annex-C)

That the appellant conducted investigation justly, fairly, honestly and 5. also in accordance with law. He arrested the accused in the area of Surya Khel, Akora Khattak District Nowshera and the same was duly shown and entered in DD No. 6 dated 16-06-2023. Thereafter, he sought necessary information from FBR regarding existence of Firm in the name of Ikram Rabbani but it was confirmed that no such Firm was registered in the said name and in consequence thereto, the DPP added sections 467/471/472PPC in the FIR against the accused keeping in view the fake documents, stamps and unregistered Firm. Besides, the appellant also recovered three CNICs from the accused which were issued in his name and as such, these were sent to NADRA office for confirmation. Nonetheless, when the accused came to know about the legal and sincere efforts of appellant, he not only started to harass and pressurize him but also attempted to undermine his reputation with his superiors by filing a frivolous and baseless complaint before Superintendent of Police, Investigation falsely alleging therein that he was arrested from Rawalpindi but the same was shown within the jurisdiction of Akora Khattak. He further alleged that the appellant seized 03 Army Cards from him and then intentionally misplaced the same. But the fact is that these cards were annexed by Ikram Rabbani accused with his application moved before Hon'ble District & Sessions Judge, Rawalpindi for the restoration of

criminal proceedings in which, he was declared as proclaimed offender as well as for the verification of his specimen signature, while on the other hand he registered a report regarding missing of these cards vide DD No. 37 dated 07-09-2023.

(Copy of DD No. 6, letter of FBR, opinion of DPP, letter to NADRA, application before Session Judge, Rawalpindi and DD No.37 are appended as Annex-D to I).

6. That in light of above complaint, Deputy Superintendent of Police, Nowshera was nominated as enquiry officer to probe into the matter and submit report. Accordingly, the enquiry officer conducted enquiry in accordance with law and held the appellant innocent.

(Copy of enquiry report is appended as Annex-J)

- 7. That thereafter, the accused filed another complaint with the Provincial Police Officer, Khyber Pakhtunkhwa (Respondent No. 3) on the same allegations. As a result, Bashir Dad, Deputy Superintendent of Police, CPO Peshawar was appointed as enquiry officer to conduct preliminary enquiry in the matter. He finalized enquiry in blatant disregard of the law, held the appellant guilty of the allegation and recommended him for departmental proceedings. However, the appellant was not provided with the copy of report.
- 8. That in compliance with the directions contained in DIG/AIB letter No. 1440/CPO/IAB dated 12-09-2023 regarding initiating disciplinary proceedings, the appellant was served with a charge sheet along with statement of allegations.

(Copy of Charge sheet and statement of allegations are appended as Annex-K & L)

9. That the appellant submitted reply, denied the allegations and also termed it as fallacious, malicious and misconceived. He besides other

submission, also alleged that he conducted investigation within the four corners of law and prayed that he being innocent may kindly be exonerated from the allegations levelled against him in the charge sheet.

(Copy of reply is appended as Annex-M)

Muhammad Suleman, Superintended of Police, Investigation Mardan was appointed as enquiry officer to conduct regular enquiry in the matter against the appellant. He also finalized the enquiry in utter violation of law, marred by numerous imperfections and shortcomings in it. Moreover, there was no shred of evidence linking the appellant with the alleged misconduct. But despite thereof, he disregarded this crucial aspect of the case without any lawful justification and recommended that the appellant be subjected to a major penalty. It was further held that during the process the OII inspector Abd-ur-Rauf and SHO/SI Waqas Khan being immediate officer have failed to fulfil their responsibility. Consequently, their roles were also called into question, and it was recommended that they also be dealt with departmentally.

(Copy of regular enquiry report is appended as Annex-N)

- 11. That the above enquiry report was addressed and placed before the Regional Police Officer (Respondent No 2) on 06-11-2023 who abruptly and without thorough consideration, ordered on the last page of enquiry report, the dismissal of the appellant and imposed minor penalty of censure to 0II and SHO. (Enquiry report already annexed as Annex-L above).
- 12. That the Regional Police Officer (respondent No. 2) lacked the authority to impose such penalty to the appellant under Rule 5 (5) read with Schedule-I of Khyber Pakhtunkhwa Police Rules, 1975 and under the said law, the DPO/SSP/SP or anyone of them alone was competent to exercise such powers. However, the former failed to

adhere the above provision of law and unlawfully assumed the role of competent authority.

13. That the Regional Police Officer (Respondent No. 2) served the appellant with a show cause notice on 01-12-2023 under rule 5(3) of KPK Police Rules, 1975. The appellant submitted reply and denied the allegations but the same was not deemed satisfactory and as such he was awarded harsh and extreme penalty of dismissal from service by the District Police Officer (respondent No. 1) on 20-03-2024.

(Copy of show cause notice, its reply and dismissal order are appended as Annex-O, P & Q)

14. That the appellant being dis-satisfied by the said order, filed a Departmental appeal with the Regional Police officer, Mardan (Respondent No. 2) on 26-03-2024, who modified and converted the dismissal order into compulsory retirement on 30-04-2024.

(Copy of departmental appeal and order of compulsory retirement are appended as Annex- R & S).

15. That thereafter, the appellant filed a revision petition under Rule 11-A(4) of KPK Police Rules, 1975 with the Provincial Police Officer (respondent No.3) on 07-05-2024. But the same was not responded.

(Copy of revision petition is appended as Annex-T)

- 16. That the appellant is jobless since his punishment (compulsory retirement).
- 17. That the appellant now files this appeal before this Hon'ble Tribunal inter-alia on the following grounds:

<u>GROUNDS</u>

A. That the respondents have not treated the appellant in accordance with the mandate of Article 4 of the Constitution

of Islamic Republic of Pakistan, 1973 which has unequivocally laid down that it is the inalienable right of every citizen to be treated under the law, rules and policy. Therefore, the impugned orders are not sustainable in the eye of law.

That Preliminary Inquiry was not conducted in a manner В. prescribed by law as neither any witness was examined in the presence of appellant nor he was provided any opportunity of cross-examination in order to impeach the credibility of the witnesses if any appeared against him. Similarly, he was also not provided any chance to produce his defence in support of his version. The above defect in inquiry proceeding is sufficient to declare entire process as unlawful and distrustful. Moreover, right of fair trial is a fundamental right by dint of which a person is entitled to a fair trial and due process of law. Nonetheless, the appellant has been deprived of his indispensable fundamental right of fair trial as enshrined in Article 10-A of the Constitution of Islamic Republic of Pakistan, 1973. Besides, the Provincial Police Officer, Khyber Pakhtunkhwa (respondent No. 3) was not competent under Rule-5(4) read with Schedule-I of Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) to initiate disciplinary proceedings against the appellant by constituting preliminary inquiry under the command of Mr. Bashir Dad, Deputy Superintended of Police, CPO Peshawar and the DPO/SSP/SP or any one of them alone was competent to exercise such power under the said law. It is well settled law that when initial order or act relating to initiation of proceedings is illegal and without lawful authority then all subsequent proceedings and actions taken thereon would fall on the ground automatically. Reliance can be placed on the judgment of august Supreme Court of Pakistan reported in 2009-SCMR-339. The relevant citation is reproduced as under: -

2009-SCMR-page-339

Citation-c

----When initial order or act relating of initiation of proceedings was contrary to law and illegal, then all subsequent proceedings and actions taken thereon would have no basis and would fall.

- C. That the nomination/appointment of Muhammad Suleman, SP (investigation) Mardan as enquiry officer was illegal and without lawful authority as the order in such respect was passed by Regional Police Officer (Respondent No. 2) who lacked the competence to do so by virtue of Rule 5 (4) of Khyber Pakhtunkhwa Police Rules 1975. According to above provision, such orders should be issued by the DPO/SSP/SP, who are the competent authorities in this regard. The above fact of constitution of enquiry officer by the Regional Police Officer (respondent No. 2) was explicitly admitted by Muhammad Azhar, DPO (respondent No. 1) in the impugned order and Muhammad Suleman enquiry officer in his report respectively. Therefore, the impugned order, based on the findings of an illegally constituted enquiry officer, goes against the very essence of the administration of justice.
- with the procedures prescribed by law as neither complainant (Ikram Rabbani) has any courage to appear in the enquiry and face the appellant and prove the allegations against him without any shadow of doubt nor he was examined or cross-examined by the appellant. It is well settled law that when complainant did not appear in the enquiry to prove allegation then civil servant cannot be punished on the basis of such enquiry. Moreover, every witness brought forth by the department staunchly supported the appellant's position, presenting a compelling case where no evidence was presented

linking the appellant to any offense. However, the appellant's stance was disregarded entirely, and no findings whatsoever were provided on it. This egregious oversight indicates sheer biasness and partiality on the part of the enquiry officer. He has solely relied on the complaint of Ikram Rabbani and was further influenced by the earlier enquiry report of Bashir Dad, DSP, CPO, to which the head of hierarchy, PPO (respondent No. 2) had concurred. This glaringly indicates bias and prejudgment in the proceedings. It may also be mentioned here that so far as the service cards are concerned, these were annexed with the application (in original) filed by Ikram Rabbani in the Court of District & Sessions Judge Rawalpindi for the restoration of criminal proceedings in which, he was declared as proclaimed offender as well as for the verification of his specimen signature. It is also worthwhile to mention here that the accused on the other hand registered a report regarding missing of these cards vide DD No. 37 dated 07-09-2023. The above contradiction in the complaint makes the case of Ikram Rabbani false and dubious. Despite this crucial flaw, the enquiry officer inexplicably overlooked this aspect without any legal justification. Consequently, the impugned orders stand on shaky ground and are untenable under the law.

E. That it is crucial to highlight that the enquiry officer finalized the enquiry on 06-11-2023 and submitted report before the RPO (Respondent No. 2) who in a hasty an cursory manner ordered on the last page of report for award of dismissal of appellant and imposed minor penalty of censure to OII and SHO. However, it is imperative to note that he was not competent to award such penalty by virtue of Rule 5 (5) read with Schedule-I Khyber Pakhtunkhwa, Police Rules, 1975. According to said provision, only the DPO/SSP/SP or any one of them alone, was competent to exercise such powers as competent authority. Therefore, the actions of Regional Police

Officer (respondent No. 2) were illegal and without lawful authority consequently, the impugned orders are bad in law.

- F. That the issuance of show-cause notice was also illegal and without lawful authority as the Regional Police Officer (respondent No. 2) did not possess the competence to serve such notice on the appellant under Rule 5(3), Khyber Pakhtunkhwa Police Rules, 1975 and the competent authority alone was empowered to undertake such action. Hence, impugned orders are unwarranted by law.
- G. That the Appellate Authority (respondent No. 2) was legally bound to have applied his independent mind to the merit of the case by taking notice about the illegality and lapses committed by the Inquiry Officers as well as by the Competent Authority as enumerated in earlier paras. Nevertheless, he failed to do so and ignored this prime and significant aspect of the case. Therefore, impugned orders are required to be set-aside on this count alone.
- H. That the respondent No.3 was legally bound to have decided the revision filed by the appellant after application of mind with cogent reasons within reasonable time as per law laid down by august Supreme Court of Pakistan reported in 2011-SCMR-1 (citation-b). The relevant citation is as under:

<u>2011 S C M R 1</u>

Supreme Court of Pakistan (citation-b)

--S. 24-A--Speaking order-Public functionaries are bound to decide cases of their subordinates after application of mind with cogent reasons within reasonable time.

But the above Authority failed to do so. Hence, the impugned orders are not warranted by the law.

I. That the impugned orders are against law, facts of the case and norms of natural justice. Therefore, the same are not tenable under the law.

- J. That the impugned orders are based on conjectures, surmises and suppositions. Hence, the same are against the legal norms of justice.
- K. That the respondents have passed the impugned orders in mechanical manner and the same are perfunctory as well as non-speaking and also against the basic principle of administration of justice. Thus, the impugned orders are bad in law.
- L. That the appellant would like to seek the permission of this Hon'ble Tribunal to advance some more grounds at the time of arguments.

PRAYER

In view of the above narrated facts and grounds, it is, therefore, humbly prayed that the impugned orders dated 20-02-2024 & 30-04-2024 may very graciously be set aside and the appellant may kindly be reinstated in service with full back wages and benefits.

Through

Dated: 28-05-2024

Rizwanullah M.A. LL.B

Advocate High Court, Peshawar Email ID: advocaterizwanullah@gmail.com Mobile No. 0300-596-5843

BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.		/2024
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 Asif Ghani (Ex-IHC No. 403) Police Station, Akora Khattak, District Nowshera r/o Yar Hussain Mohalla Meethakhel Tehsil Lahore, District Swabi.

(APPELLANT)

VERSUS

1. The District Police Officer, Nowshera etc

RESPONDENTS

AFFIDAVIT

I, Asif Ghani (Ex-IHC No. 403) Police Station, Akora Khattak, District Nowshera r/o Yar Hussain Mohalla Meethakhel Tehsil Lahore, District Swabi, do hereby solemnly affirm and declare that the contents of the accompanied Service Appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.



DEPONENT

. نوم پنهان ساکن خیرآ باد بخصیل جیمانگیر وضلع نوشهر ه.

ت زیردفعہ **A-22 ضابط توجداری برائے اندراج مقدمہ برخلاف اکرام دبائی وارت**کہ

رشيدصد لتى ساكن مكان نمبر 8-69 بنيواينز بورث رو دُلا بهور عسكري 10 لا بوركينت

جناب عالى إسأئل حسب ذيل عرض كرتا ہے۔

به كه مناكل نيفه أيك عدد تحريري ورخواست برخلاف الزام عليه موريد 19/04/2023 كومسئول عليه غبر 1 کوگزاری جوسائل کی درخواست مسئول علیه نمبر 1 نے مسئول علیہ قمبر 2 کو مارک کی لیکن نا حال سائل کی درخواست برکوئی کا روائی عمل میں نہ لا کی گئے ہے درخواست کامتن درج ذیل ہے۔ '' جناب عالی! گزارش ہے کہ سائل **موضع خیرآ باد کاربائش ہے اور عرصہ دراز سے نقل قادر ماریل** ہ^{الا}ز اور مراکنڈ گال کے نام سے خیر آباد میں کاروبارکرد ہاہے اور خیرآباد سے کر بورے پاکستان میں ا فارو بالكرر بالبيار ماكل في خرا باو من ايك في كرا مَن من الكافي مرا من الله المائي الكافي كافوض ب الزام مايد ے ساتھ ایک معاہدہ خیر آباد میں مورخہ 28/09/2020 کو خیر آباد میں مشینری فراہم کرنے کے لیے یہلے ہے دی گئی گومشن کے مطابق معاہدہ کیا اور معاہدہ کی رو سے سائل نے الزام علیہ کو %50 تق الله وانس جبار بقایا % 30 سائل نے الزام علیہ کوشیزی کی ڈلیوری اور %20 رقم مشیزی کی تعیب آ 45,00,000/- ين 10/10/2020 كوكل رقم كا 30% 15,00,000/- Examin روسيه كل رقم مينغ -/1,00,00,000 روبرو كوامان 1 رملك الوارالحق الدُووكيت 2 أوادا حمد

سا کناہے خیرآ باد خیرآ باد میں ادا کروسینے نقل رسیدات ادائیگی رقم لف ہیں کیکن الزام علیہ نے سائی

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MO/H MIDAN

Innex- F

IN THE COURT OF MIRZA MUHAMMAD KASHIF Additional Sessions Judge-I/Ex-officio Justice of Peace, Nowshera.

Application U/s 22-A Cr.PC #

58/6 of 2023

Date of Institution

02.05.2023

Date of Decision

07.06.2023

Fazal Qadir S/o Madar Khan R/o Khair Abad, Tehsil Jehangira, Postilioner

---VERSUS

1. District Police Officer, Nowshera.

2. SHO of Police Station Akora Khattak, District Nowshe

3. Ikram Rabani S/o Muhammad Rasheed Siddiqui R/o House,# New Airport Road, Lahore, Askari 10, Lahore Cantt.

ORDER 07.06.2023

- Petitioner in person alongwith learned counsel and Mr. Mukhtiar Ahmad learned Dy.PP for the State present.
- 2. Comments of Police/SHO concerned received and placed on file.
- Petition in hand for issuance of appropriate directions to respondents # 01 & 02 for registration of FIR against respondent # 03 under relevant section of law is filed by petitioner through counsel.
- Petitioner, namely, Fazal Qadir S/o Madar Khan R/o Khair Abad, Tehsil Jehangira, District Nowshera moved instant petition U/s 22-A Cr.PC for issuance of appropriate directions to respondents # 01 & 02 for registration of FIR against respondent # 03 under relevant section of law with allegations that on 19.04.2023 he submitted a written application before respondent # 01, against accused/respondent # 03 which was marked to respondent # 02 but till date no action has been taken over it. Allegations levelled in petition are as that petitioner owns and run business of "Fazal Qadir Marble Tiles and Grinding Mill". He entered in an agreement dated 28.09.2020 with respondent # 03 for delivery and

installation of machinery for another plant wherein paid Rs.75,00,000/- as idvance and Rs.45,00,000/-, total amounting Rs.1,20,00,000/- in presence



of witnesses, however, respondent # 03 neither installed machinery nor ready to repay the money. Civil suit for recovery of money has also been filed which has been decreed in his favour. Respondent # 03 portrait himself as owner of registered firm but later on it has been unearth that he is a fraudster. All documents provided by him were fake and fabricated and respondent # 03 deprived him from huge money through exercise of fraud. Hence, the present petition.

- 5. On receiving the petition in hand and after hearing preliminary arguments, comments of SHO concerned were sought, who accordingly submitted the same which are available on file for perusal.
- 6. Arguments heard and available record perused.
- In light of valuable assistance and perusal of available record pertinent to mention that per comments of local police, respondent # 03 committed fraud with petitioner and deprived him from huge money through exercise of fraudulent means. It is also concluded in comments that local police is ready to take action against respondent # 03 if directed under the law.
- g. Thus, without touching other merits of petition, since local police displayed their ascent to initiate legal proceedings after registration of FIR, therefore, petition in hand is hereby accepted. SHO concerned is directed to proceed with application filed by petitioner in accordance with Section 154 Cr.PC, register the FIR, initiate investigation and submit Challan in accordance with law within stipulated period, positively.
- 9. File be consigned to record room after its necessary compilation and completion.

<u>ANNOUNCED</u>: 07.06.2023

Examiner of Melant Howelland

Mirza Muhammad Kashif Additional Sessions Judge-I/ Ex-officio Justice of Peace, Nowshera.

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م ليس فارم نبر 24-5(1)

-يريل نبر: ـ 000981

ابتدائي اطفاعًا ويور نسبت برم قابل مست اندازي إلى مريورت شده وزيردف 154 مجود صابط نوجداري

ماريخ وتت وقور 2023 -5-25 وتت اسطوم

سبيل زاك

نبرز 524/23 تمانه: اكوز وشلع: نوشيره اي فمك نبرز 0000

(14),

1:_ارخ دوت ريرث M_14/6/2023 1:30PM

2: ـ نام وسكونت الجلاح وبهنده مستقيت

طِنْ كَمَا لِمُرِيرَ 7-17201-4768191 لَوْنَ لُمِرَ £ 17201-4768191

de

<u>419 دند</u>

420 داند

خيرآباد

ورخواست 22A برمقدسددن كياجا الب-

6: رقاندے روائی کارن فیونت

ففل قادر ولدمراه خان: توم يتمان خرآ ماه

4: _ مائے وتو برفاصلے تھانہ سے اور مست

3: يختمر كيفيت جرم (معدونعه) وال اكر كجيم وكما ب-

5: کاروائی متعلقہ شیش اگراطلاع درج کرنے میں پھرتو قف موا موزواس کی دیسد جان کی مادے

03339066626

PIASI تكانون نمير:

عبده: ا

بلن نمر: 674/MR

HAFEEZ UD DIN KHATTAK

وستخذا:

(ابتدائ اطلاع نجدرت كري)

ستنیت مندرد خاز فبر 2 نے ایک درخواست زیردفید 22A بعدالت مرزامحرکاشف ABماحب اوشیرودا زکر کے ان اگرے ستنیت مندرد خان فبر کا کیے درخواست ذیردفید 22A بعدالت مرزامحرکاشف ABماحب اوشیرودا زکر کے ان استنیت مندرد دخان فبر کا کیا کہ ان کا مستنب مندرد دخان فبر کا کیا کہ منظم کا درخواست ذیرد دفید 22A بعدالت مرزامحرکاشف ABماحب اوشیرودا زکر کے ملسلہ میں جلی فرم جنل ایر پیڈ ز چنل کویش جنل میری تیاد کر کے دعو کفراز سے سل 12000000 روپے بڑپ لئے ہیں۔ درخواست 22A عدالت سے مقد صدری رجنر ذکرنے کا علم صادوفر ماکر برطاف طزم الامقد مد بجرائم بال درج رجر ذکر کے نقول FIR برا تنتیش حوالیاً صف فن AS کیاجاتا ہے۔ دوخواست ذیل ہے برچ کز ارش ہے۔ متندمت جناب SHO صاحب تمانیا کوڈوشل نوشہرہ دوخواست بمراد مملدہ آ پی مجمود ہو 202-06-2023 باب مرزام كاشف الم يشل في فرهم وابت الدران عقد مدخلاف اكرام رياني ولدم مدين ماكن مكان أبر 690 ، نوائير يورث دوذلا بورسكر في 20 ابر كينت (الرام عليه) جناب عالى كزادش كرماك رم خرة إدكار بأى بداد مرمدداز فضل قادر بادعى الخزاد وكرامنة مكسال كنام في آباد عمد كالد باركرد باست ادر خرة بادسي كرمان عمد كارد باركرد باست المراكب في المراكب كرائذ كي ل فيكنرى لكان كراض سے الزام عليكيا تھاكيد معاہدہ خيرة إديمي مورد 2020-28 كوفيرة إديمي مشيزى فرائم كرن كيلئے يہلے سے دى كئى كوئيش كے مطابق والدو كيا اور معاہدہ كي دور 2020-28 كوفيرة إديمي مشيزى فرائم كرنے كيلئے يہلے سے دى كئى كوئيش كے مطابق والدو محاہدہ كي اور معاہدہ كي دور سے ماكل نے الزا عليكو 50% قرائي والس جكريتا ي 30% ماكل نے اترام عليكوشينرى كى وليورن اور 20% وقم مشيزى كى تعيب كايك بغة بعدا داكر نے كا يابند تماماك نے مورد 2020-9-28 كوكل وقم كا 80% مثل 7500000 دوسادرمورد 2020-10-10 كوكل في كا \$30% من 4500000 دريك في المائن الميدود 2020-10-10 كوكل في كا والمريم كالمان في آباد عمل الماكن الميدود 2020-10-10 كوكل في كا كالمن في آباد عمل الماكن الميدود كالمناون في أباد عمل الماكن الميدود كل أباد عمل المناون في أباد عمل الماكن الميدود كالمناون في أباد عمل المائن أباد عمل المناون في أباد عمل المائن الميدود كالمناون في أباد عمل المائن الميدود كالمناون في أباد عمل المناون في المناون في المناون في أباد عمل المناون في أباد ع نتن رسيدات ادايكل قم المدين يحين الزام عليه في ماكر كو بمطابق معابره مشيزى خمرة بادين لكاكرندى وجسية ماكل في ايك دوكات كالخفس برخلاف الزام عليه بعدالت جناب ينترسيول في مساحب نوشمره دائركيا ۔ جزکہ موری 2021-11-20 کوجزوی ڈگری لی۔ جس کے خلاف ہرود فریقین سائل کواٹوام نلیے نے اتیل اسے بعدالت ذستر کمٹ نے صاحب ڈشپرود اٹرکیں ۔ اور سائل کی اقیل شقور ہوئی۔ جبکہ الزام نلیے کی انہل خارج ہوڈ اڑام بلیے نے بوٹ سام واپنے آپ کواکرام ربانی ایڈ کورجٹر وفرم طاہر کیا۔ اورفرم کے لیٹر بیڈی سام و کیا جس پراٹرام بلیے نے دستوط کے راورمور 2020-09-27 کوسوارہ آخر پر کرے اٹی فرم کے جو کی لیٹر بیڈی میر ثبت کئے بطل لیز پیڈے برسنی پر تنظار دیرہ کا بان اصلی بمطابق شاختی کارڈ کے ۔اوراس روز کوفیش کی سائل کفرا بھی ۔اوراس پائس شنطانب کے دہتن اور میرود پر وکوا بان ثبت کے ۔اوراس اور کھرا سور ند 2020-10-10 کوسٹ 4500000 ددیے کی وصول کی دسیوفرم سے جعلی لیٹر بیڈیرد تخط اور فرم کی جعلی میرانگ کر ساکل کودے اس طرح الزام علیہ نے دھوکد دی اور فراؤ کر کے نسائل سے کل دیم اور م روب ومول كرك جب ازام طيد شيزى فراجم ندكا قر ماكل ندالوام طيدادما كل فرم كما بابت معلومات كيوتو ماكل كرهم عن آياكداكرام د بافي ايذكو كدام كاكون فرم دجنر ونسب ساطرح الزام عليه ف ماكل كو تجانساد یرجلی لینر پیذا کرام ربانی اینذ کود بسژ ذمرم ظاہرہ بیان کر کے د توک زفراذ کیا۔اورا یک میٹل 12000000 رویے کی رقم سے تحریم کریا ہے اوراب معاہدہ سے تخرف: وکیا ہے۔ بیزالزام علیہ کوکسا یک افراد بیداوراب معاہدہ سے تخرف: وکیا ہے۔ بیزالزام علیہ کوکسا یک خراد میداوراب کا تخص بے جس نے ساک اورد مگرساک جسے شریف لوگول سے دم اور کے درمیے رقم بتیانے کی موسے یک دواے تین مدوشاخی کا دا مختلف و تخطوں سے بنوا کیں۔ جس بابت فرانزک سوائند کرایا جاسکتا ہے۔ جس یہ سائل نے درخواست گزاری کیمن مائل کی درخواست برکوئل کاروائل ندہوئی ہے۔ تو سائل نے الزام علیہ کے ظلاف درخواست ذیروف 224 جتاب برادی دائر کی۔ جوکہ بھی سائل مورخد 2023-06-07 کوشنگور ہوگ _ (تقل درخواست زیرد ند 22A فی ف و جم مورد 2023-06-70 لف بدا (مجی) دور مطالب الراسطیه FIR درج کر کے جعلی مین بنا کرجطی میند جعلی بریک برآ مدی جائے لہذا جناب سے استدعا سے کہ تھم سرورد 2023-06-70 مدر وجناب مرزامحر کاشف الدیشش سنتن من فوشروم کل در آرکرتے ہوئے ساک کے ساتھ دھوک وفراؤکرک جلی کینی ناکر جلی پیڈ جنی میری شبت کرنے کی ابت برخلاف الزام علیہ مقد سدکا اعداج كياجاد عدفنل تادرولد مدارخان في منان خيراً بالتصيل جماتكيره وتخذا بحريزى فتى بسطابق امل سب

P/ASI HAFEEZ UD DIN KHATTAK

14-06-2023

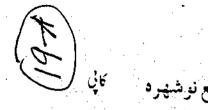
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نقل مد 06 روزنامچه 023-06-16

تهامه اكوره

مد 06 روانگی آصف غنی خان ASI وقت 07:10 مورخه 023-66-16 میں معه مسعود 316 بسلسله تفتیش مقدمه علت 524 مورخه 023-06-14 جرم 420 PPC تهانه اکوژه روانه علاقه هوں.

نقل مد 15 روز نامچه 023-06-16

مد 15 واپسی/بندش حوالات آصف غنی خان ASI وقت 15:45 مورجه 2023-60-16 میں معد همرایان رفته بحواله مد بالا بعد از فراعت تفتیش مقدمه علت 524 مورخه 2023-60-14 جرم 472-477-467-460-419 تهانه اکوره علاقه سے واپس آیا دوران تفتیش مغیر خاص نے اطلاع دی که مقدمه هذا کے نامزد ملزم اکرام ربانی ولد محمد رشید صدیقی سکنه نیو ائیرپورٹ روڈ لامور کسی کام کے سلسلے میں نوشهره آیا هو اهے واپس اٹک صوبه پنجاب جارهاهے اطلاق کو مصدقه جان کر فوراً همراه نفری بنقام سوریاخیل همراه دیگر نفری ناکه بندی کرکے ملزم کو مخبر خاص کی نشان دهی پر فلاننگ کوچ سے نیچے اونار کر جس نے اپنا نام و پنه درست بتلا کر مقدمه هذا میں حسب ضابطه گرفتار کرکے کارڈ گرفتاری ملزم جاری کی گئی ملزم کے ساتھ کوئی غیر قانونی شے ہر آماد نه هوا ملزم کو همراه تهانه لاکر بند بحوالات تهانه کیاگیا کل بشرط زندگی رو ہرو علاقه محدسریت صاحب بیش کیاجائیگا دیگر خیریت گزری.

Altestach

nnex-E



ofile Inquiry

Printed On; 9/18/2023 4:35:24 PM

Registration No

:310169195121

Rafarence No

CG22745-5

Registered for Sales Namo

IKRAM RABBANI

Category

Pakistani Male

PP/REGAND No. Email

Cell

lk/****cbs***1959இராவ்(.com

DU923**353**97

Address

HOUSE #8-69, ASKARI-10, NEW AIRPORT ROAD, LAHORE, Latiore Cantonement 04-JAN-1996

Registered On Tax Office

RTO RAWALPINDI

Registration Status

Inchma Tax: Active

Business/ Branch Name Business/ Branch Address Principal Activity

\$ 645 - AR2666

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Federal Board of Revenue

Verification

Resenue Division-Government of Pakistan

Taxpoyer Profile Inquiry

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Registration No.

Reference No.

Registration for Sales

Tax

Name Category;

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Emuil

Cell:

Address Registered On:

Tax Office: Registration Status:

Sr.

13169195121 0022745-5

No

IKRAM RABBANI

Pakistani Male

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00923**353**97

Homogris 69, ASKARI-10 NEW AIRPORT ROAD LAHORE, Labor Cantoconers

04-JAN-1996

RTO RAWALINDI

Income Tax: Active

Business/Branch Name Business/Branch Address Principal activity

اگر اکرام رہائی صاحب کے نام پر کو لی کمپنی / فرم FBR میں رجسٹرد هوئی تو اسکا تدراج اس جگد عوتا جس سے واضح ھوجاتاھے کہ اکرام رہائی کے نام ہو نہ تو کوئی کمپنی افرم رجسٹوڈھے اورنہ ھی SALES Tax میں اس نام کی کو ٹی کمپنی یافرم رجسترڈانہ <u>ھے</u>

مزيد معلومات كيلتر مجه سر مندوجه ذيل نمبو يو وابطه كوسكتر هي

SD Rias Rhan Additional Commissioner Regional Tax Officer Rawalpindi 051.0301718 1966 THE STEE

Annex-F 21

عددت جنا - Ald صاف موسق

AND HOLD STORM STORM RIS

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Section 467, 471, 672 Ppc

Attested.

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Annex - G

0 /20 1-16 12 419-420 50 14 083 12 524 11 000 نوا از اکدام رمان دار تدر تر مدری سائن شو امر اور ا رود مان نر 18.69 والدرای .

درخاست براد جارى كرا دالك الله يزى نادرا كما ك

وتدعنوان دورم بالمرص علزم بالمراء الكرييث مرح دستمط كي س أس من اور دو عدر شافی کاروس اس جس س ملم عدم سے سرسامان صن دستمط تمديل الماسوا على مرى لعدين كيدة نادرا في المن المراس المراس المراس عادم سن عدد من دستوط كى حمارهات دركار سام

مندر ورخوامت استرما حقة الداف م قدادت برر ما الماست و ال كندر ورخامت إستاعية الداخاع كوفائك طرى كرك كم ملزم ك مام برحر

- 22 - 18 1 1 1 06: 0 2 3

Altested Appellant Annex-H 23

29 (3. 5. 24) (3)

Attested Appellant

Annex- I

(24)

9

BEFORE THE LEARNED DISTRICT & SESSIONS JUDGE, RAWALPINDI.

State Vorsus

Ikram Rabbani -

APPLICATION FOR RECALLING PROCEEDINGS OF ABSCONSCION AND GET VERIPYING SPEICMENT SIGNATURE OF THE PETITIONER THROUGH ORIGINAL SERVICE CARDS ETC.

1012 11. 4. 24

Respectfully shewith

1. That petitioner is accused of case FIR No.805, dated 22.12.2018, u/sec. 420/468/467/471 PPC, registered at P.S Waris Khan, District Rawalpindi.

That the trial of the above said case was in progress when due to non-appearance of petitioner, he was declared Proclaimed Offender and after completion of proceedings u/sec. 87 Cr. PC filed was adjourned as sinc die.

3. That during trial, it was required from the petitioner to get verify his signature through his original service cards etc. but due to unavoidable circumstances, petitioner could not appear before the Court and submit the requisite card for vertagation.

That now through the instant petition, petitioner is sending original services cards bearing No.192, registration 3156 along pass number 06027/37316 and Retired Officer Identity Card Serial No.406906, (original attached) for verification of my signature through the office of PFSA, Lahore.

it is therefore, respectfully prayed that this petition may very kindly he allowed and while restoring the above mentioned criminal case, service cards mentioned in the body of the petition (original attached), be sent to PFSA, Lahore for verification of my signature affixed on the sale agreement.



Ikram Robbani/accused

AFFIDAVIT

I, Ikram Rabbani son of Muhammad Rasheed Siddiqui, Caste Shelkh, resident of House No.199-BX Madni Road, Tehsil & District Attock, do hereby solemnly affirm and declare on oath that what stated in the application is correct and true to the best of my knowledge and belief and that nothing has been concealed therefrom.

CERTIFICATE

It is certified that the contents of the above said affidavit are correct and true to the best of my knowledge and belief and that nothing has been concealed therefrom.

for Frother necessary econdace with hem

Deponenti

Rusheed Siddlqui, resident of N rport Road, House No.B-69 Mohaliah Asghari 10 Lahor District Lahoro.

منبلع تؤشرو

<u>ر بورث</u>

دفتر الوشي كيشن

مقدمه المت 524 مودند 14.06.2023 م 419.420.467.471.472ppc قبات اكرزه

بذريد: لفنل قادر ولدمراد خان سكنه خيراً بادنسل نوشره

منام : - اكرام د بافى ولد فىمد ين سكن غوائير بورث دولا ، ودكيت صوب بخاب

جناب عالى ا

(1) در خواست کنند در طوم اکرام ربانی) نے اپنی درخواست میں فاط ۴۱۸ کے اندرون کا ذکر کیاہے جو کہ تقدمہ بداند کی مقدمہ بالا کی درخواست فرو فعد 22A من ف برحسب الکم مدالت درج رکیا کیا ہے۔

(2) درخواست کنده (طرم اکرام ربال) نے تنتیشی السرے خلاف راولیندی میں فیرقانونی طور پرخود کو گرفآر کرنے کا افزام لکایا ہے جب بسطائل ریکارة طزم کی گرفآری قبائدا کو دور میں کی گئے ہے اور مزم COR اور تنقیشی افسر ایس گرفآر کنندہ السرے COR کے مطابق ہوتے کرفآر کی 15:45 بج دونوں کی لوکیش حدود قبائد اکو و دارت میں ۔ جو کہ بالکل دوست ہیں۔

3) جہاں تک دوخواست کندو نے اپنی دوخواست میں تفقیق افسر کے خلاف مختلف کارؤ زوغیرہ تبند میں لینے کی شکایت کی سب یہ تفقیق افسر نے اسپ تحویری بیان می تحریر کیا ہے کہ دوخواست گزاد اکرام ریائی نے 3 مدوشاختی کارؤ بنواست میں جل بھی ہیں جس کی وگ ہوئی تقسویر بہادود بگریں جامت والی تصاویر ہیں جبکہ تیمیں شاختی کارؤ پر دوخواست گزار کے دستھنا بھی ملیکہ دیلے۔ وہیں ، تیمیں شاختی کارڈ سے فقو لات حاصل کر کے بعزش تقدر تیں ، برماطت افسران بالاصاحبان محکمہ تا دواکوار مہال سے مجمع ہیں جس کی دیورت تا حال موسول منہ وئی ہے۔

م) ورخواست کنند واکرام دبانی نے اپنی پوری درخواست شی طاہر جادید اعمان نا کی مخص کی نبست تحریر کیا ہے ،موجود دیکا رؤست پایا جا تاہے کہ رام دبانی ادر طاہر جادید نا کی مخص کے ماہین کرسد دراؤے لین دین سکرتا زمات پہلے آرہے میں اورصوب بنجاب میں دونوں فریشن کے ماہین مقدمہ بازی ا مرحق ہے۔ یہ بات قابل ذکر ہے کے درخواست گزارا کرام ربانی کا وکیل اسم خان ایڈو کیٹ مقدمہ بندا کے ندگی نعشل قادرکو طاہر جادید اعمان کا میرونتا تاہے۔

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(5) میں مقدم فضل قادرکوطلب کرے جن سے درخواست کی فیست بازیرس بوکر جوابا" بتایا یا کددخواست کننده اکرام دبانی نے برے می طاہر جادید اموان داور میرے کواہ الوالجق وغیرہ کے خاف فا درصوبہ بچاب میں عدائت ہی کیس کیا ہے جس کی دجہ سے طاہر جادیدا موان کے ساتھ میر آمات بن کیا ہے۔ موید بتایا یا کریش آبادا جداد کے زبانہ سے بار ملی انڈسٹری سے دابست بول جورتم ہیں نے اکرام دبانی کوھوالہ کی ہے وہ میری کاروبادی آرک آباد والایں ش ایک کار خاندداد ہوں ادر بورے یا کستان ش کاروبار کرتا بول میرے لئے شذ کرورتم کو کی بہت بنری وقم نیس ہے۔

ية مي معلوم وداكردوفواست كراد ك فلاف مقدمات (1) على 805/2018 برم 805/468.47 1ppc قباند دارث خان مثل ماه لينزي (2) دارت 83/2019 برم 250 كلي كراف ا يكث قباند مول لاكن مثل 15 لينزي مي درج د جنر بو يجد يس -

درخواست کننده اکرام دبانی جوک مقدر بلت 524/2023 قانداکو و بس نامزد طرح به جس کے طاف تفقیق انسرے مقدر بس تفقیق کمل کر کے شل مقدمہ جالان مدالت کیا گھیا ہے۔ ورخواست کننده المزم اکرام دبانی کومقدمہ کے اندراج پر یا تفقیقی افسر کی تفقیق پرامز اضات ہول توای سلسلہ میں مناسب جوت کے ماتھ مقدمہ کی افراج کے سلتے مدالت عالیہ بال کورٹ سے دجوج کر سکتا ہے یا بسورت ویکر RRB (رمجنل دیویو بورا) کونٹیش کی ورخواست دے سکتا ہے۔ ویورٹ برض ہے۔

DSP.INV.NOWSHERA

2800.2023 Levels 116.

Attested

CHARGE SHEET

- 1. I, Nasir Mahmood, PSP, District Police Officer, Nowshera, as competent authority, hereby charge IHC Asif Ghani No.403 as per Statement of Allegations enclosed.
- 2. By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.
- 3. You are, therefore, required to submit your written defense within <u>07 days</u> of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be:
- 4. Your written defense, if any should 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.

Intimate whether you desire to be heard in person.

(NASIR MAHMOOD)PSF District Police Officer, Nowshera

Attested Down Appellant

Amnex-L (29)

DISCIPLINARY ACTION

I, Nasir Mahmood, PSP, District Police Officer, Nowshera as competent authority am of the opinion that IHC Asif Ghani No.403 has rendered himself liable to be proceeded against as he committed the following acts/omissions within the meaning of Police Rules, 1975.

STATEMENT OF ALLEGATIONS

Whereas, IHC Asif Ghani No.403 while posted at Investigation Wing, PS, Akora, now District Mardan, an application was submitted by Lt Col ® Ikram Rabbani to the Worthy Inspector General of Police, Khyber Pakhtunkhwa for transfer of investigation of case FIR No. 524/2023 u/s 419/420/467/471/472 PPC PS, Akora and recovery of Army personnel cards from Tahir Javed Awan, Fazli Qadir (complainant of the case) and aforementioned police official to Crime Branch, CPO Peshawar, wherein inquiry was conducted through the office of DIG/IAB, Khyber Pakhtunkhwa, Peshawar and on completion, IHC Asif Ghani No. 403 was found guilty and recommended for departmental proceedings, vide letter No. 1440/CPO/IAB dated 12.09.2023, addressed to the Regional Police Officer, Mardan The Regional Police Officer, Mardan entrusted the said enquiry to SP Investigation, Mardan for conducting enquiry against him (IHC Asif Ghani) under Khyber Pakhtunkhwa Police Rules, 1975.

For the purpose of scrutinizing the conduct of the said accused official with reference to above allegations, <u>Mr. Muhammad Suleman, PSP, SP Investigation, Mardan</u> is hereby nominated as Enquiry Officer.

The Enquiry Officer shall in accordance with the provision of Police Rules, 1975, provide reasonable opportunity of hearing to the defaulter official, record his findings and make immediate recommendations as to punish or other appropriate action against the defaulter official.

IHC Asif Ghani No.403 is directed to appear before the Enquiry Officer on the date, time and place fixed by the Enquiry Officer.

No. <u>/06</u> /PA, Dated 8/93 /2023 NASIR MAHMOOD)PSP District Police Officer, Nowshera

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المحادة كالحادث المناع المناع

جناب عالى ا

بوالہ چاری شین نمبری NO106/PA مورجہ 2023-90-28 مجاریداز بتا ب DPO ساحب نیلی نوشہرو معروش خدمت بول کہ دی گفتل قادر ولد مدار خان ساکن فیرآ باو نے برائے خدمت بول کہ مدی نفتل قادر ولد مدار خان ساکن فیرآ باو نے برائے اندرائ مقدمہ بعدالت بناب مرزا محد کاشف AS صاحب نوشہرہ درخواست ذیر دفعہ 22A دائر کر کے موقف افتیار کیا کہ سائل اندرائ مقدمہ بعدالت بناب مرزا محد کا شف AS صاحب نوشہرہ درخواست کندہ کے ساتھ مورجہ 2020-90-98 کو فیرآ بادیس مشینری فراہم کرنے کیا نظر کا کی خاطر ملزم اکرام ربانی درخواست کندہ کے ساتھ مورجہ 2020-90-98 کو فیرآ بادیس مشینری فراہم کرنے کہ خواست کندہ کے ساتھ مورجہ کی خالف ورزی کرتے ہوئے رقم وسول کرنے کے باوجود مشینری فراہم نے کی جس پرمورجہ 203-06-07 کو غدالت بالدنے کاروائی 154 من ف اندرائ مقدمہ کا معاور فر ما کر حفیظ خان ا AS نے حسب انگام عدالت علت 524 مورجہ 203-14 مورجہ 14-06-14 جم 420 میں اور خرا کر دورج کہ برخود کے مورجہ کی دوران تنتیش مقدمہ میں لواز مات تغیش پورا کرنے کے ملاہ والمن کا مزد کرام ربانی کو حسب ضابطہ گرفتار کر کے جو کہ بعد قانونی لواڈ مات کوال میں دورج کہ جملہ کاروائی منوشل پر بذر لیے نام دور کی اوروقانو قبان مران بالا صاحبان اور جناب الا صاحب کونوں میں لایا جملے میں لایا جملہ کے میں میں لایا جملہ کی سے میں میں لایا جملہ کی سے سے میں میں لایا جملہ کونہ میں لایا جملہ کیا ہے۔

جہاں تک طرح اکرام ربانی نے من تفتیش آفیسر پرتین عدد کار ڈیٹنف بنام طرح بیند پولیس کی الزام اگایا گیا ہے تو اندریں
بار دمقد مد بذاش جب بھی کسی طرح ہے کوئی شے وغیر و برا مدسے جاتے ہیں تو موقع پر بروے فرو تبند پولیس کئے جاتے ہیں اس بارے میں اللہ تعالی حاضرو ناظر جان کر حافا کہتا ہوں کہ طرح کے منتقف کار ڈوں سے میں لاتلم ہوں اور اگر اس میں میری بددیا بی شامل ہوتو اللہ تعالی حالات اور در خواست بازے اور من شامل ہوتو اللہ تعالی تجھے مزادے اور جہاں تک طرح کی درخواست کی بات ہوتو طرح انتحاقی چالاک اور درخواست بازے اور من تفقیقی آفیسر کو دبانے کی کوشش میں ہیں اور اس بارے میں بے گناموں رپورٹ عرض ہے۔

SD مورود 023-10-04 آصف غن

﴿ نُوتُ ﴾

اکرام ربانی لمزم نے جن تین عدد کارؤ بائے کی الزام من HC پر لگائے میے ہیں اس بارے میں لمزم اکرام رابائی نے بحواف بحوال مد 37 روز نامچہ 203-99-90 تعاندا کوڑونشک میں آشدہ کارؤ کے بارے میں تفسیلاً رپورٹ کمشدگی درن کی ہے جولف بیان ہذاہے۔

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ATION MARDAN

Phone No. 0937-9230121 Fax No. 0937-9230321 Email:invmdn@gmail.com

No. 1038 /PA/Inv:

To:

The Regional Police Officer,

Mardan.

Subject:

ENQUIRY AGAINST THE ASTE GHANT IN CASE

14.06.2023 U/S 419/420/467/471/472 PPC PS AKORA KHATAK, DISTRICT

Memo:

Kindly refer to your office No. 789-91/PA dated 14.09.2023, on the subject noted above.

It is submitted that in compliance of DIG /AIB office letter issued vide 1440/CPO/IAB dated 12.09.2023, your good office has nominated the undersigned as Enquiry Officer to proceed the above name defaulter officer departmentally and doing the needful.

PROCEEDINGS:

Enquiry proceedings commenced, the defaulter official Asif Ghani No. 403 was Charge Sheeted vide No. 106/PA dated 28.09.2023 by District Police Officer, Nowshera under the Khyber Pakhtunkhwa Police Rules 1975 as amended 2014, on account of the following allegations. The Enquiry Officer summoned the defaulter official to attend the office for receiving his Charged Sheet along-with Statement of Allegations and same was served upon him and he submitted his detailed

STATEMENT OF ALLEGATIONS:

That "IHC Asif Ghani No. 403, while posted at investigation wing, PS Akora now District Mardan, an application was submitted by Lt Col ® Ikram Rabbani to the worthy Inspector General of Police Khyber Pakhtunkhwa, for transfer of investigation of case FIR No. 524 / 2023 u/s 419/420/467/471/472 PPC PS Akora and recovery of army personnel cards from Tahir Javid Awan, Fazli Qadir (complainant of the case) and aforementioned police official to Crime Branch, CPO Peshawar wherein enquiry was conducted through the office DIG / IAB, Khyber Pakhtunkhwa, Peshawar and on completion, IHC Asif Ghani No. 403 was found guilty and recommended for departmental

proceedings, vide letter No. 1440/CPO/IAB dated 12.09.2023, addressed to the Regional Police Officer, Mardan for conducting enquiry against him (IHC Asif Ghani) under Khyber Pakhtunkhwa, Police Rules 1975,

Besides, this Charge Sheet and summary of allegation an enquiry was conducted by DSP Complaint & Enquiry Internal Accountability Branch CPO Peshawar and vide letter No.1440/CPO/IAB dated 12.09.2023 an application of the applicant was received and also he submitted his written statement which is annexed here, in which further following allegation were leveled against the delinquent ASI.

- That he was picked-up by ASI Asif Ghani with the connivance of Tahir Awan from Rawalpindi while he was coming back from the judicial complex after attending the Court but his arrest was shown from the Surya Kheil Akora Khatak District Nowshera.
- 2. He also alleged that his three Army cards were taken by said ASI at PS Akora Khattak and were stolen by him and also he took his pictures in the lockup of PS Akora Khattak which were given to Tahir Awan who viraled the same picture on social media damage his repute.

The defaulter official received his Charge Sheet and submitted written reply wherein he stated that complainant of aforesaid FIR namely Fazli Qadir s/o Dildar Khan r/o Khair Abad submitted a complainant u/s 22-A CrPc before the court of ASJ Nowshera with the request for registration of FIR on the ground that he made an agreement dated 28.09.2020 with the present applicant/accused Ikram Rabbani for delivery and installation of machinery for another plant of grinding factory in lieu 01 eror, 50 lac (one eror & fifty lac) in which he paid Rs.120,00,000/- (one eror twenty lac) at deferent time, but the present applicant/accused diverted from agreement deed and despite of receiving the above mentioned money neither he (Ikram Rabbani) installed machinery nor ready to repay the money to him (complainant of FIR). On which the Court concerned Order on 07.06.2023 for registration of FIR against accused Ikram Rabbani upon which the aforementioned FIR was registered.

He further stated that investigation of the case entrusted to him who fulfilled all the codal formalities and arrested the above named accused and challan the case to the Court concerned after doing necessary legal proceedings. He brought all the proceedings on case file and also informed his Senior Officer as well.

Furthermore, so for as allegation concerned to the cards he denied the allegation and stated that neither he took into possession/recovered any card from the accused Ikram Rabbani nor he knows about this. He added that the accused are

Attested Topelland influential, clever and habitually submitted application against police officer to pressurize them.

He further disclosed that in connection of the above mentioned cards accused Ikram Rabbani has already registered daily dairy No.37 dated 07.09.2023 PS Akora Khattak about missing the same. Copy of D.D is enclosed.

Further, he requested for filling the instant Charge Sheet against him without further any action.

To probe into these allegation besides the defaulter offer all the concerned police officer / official were summoned to the office by the undersigned and heard them in detailed, their statements were also recorded which are as follows:-

STATEMENT OF INSP: ABD-UR-RAUF THE THEN OIL PS AKORA KHATAK:

He stated that the above named complainant of FIR submitted a complaint u/s 22-A against the accused Ikram Rabbani on which the learned Court ordered for registration of FIR and in compliance the above mentioned FIR was registered against the accused Ikram Rabbani. He was arrested and produced before the Court for obtaining his physical custody but the learned Court refused and remanded him to judicial lockup. Latter-on IO of the case (defaulter officer) got one day physical custody of the accused from the Court concerned and interrogated him. After expiry of custody the accused was again produced before the Court by the IO for further custody but the Court once again remanded the accused to Jail. Challan into the case has been submitted to the Court concerned.

STATEMENT OF SI WAQAS KHAN THEN SHO PŞ AKORA KHATTAK;

He stated that the above mentioned FIR was registered against the accused Ikram Rabbani by order of ASJ Nowshera and investigation of the case was entrusted to ASI Asif Ghani. On 16.06.2023 he was on patrolling that received information that accused Ikram Rabbani was arrested at Surya Kheil during barricade and fined in lockup of the PS.

STATEMENT OF MUHAMMAD TARIO THE THEN MASI PS AKORA KHATAK:

He stated that the above FIR was registered against Ikram Rabbani by the order of the learned ASJ Nowshera and the case was investigated by the defaulter officer. IO of the case (defaulter officer) on 16.06.2023 vide D.D No.06 dated 16.06.2023 at 07:10 hrs departure from the PS and on the same date arrived alongwith accused Ikram Rabbani vide D.D No.15 at 15:45 hrs to the PS. The accused was confined in PS lockup after proper body search and on next day produced before the Court concerned for obtaining his physical custody but the learned Court remanded him to judicial lockup. During Police custody no one tease or pressurized him.

Attested Appellant



STATEMENT OF PASI HAFIZ KRAN THEN I/C PP KHAIR ABAD:

He stated that he registered the aforesaid FIR by order of the learned Court of ASJ Nowshera. He further stated that before the registration of the case verbal permission was granted by the high ups.

STATEMENT OF FC MASOOD KHAN NO.316 THEN POSTED AT PS AKORA KHATTAK:

He stated that on 16.06.2023 while he was posted at PS Akora Khattak in investigation wing and was present in the area of the PS along-with IO of the aforesaid case (defaulter officer) meanwhile they received information that accused Ikram Rabbani charged in the aforesaid case came to District Nowshera for some purpose and returning back to Attok District Punjab through Toyota Hiace. According to information they conducted Naka bandi/barricade in the area of Surya Kheil and on pointation of informer they deboarded the accused Ikram Rabbani from vehicle and arrested him accordingly. During body search nothing illegal recovered from him and on returning to PS he was confined in PS lockup.

During the enquiry the following private persons related to this enquiry were also summoned but none of them appeared before the undersigned.

- 1. Tahir Awan s/o Ghulam Sarwar r/o House No. 01 Street No. 01, Dar-ul-Islam Colony, Attok City.
 - 2. Fazli Qadir s/o Dildar r/o Marble and Grinding mill Jehangira.

They were informed through proper summon and same was dispatched to their respective DPOs for execution. Moreover, they were also informed telephonically but they did not appear before the undersigned for recording their statements.

ENQUIRY OFFICER OBSERVATIONS:

During the process of enquiry the statements of the above mentioned officers were recorded in presence of the delinquent ASI Asif Ghani and he was given the opportunity of cross examination. Similarly the applicant also submitted written application along-with photocopies of pictures which is placed on enquiry file the pictures are showing him confined in the lockup (allegedly taken by the delinquent ASI).

The CDRs of the mobile number of the following are also obtained. The detail is given below:

1. ASI Asif Ghani Mobile No. 0314-9896876. He confirmed that this number is being used by him but it is registered on the name of his cousin Bakht Saeed.

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- Constable Masood Khan (gunner of ASI Asif Ghani) mobile number 0316-1939964 this number is registered on the name of his cousin Muhammad Sohail. He confirmed that this SIM is being used by him.
- 3. Tahir Awan mobile number 0300-5014131 registered on his own name.
- 4. Ikram Rabbani mobile number 0344-3531197 registered on his own name.

The analysis of these CDRs shows that ASI Asif Ghani and his gunner Masood Khan were present in Nowshera on 16.06.2023 at 06:22 hrs and 06:05 hrs respectively and simil2arly at 08:01 hrs and 10:29 hrs respectively their location is traced near TLR Tower opposite Jinnah Park. Similarly both of these i.e Asif Ghani and his gunner Masood FC came back to Nowshera on the same day at 14:14 hrs and 15:06 hrs respectively. The further analyses the CDRs of the Tahir Awan and Ikram Rabbani shows that on 16.06.2023 at 09:34 hrs and 10:47 hrs respectively they were in Rawalpindi; whereas on the same day there location at 17:16 hrs and 17:22 hrs is traced at Akora Khattak respectively.

Further the applicant also produced the Order Sheet of the learned Court of the judicial magistrate Sec, 30, Rawalpindi and according to this on 16.06.2023 he attended the same Court in connection with some case.

From this analysis it established that Ikram Rabbani was arrested from Rawalpindi and was brought to Nowshera and at that time the location of Tahir Awan was also there which supports the version of the applicant although this was denied by the ASI Asif Ghani, OII Inspector Abd-ur-Rauf & SHO SI Waqas Khan. Moreover, in the report ASI Asif Ghani lodged vide D.D No. 06 dated 16.06.2023 PS Akora Khattak showing the arrest of Ikram Rabbani also seems his malafide.

As far as the matter of stealing of cards is concerned during the enquiry from the statements of ASI Asif Ghani, Muharrar etc and daily dairy No. 37 dated 07.09.2023 PS Akora Khattak it is confirmed that some documents were taken from the applicant and latter-on those were returned to him but the ASI denied that there were no Army card in those documents. In this regard the OII and SHO has shown their ignorance that they don't have any knowledge however, the MASI Muhammad Tariq has confirmed that at that time some documents were taken from Ikram Rabbani by the ASI Asif Ghani but he does not know whether dose documents included the 03 army cards.

The applicant also produced the copy of D.D No. 37 dated 07.09.2023 PS Akora Khattak according to which the report was lodged about the missing of these cards. The SHO during cross of examination confirmed that this report was

Attested Dund Appellass lodged at the direction of high-ups this also proves the malafide on part of the delinquent ASI.

As far the matter of taking picture of Ikram Rabbani in lockup is concerned none of the officer/official has admitted that any picture of Ikram Rabbani was taken in the lockup of the PS and the mobile of the ASI was also checked and no such picture was found in his mobile. They also denied that neither Tahir Awan nor Fazli Qadir came to Police Station when Ikram Rabbani was brought to the Police Station. However, from the CDR of the Tahir Awan it is established that if he had travelled from Rawalpindi to Nowshera on the same day and same time he could have come to PS Akora Khattak this could have been confirmed from his statement but he did not appear for recording his statement, as he has old dispute with Ikram Rabbani. From the CDR it can only be established that he would have come to PS and may have influence the ASI but the other witnesses i.e SHO, OII & MASI has denied they did not see those people at PS when Ikram Rabbani was brought to the PS.

So, it is suggested that the applicant may approach to proper forum for his illegal and un-lawful arrest of from Rawalpindi by ASI Asif Ghani connivance: with Tahir Awan and also approach Cyber Crime Branch for deleting Whatsapp messages and taking photos of hawalat if he want further probe in this matter and also involvement of Tahir Awan with ASI Asif Ghani for his arrest from Rawalpindi.

RECOMMENDATIONS:

After going through the all above mentioned process the undersigned reached to the conclusion that ASI Asif Ghani while conducting the investigation of the case FIR No. 524 dated 14.06.2023 u/s 419/420/467/471 PPC PS Akora Khattak, on 16.06.2023 arrested the nominated accused Ikram Rabbani from Rawalpindi and has shown his arrest from the area of Surya Kheil Nowshera and to this extent he also made false entry in the Daily Diary, which shows his misconduct and he is recommended for Major Punishment.

Moreover, during this process the OII Inspector Abd-ur-Rauf and SHO/SI Waqas Khan being immediate officer have not fulfilled their responsibility, therefore, question mark also arises on their role for which they also be dealt departmentally, please.

Enquiry report submitted, please.

Heart - Person

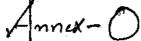
(Muhammad Suleman)PSP

ASI Asf Channi dis messer superintendent of Police;
Investigation, Mardan.

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Fax No:

0937-9230113-0937-9230115

Email: digmardan@gmail.com

GOVERNMENT OF KHYBER PAKHTUNKHWA OFFICE OF THE **REGIONAL POLICE OFFICER**

MARDAN

/ES, dated, Mardan Region the

01st December, 2023.

Show Cause Notice

WHEREAS, you (IHC Asif Ghani No.403) while posted in Investigation Wing Police Station Akora Khattak, Nowshera have been found guilty as under:-

- That a case vide FIR No.524, dated 14-06-2023 u/s 419/420/467/471/472-PPC P.S Akora Khattak, Nowshera was registered after the compliant of Fazai Qadir s/o Dildar Khan r/o Khairabad was accepted in the court of ASJ Nowshera, wherein he alleged that accused Lt Colonel Ikram Rabani (Rtd) diverted from the agreement of delivery and installation of machinery for grinding factory, for which the accused was allegedly paid Rs.1,50,00,000/-.
- That the accused Lt. Colonel Ikram Rabbani stated allegations against that you were in connivance with Tahir Awan by registering a fake case against him and kept it purposely
- That as per ikram Rabbani you arrested him from the judicial complex of Rawalpindi, which you had denied.
- That allegedly you misplaced 3 army cards of the accused Lt: Ikram Rabbani, which you took during his body search, regarding which he produced the Daily Diary Non.37, dated 07-09-2023 P.S Akora Khattak, and also damaged his reputation on social media.
- That the matter was preliminary enquired through the office of DIG IAB, CPO, Peshawar and subsequently departmental enquiry was conducted through SP Investigation, Mardan.
- That SP Investigation Mardan found you involved in misconduct by misrepresenting the actual arrest of the accused Ikram Rabbani from Rawalpindi and showing it in the area of Surya Kheil Nowshera, regarding which you also made false entry in the Daily Diary. Thus recommended you for major punishment.

· WHEREAS, your these acts of omissions/commissions is tantamount to gross misconduct and punishable under Khyber Pakhtunkhwa Police Rules 1875 as amended 2014.

You are, therefore, being issued this Show Cause Notice under Rule 5 sub rule (3) of Khyber Pakhtunkhwa Police Rules 1975 as amended 2014 for the above stated misconduct. Your response should reach to this office within (7) working days. In case of non submission of reply or it is found unsatisfactory, action shall be taken against you under Rule 5 sub rule (5) of Khyber Pakhtunkhwa Police Rules 1975 as amended 2014 and any of punishment in the ibid rules will be imposed upon you.

> (MUHAMMAD/SULEMAN) PSP Regional Police Officer, Marda

IHC Asif Ghan No.403.

CC.

The District Police Officer, Nowshera.

111) NN eky INJ (15 5 9) 541 3 OLE ELICOLE ELO ELO Dry 5 (3) (4 3 83 V & C) -20 からかんこうしゃしいかっとくこうしょうしんがの こう一はりからくらいがになくられらいれのかいとれららら MOSELS 3067 DECEMBER REPORTED TO THE PROPERTY Depuls = alathicapitation of the King of Jobn-815 10 (300 (5) 2015 (5) (5) (5) (5) (5) (5) Accede to and All les som les extended plan util de ut Log (2002) 20015 4 Bob Lalo 307 36 POR 1202) 302 4 20 600.01.21 3 2 3 13 60 (2 20 (2 20 (2 4)) USE ENDED - Such species in language in languages रेक्टील्य हैं शब्दियं के निक्ति में कि निक्ति हैं 28.08-10200 De Librille Librille Course Course 16.86 en- with a consider and in the contraction of the c में बराजा क्या वित्वितितियों में क्यों ए क्या है। त्या के व्या क्या वि CENECULACIONO CEDNA 20 EN 28: 6 CHS SA/PAPT RIC 2500 BULL 01 more - d-xouu

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بیٹر کا پی

بيان ازان آصف غن 1HC/403 دُسْر كمث يوليس نوشېره

جناب عالى!

بحواله شو کا زنونش نمبری 7949/ES مورند 2023-12-01 مجاريها زجناب ريجنل يوليس افيسرصاحب مردان معروض خدمت هوله ے کہ بدعی مقد مفضل قادر ولدیدار خان سکنہ خیر آیا دینے برائے اندراج مقد مہ بعدالت جناب مرزامحمہ کا شف ASJ صاحب نوشبرہ درخواست زیر د نعه 22A دائر کرے موقف اختیار کیا کہ "سائل کی خیر آباد میں ماربل ٹائلز ادر گرائنڈ نگ مل کا کاروبار کرتا اور پورے یا کستان میں سیلائی كرتا ب_ سائل خيرآ باديس ايك في كرائند نك فيكثرى لكاف كاخوامشندها جس كيلية سائل في مزم اكرام رباني كساته مورده 2020-09-28 كوخيرآ باديس مشينرى فراجم كرنے كيليے معاہدہ كيااوراس سلسلدين ملزم اكرام ربانى مختلف اوقات مين مبلغ 120,00000 رویے ادائیگی کی لیکن ملزم نے معاہدہ کی خلاف ورزی کرتے ہوئے رقم وصول کرنے کے باوجودمشینری فراہم نہ کی جس پر مورجه 2023-06-07 كو بعد الت بالان كاروائي 154 ض ف(اندراج مقدمه) كائتكم صادر فرما كرجوكه هفيظ خان AS نے حسب الحكم بعدالت مقدمہ 524 مور ند 2023-06-14 جرم PPC 419,420 ورج رجر ڈکر کے بمرا تفیش حوالہ کن HCاو (ii) ۔ ملزم اکرام ربانی جوکہ بحوالہ مد 15 روز نامجہ 2023-66-16 کو بمقام سوریا خیل گرفتاری عمل میں لائی گئی ہے۔ اوراس بارے میں انکوائر کاز دفتر جناب SSP انوش کیشن مردان میں بموجودگی اکرام ربانی جناب SHO صاحب اور کنسٹیل مسعود نے اپناتیجرین بیان بھی کوشش کررہے ہیں اور مجھے نقصان پہنچانے کی دریے ہیں کہاہے راولپنڈی سے گر فقار کیا ہے جو کہ من گھڑت ہے۔ (iii) _ مزيد ملزم اكرام ربانى في من IHC كے خلاف تين عددكار دمخلف قصد لينے بيان كيا ہے جوكداس بابت اكرام ربانى با قاعدہ طور پر بحوالد مد 37 روز ناميد 2023-09-07 ميں اين كارڈ كى كى گركى ويش ہونے كى ريورث درج كرائى ہے جو كرتھاندا كوڑ ہ ميں ريكارڈ يرموجود ب_ (iv)۔مزید مزم اکرام ربانی نے جوالزام لگایا ہے کہ من IHC نے اس کی سوشل میڈیا پر تصاویر وغیرہ شیئر کی ہے اس بابت اگر ملزم اکرام ربانی کوئی ثبوت موجود ہوتو وہ آپ انسران بالا کو پیش کر کے تا کہ اصل حقا کُل منظر عام پر لایا جا سکے۔

من IHC نے بالکل غیر جانبداران تفتیش کی ہےاوراس میں من IHC نے کوئی بدنیتی شامل نہیں ہےاور جملہ حالات افسران بالا کے نوٹس میں لائے گئے ہیں۔

لہذااستداہے کمن IHC کی شوکا زنوٹس بغیر کسی کاروائی کے داخل دفتر فرماویں۔

SD_____

Appellant

POLICE DEPARTMENT



This order will dispose of the departmental inquiry, initiated against IHC Asir Ghani No. 403. He while posted at Investigation Wing, PS, Akora, now Region Office, Mardan, an application was submitted by Lt Col Ikram Rabbani (Rtd) to the Worthy Inspector General of Police, Khyber Pakh: unkhwa for transfer of investigation of case FIR No. 524/2023 u/s 419/420/467/471/472 PPC PS, Akc a and recovery of Army service cards from Tahir Javed Awan, Fazli Qadir (complainant of the case) and aforementioned police official, An inquiry was conducted through the office of DIG/IAB, Khyber Pakhtun thwa, Peshawar during which, IHC Asir Ghani No. 403 was found guilty and was recommended for departmental proceedings, vide letter No. 1440/CPO/IAB dated 12.09.2023, ddressed to the Regional Police Officer, Mardan.

The Regional Police Officer, Mardan entrusted the said departmental enquiry to Mr. Muhai mad Suleman, SP Investigation, Mardan, who after conducting enquiry submitted the report to the Regional Police Chief, Mardan, highlighted therein that he was involved in misconduct by misrepres enting the actual arrest of the accused Ikram Rabbani from Rawalpindi and showed it in the area of Sirrya Khel. District Nowshera, regarding which he also made false entry in the daily diary hence, recommended him for awarding major punishment.

He was served with Final Show Cause Notice by the Regional Police Official Mardan to much he submitted his reply. His reply was perused by the undersigned and found unsatisfactor.

On 13,03 2024, he was heard in orderly room by the undersigned, wherein he failed to projuce any cottent reason in his defense, therefore, tHC Asif Ghani No 403 is hereby awarded ma or punishment of dismissal from service with immediate effect, in exercise of the power vested in mc under Khyber Pakhtunkhwa Police Rules-1975.

> (MUHAMMAD AZHAR)Po District Police Officer.

Nowshera

pellant

No 576 76 /PA, dated Nowshera, the 202 /65 /202 Copy for information and necessary action to:

- 1 The Riigional Police Officer, Mardan w/r to his office letter No. 560/ES dated 05 03:2074
- 2 Pay Oricer.
- 3 Establishment Clerk
- 4 I/C Clathing Godown
- 5. FMC vith its enclosures (75) pages.
- 6. I/C Cc. nputer Lab.

Ec/DPO Nowsham. Annex-R 15 (4)

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سائل فوج المراق المراق

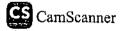
دوران تغیین بیمی معلوم ہواہے کہ بار میں اندی کارڈ ہوائے ہیں جن میں طرم حلیمی بدل رہاہے یعنی ایک کارڈ میں رازمی کی ہوئی اتقدیر ہے اور دیگر میں جا میں ہوئی ہوئی ایک کارڈ میں رازمی کی ہوئی اتقدید ہوئی ہوئی معلوم ہوا کہ طرم کے طاف مقد مات (1) ملت تقدید ہے اوردیگر میں جا میں جا میں ہوئی ہوئی معلوم ہوئی کے طاف مقد مات (1) ملت 83/2018 جرم 2-25 کمل کرا ہے اندیک تھا شہول اوئی شاخ راہ لینڈی (2) ملت 83/2019 جرم 2-25 کمل کرا ہے اندیک تھا شہول اوئی شاخ راہ لینڈی کی کا کا کہ است کا کہ کرا ہے کہ کا میں جو طرم کی فیر آنا تونی مرکم میوں میں ملوث ہوئے کی میں کرتا ہے۔

جہاں کے اگرام و بان کوراد لینڈی مور وجہاب سے مرفاد کرنے کی بات ہے تو اندر پر سلسائی از پر بھی اتحوازی ہو کر اکوران انسرے من ساک کو بے گناہ قرارد یا ہے (رپورٹ بھراہ لاک ہے) مامل کر سے جس سے مطابق میر کا ادراک اس کی ایک دونوں کی اور کو بیال اور کو سال کر سے جس سے مطابق میر کا ادراک امرام ربانی دونوں کی اوکیش مور یا شیل آو شہرہ ہی ہے۔

من ساک نے اپنی پاری او کری دیا تت داری ہے سرانجام دی ہے مقد میانا میں بھی من سائل نے حقائق کے میں مطابق تعیق می ان لئے ہے میں سائل ہے میں سائل ہے جمل میں ان کے میں ہوائی ہے اور بھی بھی سے جار میں ہوئی ہے جمل میں ان ہے میں ہاں کے میں ہاں کے میں ہاں کے میں ہیں ہوئی ہیں میں میں ہوئی ہے میں ہوئی ہے ان ہوئی ہیں ہے میں ہوئی ہے میں ہوئی ہے میں ہوئی ہے میں ہوئی ہے میں ہے ہے میں ہے ہے میں ہے ہے میں ہے میں ہے میں ہے میں ہے ہے میں ہے میں ہے میں ہے میں ہے ہ

حبد تعن نمایته ۱HC کله پایس شلخ (شیر ، 9896876 - 1914

Appellant



Annex- S

(45)

ORDER.

Asif Ghani No. 403 of Nowshera District Police against the order of District Police service. Nowshera, whereby he was awarded major punishment of dismissal from departmentally on the allegations that he while posted at Investigation Wing, Police Station, Akora was closed to Region Office, Mardan as an application was submitted by Lt Col (Rtd) Ikram Rabbani to the Worthy Inspector General of Police, Khyber Pakhtunkhwa for transfer of investigation of case vide FIR No. 524/2023 u/s 419/420/467/471/472 PPC Police Station, Akora and recovery of Army service cards from Tahir Javed Awan, Fazli Qadir (complainant of the case) and aforementioned police official. An inquiry was conducted through the office of Deputy Inspector General of Police, Internal Accountability Branch, Khyber Pakhtunkhwa, Peshawar during which, delinquent Officer was found guilty and was recommended for departmental proceedings, vide letter No. 1440/CPO/IAB dated 12.09.2023, addressed to the Regional Police Officer, Mardan.

The then Regional Police Officer, Mardan entrusted the said departmental enquiry to Mr. Muhammad Suleman, the then Superintendent of Police Investigation, Mardan, who after conducting enquiry submitted his report, highlighted therein that he was involved in misconduct by misrepresenting the actual arrest of the accused Ikram Rabbani from Rawalpindi and showed it in the area of Surya Khel, District Nowshera, regarding which he also made false entry in the daily diary, hence, recommended that for awarding major punishment.

He was served with Final Show Cause Notice, to which, he submitted his reply His reply was perused by the District Police Officer, Nowshera and round unsatisfactory.

The delinquent Officer was heard in Orderly Room on 13.03.2024 by the District Police Officer, Nowshera during which, he failed to advance any cogent reasons in his defense, therefore, awarded him major punishment of dismissal from service vide OB: No. 150 dated 20.03.2024.

Appellant

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations leveled against the appellant have been proved and he could not produce any cogent justification in rebuttal rather the allegations of misrepresenting the actual arrest of the accused Ikram Rabbani from Rawalpindi and showed it in the area of Surya Khel, District Nowshera, regarding which he also made false entry in the daily diary have been proved without any shadow of doubt. Being a member of disciplined/uniformed force, the involvement of the delinquent Officer in such like activities brought a bad name for entire Police force in the eyes of general public, besides affecting other members of Police force. Hence, the retention of appellant in Police Department will stigmatize the prestige of entire Police Force. Besides, during the course of personal hearing, he could not present any cogent justification to warrant interference in the order passed by the competent authority. However, keeping in view, the poor financial back ground and length of the service of the appellant the undersigned is constrained to take a lenient view of the misconduct of appellant.

Regional Police Officer, Mardan, being the appellate authority, hereby modify the major punishment of dismissal service vide OB: No. 150 dated 20.03.2024 and convert the same into major punishment of compulsory retirement from service.

Order Announced.

(Najeeb-Ur-Rehman Bugvi) PSP Regional Police Officer, Mardan.

prelland

No		/ES,	Dated Mardan ti	ne	1/21/2	
	С	opyforvis	arded to District P	olice Officer,	Nowshe	ra, for information
and	necessary	action w	Ir to his office Me	emo: No. 726	/PA date	d 04.04.2024. His
	rice Record		ed herewith.	Altesto	Λ	

بخدمت جناب انسپکٹر جنزل صاحب آف پولیس خیبر پختو نخواہ درخواست بمرادنظر ثاني بابت معظلى سز ااور دوباره بحالى نوكري

جناب عالى!

سائل کو جناب ڈسٹر کٹ پولیس آفیسرصا حب ضلع نوشہرہ نے بمقد مد524/2023 جرم 419/420/467/471/472 پھاندا کوڑہ خنگ میں ناقص تغییش کرنے کے الزام میں بحوالہ آرذ رانگریزی نمبر 75/PA-570 مورخہ 20/3/2024 کو تھکہ پولیس سے برخاست کرنے کے احکامات جاری فرما کیں اس بابت منسائل نے جناب ریجنل بولیس آفیسر صاحب مردان کودرخواست اپیل در باره بجالی نوکری کر کے جو کہ جناب ریجنل پولیس آفیسرصاحب مردان منسائل کے خلاف انکوائری سے شغق ند ہوکر منسائل کی سزامیں کی کر کے منسائل کو محکمہ پولیس سے جبری ریٹائر کرنے کا تھم بحوالیا آرڈر 1126/ES مورجہ 30/4/2024 کوجاری کرے مقدمہ بندا کی نبست تفصیل ذیل عرض پیش کرتا ہوں۔

كەمقىرىيىلىت 524 بالدىكىدى فىغىل قادرسكنىد فيرآ بادىنى برائ اندران مقدىرى دالت جناب مرزامحمە كاشف ASJ صاحب نوشېرە كودرخواست زىردفعە 22A ش ف دائركر كے موقف اختیار کیا۔ کہ سائل کی خیرآ بادییں ماریل ٹائلزادر گراینڈنگ ٹل کا کاروبار ہےاور پورے پاکستان میں سیلائی کرتا ہے۔ سائل خیرآ بادمیں ایک نئی گراینڈنگ فیکٹری لگانے کاخواہشندتھا جس کیلئے سائل نے مسمی اکرام ربانی کے ساتھ مورند: 28/9/2020 کوخیرآ بادیس مشینری فراہم کرنے کیلئے پہلے سے دی گئی کوٹیشن کے مطابق معاہدہ کیااوراس سلسلے میں ملزم بالا کومخلف اوقات میں مبلغ 120,00000 روپے اوائیگی کی کیکن اگرام رہانی نے معاہدہ کی خلاف ورزی کرتے ہوئے رقم وصول کرنے کے باوجود بھی مشینری فراہم نہ کی۔ جس پر موجہ: 7/6/2023 کوعد الت بالد في كارواني 154 ض ف (اندراج مقدم) كاتعم صادر قرباكر هينا خان ASI في حسب الحكم عدالت علت 524 مورخد 14/6/2023 جرم 420 ت يقاندا كور ورد رجىر بوكر بغرض تفتيش حوالد من IHC كيا كيا -

من HC نے مقدمہ میں تفتیش شروع کر کے دیگر لواز مات تفتیش پورا کرنے کے علاوہ"ا کرام ربانی اینڈ کو" کی معلومات FBR سے حاصل کی جن کے مطابق اس نام کی کوئی سمپنی ان كيها تهرجير وُنتَى جس پرحسب رائ جناب DPP صاحب مقدمه مين جرائم 467,471,472 ت ب كي ايزاد كائل مين لا أي گل-مورف. 16 جون 2023 كواكرام رباني بهقام سوریا خیل نوشہرہ میں حسب ضابط گرفتار کیا گیا (جس کی تصدیق اکرام ربانی 16 جون کی CDR حاصل کرے کی جاستی ہے) جسکو بغرض حصول حراست مقام عدالت میں پیش کرے جو درخواست حراست نامنظور بوکر ملزم (ورخواست گزار) داخل جیل کیا گیامن HC نے حراست سے حصول کیلئے عدالت DSJ صاحب کونظر ٹانی درخواست حسب ضابطہ پیش کر کے جس پرملزم ک 101 کید یوم حراست بولیس منظور کی گئی طزم کوا گلے روز مزید حراست کیلئے عدالت میں بیش کر کے جومزید حراست ند مکر ملزم نے اسے بیان زیرد فعہ 161 ض ف میں شلیم کیا کہ میرامد گل فضل قادر كيساته مشينري لكانے كامعابدہ ہواتھا جس كى بناپريس نے مدى سے مخلف اوقات ميں ميلغ 120,00000 بھى وصول كئے كيس بعدہ بوجہ كرونا19-COVID بروفت مشينرى فراہم نہ کرسکا ہواوراب مشینری کی قیتیں بہت زیادہ ہوگئی ہے جس کی بنابر میں مشینری فراہم کرنے میں ناکام رہا ہوں۔

دوران تفتیش بھی معلوم ہوا ہے کہ طرم بالانے 3 عدد شاختی کارڈ بنوائے ہیں جن میں طرم حلیہ تھی بدلتار ہاہے۔ یعنی ایک کارڈ میں داڑھی رکھی ہوئی تصویر ہے اور دیگر میں تجامت والى تصاوير بي جبكه تينول شاختى كارة ربلزم كي دستخط عليحده على من يدييجي معلوم بواكيلزم كي خلاف مقد مات (1) علت 805/2018 برم 1420/467/468/471 سي تھا نہ وارث خان شلع راولپنڈی۔(2) علت 83/2019 جرم 25-12 ٹمیلی گراف ایک تھانہ میول لائن شلع راولپنڈی بھی درج رجٹر ؤ ہو بچے ہیں جوملزم کی غیر قانونی سرگرمیوں میں ملوث ہونے کی عکائ کرتاہیے۔

جہاں تک اکرام ربانی کوراولینڈی صوبہ پنجاب سے گرفتار کی بات ہے تو اندریں سلساقیل ازیں بھی انکوائری ہوکرانکوائری افسرنے منسائل کو بے گناہ قرار دیا ہے مزید سیکماکرام ر بانی اور نسائل دونوں کے CDR (بوقت گرفتاری اکرام ربانی) حاصل کر کے جس کے مطابق میری اورا کرام ربانی دونوں کی لوکیشن سوریا خیل نوشچرہ کی ہے۔

خسائل نے اپن پوری نوکری دیانت داری سے سرانجام دی ہے مقدمہ بالہ میں بھی حقائق کے عین مطابق تفتیش عمل میں لائی ہے کی کی جانب داری نہ ہی کی ہے جملہ شواہرشا مل شل کئے گئے ہیں اس کےعلاوہ سائل نے محکمہ پولیس میں تم وہیش 22 سال نوکری بخیروخو لی تکمل کر لی ہے اور بھی بھی افسران بالہ صاحبان نے بھی نتیم کی محکماندسز انہیں دی ہے نسائل کے خلاف جملہ لگائے گئے الزامات من گھڑت اور بے بنیاد ہے بنیاز ہے بنیاز کوروران انکوائری صاف سوال وجواب کا موقع بھی نہیں دیا گیا ہے علاوہ ازیں بنسائل کو بھی بھی افسران بالدصاحبان نے کی قتم کی تحکمان مزا نہیں کی ہے سائل کی نوکری کےعلاوہ دیگر ذر بعدامدن موجود نہ ہے سائل کی بے گنا ہی سابقہ بے داغ نوکری ادرگھریلوں ذمددار یوں کومدنظر دیکھتے ہوئے سائل کی سزایرنظر ٹانی اور سائل کو داپس

محكمہ بولیس این عہدہ ربحال كرنے كا حكامات جارى فرما كرمشكور فرمائيں۔

آصف غن سابقه OHC محكمه يوليس ضلع نوشهره

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