
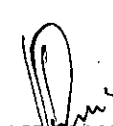


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1418 /2021 21


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/01/2021	<p>The appeal of Mr. Mukhtiar Hussain resubmitted today by Mr. Noor Wali Khan Muqbal Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19/03/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Mr. Mukhtiar Hussain son of Said Rehman Ex-HC 672 District Police Kohat received today by i.e. on 07.12.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal is unsigned which may be got signed.
- 2- Annexures of the appeal may be flagged.
- 3- Annexures of the appeal may be attested.
- 4- Affidavit may be got attested by the Oath Commissioner.
- 5- Sub rule 4 of rules 6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974 requires that every civil servant to whom the relief claimed may affect shall also be shown as respondent.
- 6- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 7- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 4008 /S.T,

Dt. 08/12 /2020

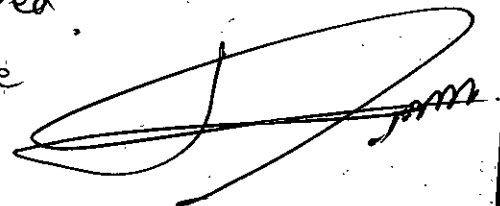

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Wali Khan Muqbal Adv. Pesh.

- ① - Signed. Completed
- ② - Flagged. Completed
- ③ - Attested. Completed.
- ④ - Attested by Oath Commissioner.
- ⑤ - Respondents arrayed in Panel of respondent are Contesting and Proper for disposal of Case.
- ⑥ - Are in Sequence.
- ⑦ - Addressed.

Re- Submitted.

Above objection are cleared
Please be put up before
the Court.





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- 1. *[Faint handwritten text]*
- 2. *[Faint handwritten text]*
- 3. *[Faint handwritten text]*
- 4. *[Faint handwritten text]*
- 5. *[Faint handwritten text]*
- 6. *[Faint handwritten text]*
- 7. *[Faint handwritten text]*
- 8. *[Faint handwritten text]*
- 9. *[Faint handwritten text]*
- 10. *[Faint handwritten text]*

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BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2020

Mukhtiar Hussain. **APPELLANT**

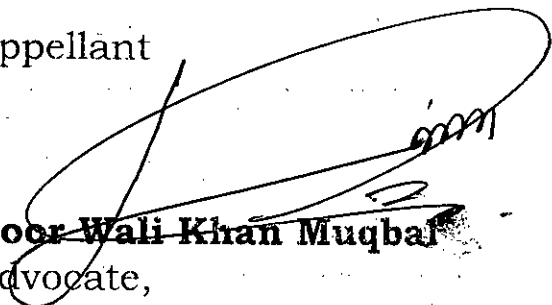
VERSUS

Inspector General of Police & others. **RESPONDENTS**

I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Service Appeal with Affidavit		1-7
2.	Application for Condonation of Delay with Affidavit		8-9
3.	Addresses of the Parties		10
4.	Copies of FIRs		11-14
5.	Copy of Charge Sheet, Final Show Cause Notice and Statement of Allegations		15-18
6.	Copy of Order dated 16.09.2019		19
7.	Copy of Order dated 06.09.2019 alongwith Inquiry Report and Statements		20-101
8.	Copy of Order dated 29.10.2020		102
9.	Copy of Legal Opinion regarding case of Muhammad Asim alongwith other Relevant Documents		103-146
10.	Wakalatnama		147

Through Appellant


Noor Wali Khan Muqbal
Advocate,
High Court, Peshawar

Dated: 07.12.2020

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 1418 /2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16215

Dated 07/12/2020

Mukhtiar Hussain S/o Said Rehman
Ex-HC No.672, District Police, Kohat. **APPELLANT**

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa, Headquarter, Peshawar.
2. Additional Inspector General of Police, Khyber Pakhtunkhwa, Headquarter, Peshawar.
3. District Police Officer, Kohat. **RESPONDENTS**

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS ACT, 1974
AGAINST THE ORDER/ JUDGMENT DATED
29.10.2020, WHEREBY THE APPELLANT'S
SERVICE WAS FORFEITED OF TWO YEARS
AND 14 MONTHS SALARY DETACHED
DURING INTERVENING PERIOD.**

Filed to-day

Registrar

07/12/2020

PRAYER:

On acceptance of this appeal, the order dated 29.10.2020 may kindly be set aside alongwith all back benefits.

Re-submitted to-day
and filed.

Registrar

Respectfully Sheweth:

1. That the appellant joined Police Department in the year 1999 as a Constable and nowadays serving as Head Constable in Kohat.
2. That the appellant arrested one of the accused Muhammad Hanif alongwith PSI Muhammad Asim Ameen S/o Ameen Gul R/o Kamal Khel, Kohat in case FIR No.1236, dated 24.08.2019 u/s 382, Police Station MRS, brought him to the police station where the accused allegedly committed suicide, vide case FIR No.1239, dated 24.08.2019 u/s 325 P.P.C. (COPIES OF FIRS ARE ANNEXED).
3. That on above allegation, the appellant was charged through charge sheet and was suspended from service. (COPY OF CHARGE SHEET IS ANNEXED).
4. That after charge sheet disciplinary action was taken and an inquiry was constituted against the petitioner and suspended the police official/appellant.
5. That such suspension was purely based on public pressure by not adopting the legal and lawful procedure.

6. That after suspension the District Police Officer, Kohat dismissed the services of the appellant, vide order dated 16.09.2019. **(COPY OF ORDER IS ANNEXED)**.
7. That after dismissal inquiries were conducted by police department as well as judicial inquiry where it has been held that it is ^{not} a suicide. **(COPY OF RELEVANT DOCUMENT ALONGWITH INQUIRY REPORT IS ANNEXED)**. *murder*
8. That respondent No.3 illegally dismissed the service of the appellant, vide order dated 25.06.2020. **(COPY OF ORDER IS ANNEXED)**.
9. That after dismissal appellant preferred an appeal to the concerned authorities, where the punishment was reverted into forfeiture of 2 years service and 14 months salary without pay during intervening period, vide order dated 29.10.2020. Feeling aggrieved from the said order, the appellant prefers this appeal on the following grounds, inter alia; **(COPY OF ORDER DATED 29.10.2020 IS ATTACHED)**.

GROUND S:-

- A. That the order dated 29.10.2020 is against the law, illegal and is liable to be set aside.

- B. That the order of forfeiture of two years service and intervening period without pay is against the natural justice.
- C. That no independent witness has been interrogated during the inquiry proceedings.
- D. That no chance of personal hearing was given to the appellant.
- E. That admittedly the appellant was present on the spot, but no statement of the appellant has been recorded regarding the incident.
- F. That the act of respondents is quite unnatural and is biased, which shows the malafide intention of the respondents.
- G. That under the law, there is not a single provision regarding the penal action taken by the respondents.
- H. That fair and free trial is the basic fundamental right of every citizen.
- I. That throughout career there is not a single complaint against the appellant in his entire service so far.

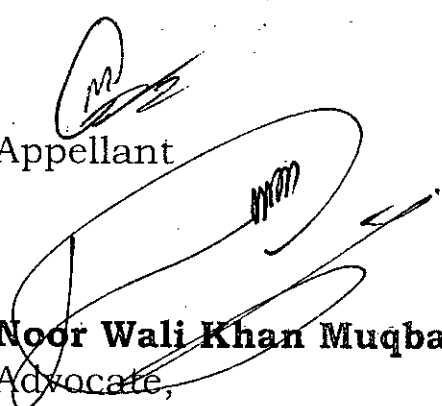
- J. That the story narrated by the respondents as well as by the deceased party is based on surmises and conjectures.
- K. That the entire inquiry conducted against the appellant is not according to law.
- L. That the impugned order is not based on sound reasons and the same is not sustainable in the eye of law. The same is based on wrong assumption of facts.
- M. That some other grounds will to be raised at the time of arguments, with prior permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that on acceptance of this appeal, the order dated 29.10.2020 may kindly be set aside alongwith all back benefits.

Any other relief, which this Hon'ble Tribunal deems appropriate, may kindly be awarded to meet the ends of justice.

Through

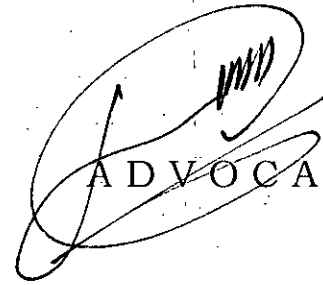
Appellant


Noor Wali Khan Muqbal
Advocate,
High Court, Peshawar

Dated: 07.12.2020

CERTIFICATE

As per information conveyed to me by my client, it is certified that all contents of the instant appeal are true and correct to the best of my knowledge of belief. No such like appeal has been filed before this Hon'ble Tribunal prior to this one.



ADVOCATE

7

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2020


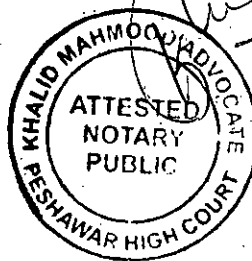
Mukhtiar Hussain. **APPELLANT**


VERSUS

Inspector General of Police & others. **RESPONDENTS**

A F F I D A V I T

I, Mukhtiar Hussain S/o Said Rehman Ex-HC No.672, District Police, Kohat, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



20-1-21


DEPONENT
CNIC: 14301-19813-53-3
Cell: 0333-9623652

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

C.M.No. _____/2020

In

S.A.No. _____/2020

Mukhtiar Hussain. **APPLICANT/APPELLANT**

VERSUS

Inspector General of Police & others. **RESPONDENTS**

APPLICATION FOR CONDONATION OF DELAY

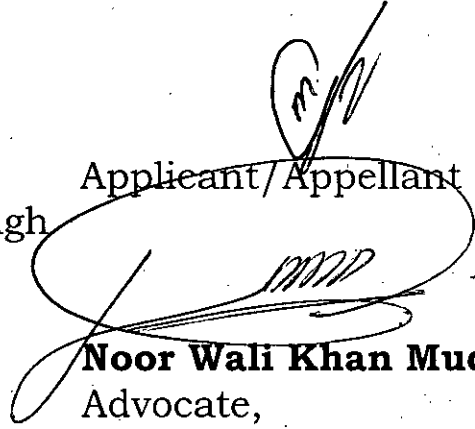
Respectfully Sheweth:

1. That the above titled Service Appeal is being filed before this Hon'ble Tribunal, which is yet to be fixed for its hearing.
2. That this appeal is preferred against the order dated 29.10.2020, but handed over the order dated 29.10.2020 to applicant/ appellant on 05.11.2020, hence this application.
3. That the delay in filing the appeal is neither intentional nor willful, but due to aforesaid reason.
4. That valuable rights of the applicant/appellant are involved, therefore, it is just, fair as well as in the larger interest of justice that the delay in filing the titled appeal may be condoned.

9

It is, therefore, prayed that by accepting this application, the delay of 7/8 days may kindly be condoned, in the best interest of justice.

Through Applicant/Appellant

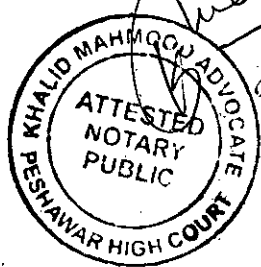


Noor Wali Khan Muqbal
Advocate,
High Court, Peshawar

Dated: 07.12.2020

AFFIDAVIT

I, Mukhtiar Hussain S/o Said Rehman Ex-HC No.672, District Police, Kohat, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.





DEPONENT

CNIC: 14301-1981553-3

Cell: 0333-9623652

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2020

Mukhtiar Hussain. **APPELLANT**

VERSUS

Inspector General of Police & others. **RESPONDENTS**

ADDRESSES OF THE PARTIES

APPELLANT:

Mukhtiar Hussain S/o Said Rehman
Ex-HC No.672, District Police, Kohat.

RESPONDENTS:

1. Inspector General of Police, Khyber Pakhtunkhwa, Headquarter, Peshawar.
2. Additional Inspector General of Police, Khyber Pakhtunkhwa, Headquarter, Peshawar.
3. District Police Officer, Kohat.

Appellant

Through

Noor Wali Khan Muqbal
Advocate,
High Court, Peshawar

Dated: 07.12.2020

18

منبع کوٹاٹ
تاریخ و وقت وقوعہ 15/5/2008 ع
نمبر 496

1	تاریخ و وقت رپورٹ 5/11/08 ع
2	نام و سکونت اطلاع دہندہ و متفیض
3	مختصر کیفیت جرم (موردہ) حال اگر کچھ بیا گیا ہو
4	جائے وقوعہ نامہ تھانہ سے اور سمیت
5	نام و سکونت ملزم
6	کارروائی پولیس کے متعلق کئی اگر اطلاع درج کرے میں توقف ہو تو وجہ بیان کرو۔
7	تھانہ سے روانگی کی تاریخ و وقت

استدلالی اطلاع نیچے درج کرو

خان ایک انچارج چوک شادی خیل اندرون شہر تھانہ 486 حودسول پور کو درج ذیل ہیں: مختصر آفیسر انچارج تھانہ بلی ٹنگ جیب الرتف ولد حبیب الرحمن ایچ آر 1434-1925755-3 سال سکڑ کمال خیل سنائی کارڈ ایڈر دکان ہے۔ حور 29/5/08 کو عشاء کے وقت بلڈ کر کے گھر خود چلا گیا۔ صبح جیب دکان آکر ٹھہرا۔ دکان کے بعد بیڑ فیروز نشین، ایک علاء بلاس والا جافر، تین علاء برائیل سیٹ جن میں سے ایک علاء سادہ نوکریہ علاء رنگین کیمبر والے جائینا مار کر، ایک علاء رسم لمبی 03430283619 اور نذر رقم تقریباً تین ہزار روپے عدم حور دیا ہے۔ جو علم / ملزمان غلطی سے سرور کر کے لے گئے تھے۔ میں ملزمان کی تندرستی و دیگر براری اسرارہ!۔ اب جے معلوم ہوا کہ غدا صہم این "ار این گل سکڑ کمال خیل نے جیس دکان سے سامان ملزم جہ بالہ سرور کر کے لے گئے نہیں۔ میں اپنے دکان سے محمد عاصم امین پکھنڈی سامان سرور کر کے بالہ کی سر قیدی کرنے کا وعدہ ہاں ہوں۔ رپورٹ میں دہری ملزمان کی تندرستی بہتر براری تسلی کیوں سے ہوئی۔ دستخط انگریزی جیب الرتف کارروائی پولیس حسب گفہہ مسائل رپورٹ درج بالا ہو کر پڑھ کر سنایا سمجھنا یا گیا۔ دستخط انگریزی تسلیم کر کے ڈیئر رپورٹ خود دستخط ثبت کیا گیا۔ جیک میں تصدیق کرتا ہوں۔ مضمون رپورٹ سے صورت جرم بالا پائی جا کر واسل لغرض نامی مقدمہ درست محمد عثمان 486 ارسال تھانہ ہے۔ لیواندرج حدودہ نقل FIR لغرض تفتیشی حوالہ KBI شٹاف پوسٹ۔ دستخط انگریزی اہل خانہ کی ہوگی شادی خیل حور 5/11/08 کارروائی تھانہ اندر دراصل حور لغرض درج بالا ہو کر پڑھ کر پڑھ کر تسلیم کر کے نقل ہر جہ حوالہ لغرض تفتیشی حوالہ KBI شٹاف کیا جائے۔ درج گستاخ ہے۔

S. Pruthi S.
Asi P.S. BT.
05-11-15

2
ATTESTED

15

Annexure (B)



Office of the
District Police Officer,
Kohat

No 13074-T/PA

Dated 24.8/2019

CHARGE SHEET

I. CAPT @ WAHID MEHMOOD, DISTRICT POLICE OFFICER, KOHAT, as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you HC Mukhtiar Hussain No. 672 (Under suspension) while posted at PS MRS rendered yourself liable to be proceeded against, as you have committed the following act/omissions within the meaning of Rule 3 of the Police Rules 1975.

- i. That you alongwith PASI Muhammad Hanif have apprehended and brought Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat to PS MRS, who was wanted in case FIR No. 1236 dated 24.08.2019 u/s 382 PPC PS MRS.
- ii. That you alongwith above named official did not make proper body search of the accused and the accused committed suicide with arms in your custody/presence in Police station vide case FIR No. 1239 dated 24.08.2019 u/s 325 PPC PS MRS.
- iii. That for the above, you have committed professional misconduct, criminal negligence and inefficiency.

2. By reasons of the above, you appear to be guilty of misconduct under Rule 3 of the Rules ibid and have rendered yourself liable to all or any of the penalties specified in the Rule 4 of the Rules ibid.

3. You are, therefore, required to submit your written statement within 07days of the receipt of this Charge Sheet to the enquiry officer.

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 ex-parte action shall be taken against you.

4. A statement of allegation is enclosed:

Received by
[Signature]

27/08/2019

[Signature]

ATTESTED

DISTRICT POLICE OFFICER,
KOHAT



بیان اہمال مختیار IHC پولیس لائن لوہاٹ

تاریخ مالی:

نوائے چارج شیٹ نمبر PA/75-13074 مورخہ 24.08.2019 مورخہ 22.08.2019 کو مسکی معراج احمد ولد محمد نئی سکند قومی ماموز کی حال حیات شہید کالونی تھانہ آکر رپورٹ کی کہ مجھ سے ہتھیار کا لوچہ بانڈہ لیکر درختان میں تین نامعلوم کسان نے دو دو لے سونا یزور پائین لیا اور رکشہ میں فرار ہو گئے۔

رپورٹ درج روز نامہ "آد کرانکلند" بغرض اٹلواٹری من IHC کو مارک ہوئی جس پر حقیقت معلوم کرنے کیلئے انکوائری زیر دفعہ (ا) 157 ض ف شروع کی بعد انکوائری کے "مادم" دادا کہ وقوعہ محمد عاصم امین ولد امین گل سکند لہر خیل کمال اور اسکے دو ساتھیوں (اسم مسکن نامعلوم) کے کارستانی ہے جس پر جناب ایس ایچ او صاحب نے مقدمہ صلت 1236 مورخہ 24.08.2019 جرم 382/34 PPC برخلاف نامزد ملزم دوگیر نامعلوم ملزمان درج رجسٹر کیا۔

انکوائری کے دوران من IHC نے نامزد ملزم کی گرفتاری کے لئے انفارمیشن کو مقرر کیا۔ انفارمیشن بذریعہ موبائل فون اطلاع دی کہ مطلوبہ رکشہ نمبری UR-018 معہ ڈرائیور کے موضع بہار کوٹ میں موجود ہے۔ محمد منیف خان FASI کے ہمراہ ملزم کی گرفتاری کیلئے بتائی گئی جگہ پر بلا رکشہ متذکرہ معہ ڈرائیور کے کھڑا پایا۔ ڈرائیور نے دریافت پر اپنا نام محمد عاصم امین ولد امین گل سکند کمال خیل بتلایا۔ ملزم محمد عاصم نے توڑا تو اپنی جائز گرفتاری پیش کر کے جامعہ تلاشی لینے کے بعد گرفتار کیا اور رکشہ متذکرہ بالا کے ہمراہ تھانہ لایا۔ رکشہ تھانہ کے پارکنگ میں کھڑا کر کے ملزم محمد عاصم امین کو بغرض بندش حوالات دفتر محرم سٹاف کی طرف روانہ کرتے ہوئے میٹری کے قریب پہنچے تو ملزم مذکورہ نے استدعا کی کہ وہ رکشے میں ضروری سامان سنبھالتا ہے۔ ملزم رکشہ نمبری UR 018 کے پاس کہا چند لمحہ بعد واپس ہو کر دفتر محرم سٹاف میں دیگر پرائیویٹ لوگوں کو موجود پانے پر ملزم مذکورہ کو دفتر محرم کے بالقابل دفتر ریکارڈ روم میں بیٹھایا۔ محرم سٹاف سے ملزم کو حوالات میں بند کرنے کا کہا۔

اسی اثناء میں ریکارڈ روم کی طرف سے فائر کی آواز سن کر میں، محرم سٹاف دوگیر موجود پرائیویٹ کسان ریکارڈ روم کی طرف فوری طور پر گئے۔ ملزم محمد عاصم امین کو ذی حالت میں پڑا پایا اور ساتھ 30 بورسٹول پڑی تھی۔ ملزم بخروج مجھ "عاصم امین کو بالمداد دیکر سٹاف بسواری سرکاری گاڑی میں ڈال کر زیر نگرانی مشاہد علی ASI و کانسٹیبل ذیشان نمبر 839 بغرض علاج معالجہ کے ہی اسے ہسپتال روانہ کیا۔ رسول الرحمن ASI نے خود کشی کے اقدام کرنے پر ملزم بخروج محمد عاصم امین کے خلاف جرم 325 PPC مقدمہ درج رجسٹر کیا۔ وقوعہ ہذا امیرت، روزنامہ "آد کرانکلند" میں محرم سٹاف اور تھانہ میں موجود پرائیویٹ کسان کا بھی چشم دید ہے۔ یہ میرا بیان ہے۔



مختیار حسین IHC پولیس لائن لوہاٹ

03.09.2019

Attested

ATTESTED

17

دستور العمل



Office of the District Police Officer, Kohat

No/3074-75/PA

Dated 24.8.2019

DISCIPLINARY ACTION

I, CAPT @ WAHID MEHMOOD, DISTRICT POLICE OFFICER, KOHAT as competent authority, am of the opinion that you HC Mukhtiar Hussain No. 672 (Under suspension) have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) as you have committed the following acts/omissions.

STATEMENT OF ALLEGATIONS

- i. That you alongwith PASI Muhammad Hanif have apprehended and brought Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat to PS MRS, who was wanted in case FIR No. 1236 dated 24.08.2019 u/s 382 PPC PS MRS.
- ii. That you alongwith above named official did not make proper body search of the accused and the accused committed suicide with arms in your custody/presence in Police station vide case FIR No. 1239 dated 24.08.2019 u/s 325 PPC PS MRS.
- iii. That for the above, you are guilty of Professional misconduct, criminal negligence and inefficiency.

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations SP Operations Kohat is appointed as enquiry officer. The enquiry officer shall in accordance with provision of the Police Rule-1975, provide reasonable opportunity of hearing to the accused official; record his findings and make, within twenty five days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

The accused official shall join the proceeding on the date, time and place fixed by the enquiry officer.

DISTRICT POLICE OFFICER,
KOHAT

No. 13074-75 /PA, dated 24.8 /2019

Copy of above to:-

- 1. SP Operations Kohat:- The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.
- 2. The Accused official:- with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings.

ATTESTED

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OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

Tel: 0922-9260116 Fax 9260125

No 20012 /PA dated Kohat the 12/9 /2019

FINAL SHOW CAUSE NOTICE

I, Capt. @ Wahid Mehmood, District Police Officer, Kohat as competent authority, under the Khyber Pakhtunkhwa Police Rules 1975, (amended 2014) is hereby serve you, HC Mukhtiar Hussain No. 672 as follow:-

i. That consequent upon the completion of inquiry conducted against you by the inquiry officer for which you were given opportunity of hearing vide office No. 1307-I-75/PA dated 24.08.2019.

ii. On going, through the findings and recommendations of the inquiry officer, the material on record and other connected papers, including your defense before the inquiry officer, I am satisfied that you have committed the following acts/omissions, specified in section 3 of the said ordinance.

i. That you alongwith PASI Muhammad Hanif have apprehended and brought Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat to PS MRS; who was wanted in case FIR No. 1236 dated 24.08.2019 u/s 382 PPC PS MRS.

ii. That you alongwith above named official did not make proper body search of the accused and the accused committed suicide with arms in your custody/presence in Police station vide case FIR No. 1239 dated 24.08.2019 u/s 325 PPC PS MRS.

iii. That for the above, you have committed a gross professional misconduct, criminal negligence and inefficiency.

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you major penalty provided under the Rules *ibid*.

3. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within 07 days of its delivery in the normal course of circumstances, it shall be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.

5. The copy of the finding of inquiry officer is enclosed.

DISTRICT POLICE OFFICER
KOHAT
12/9/19

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ATTESTED

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Annex-2



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

ORDER

This order is passed on the departmental enquiry against HC Mukhtiar Hussain No. 672 (hereinafter called accused official) under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

Brief facts of the case are that on 24.08.2019, accused official alongwith PASI Muhammad Hanif (co accused official) apprehended Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat wanted in case FIR No. 1236 dated 24.08.2019 u/s 382 PPC PS MRS and brought to Police station MRS. He (accused official) alongwith above named official did not make proper body search of the accused and let him to sit inside room, where the accused allegedly committed suicide with arms in his custody / presence in Police station. Case vide FIR No. 1239 dated 24.08.2019 u/s 325 PPC PS MRS was registered against the deceased.

The incident created hype in social media, in general public as well and damaged the image of Police professionalism.

Therefore, departmental proceedings are initiated against the accused official under the relevant law. Charge sheet alongwith statement of allegations was issued to the accused official and SP Operations Kohat was appointed as enquiry officer to scrutinize the conduct of the accused official. The enquiry officer vide his detail report held the accused official guilty of charges as the deceased accused was not searched properly by the arresting officer.

In the light of report of enquiry officer and available record, Final Show Cause Notice was served upon him. Reply received and found unsatisfactory.

Therefore, the accused official was called in Orderly Room, held on 16.09.2019 and heard in person, but he failed to submit any plausible explanation to his gross misconduct.

In view of above, and available record, I reached to the conclusion that alongwith other official had arrested the alleged accused of FIR No. 1236/2019 and brought to Police station and let him to sit inside room in lieu of lockup. Further, the accused official did not make proper search of the accused / deceased person and he committed suicide in the jurisdiction of Police station. This speaks of inefficiency, non-professionalism, willful negligence on the part of accused official. Therefore, the charges leveled against the accused official have been established beyond any shadow of doubt. Therefore, in exercise of powers conferred upon me a major punishment of Dismissal from service is imposed on accused official HC Mukhtiar Hussain No. 672 with immediate effect.

Announced
16.09.2019

CAPT. @ WAHID MEHMOOD (PSP)
DISTRICT POLICE OFFICER,
KOHAT 22/16/19

CE No. 119
Date: 17 / 09 / 2019

No. 1236-37 / PA dated Kohat the 17 / 09 / 2019.

- 1. Copy of above is submitted for favour of information to the Regional Police Officer, Kohat please.
- 2. District Account Officer, Kohat
- 3. Reader/Pay officer/SRC and OHC for necessary action

CAPT. @ WAHID MEHMOOD (PSP)
DISTRICT POLICE OFFICER,
KOHAT 22/16/19

ATTESTED

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Annex D

DISTRICT JUDICIARY KHYBER PAKHTUNKHWA, KOHAT
OFFICE OF THE DISTRICT & SESSIONS JUDGE KOHAT



Phn#0922-9260041
Fax# 0922-9260216

Email: dsjkohat@yahoo.com

Dated Kohat the 6th September, 2019

ORDER

Consequent upon request of District Police Officer, Kohat, vide letter bearing No. 13076/PA dated 24.08.2019 for conducting inquiry within the meaning of Section 176 (i) Cr.PC, Mr. Rehan Samad, Illaqa Judicial Magistrate/JM-I, Kohat is hereby nominated for said purpose. Copy of this order alongwith relevant letter be transmitted to the court concerned forthwith.

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(Signature)
(SHOAIB KHAN)
DISTRICT & SESSIONS JUDGE,
KOHAT

Endst: No. 1672-73 /DSJ, Kohat, Dated the 6/9 /2019

Copy for information to: -

The District Police Officer, Kohat w/r to his letter referred to above.

(Signature)
(SHOAIB KHAN)
DISTRICT & SESSIONS JUDGE,
KOHAT

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ATTESTED

(21)

IN THE COURT OF JUDICIAL MAGISTRATE-I/INQUIRY
OFFICER, KOHAT

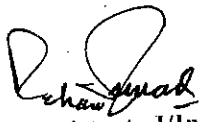
INQUIRY REPORT IN CASE FIR NO. 1239 DATED: 24.08.2019 U/S 325 PPC/15-
AA PS MRS, KOHAT

(4)

Pursuant to the directions of Hon'ble District & Sessions Judge, Kohat, inquest was conducted in the light of provisions of section 176-(i) and 174 Cr.PC. Evidence was gathered in the shape of statements and medical reports. Juxtaposition of the assertions made by either side coupled with medical report transpires that death of Muhammad Asim Amin s/o Amin Gul occurred in police custody. Cause of death, as evident from medical report, is fire arm injury. Now, whether the death is result of suicide or otherwise, as alleged by the complainant (Father of the deceased) can be thrashed out as per law relating to the allegation or commission of a cognizable offence. The law, in this regard, as envisaged u/s 154 Cr.PC is crystal clear. The police can investigate the matter when there is a counter version and submit challan for trial or final report by thrashing every bit of the allegation leveled by the complainant party as veracity of these charges can only be determined after proper investigation.

Report is hereby submitted, as desired please.

Dated: 25.09.2019


Judicial Magistrate-I/Inquiry Officer,
Kohat

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ATTESTED

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Judicial inquiry
Amirullah

JUDICIAL INQUIRY REPORT

Title: Muhammad Asim Amin (deceased)

Factual Backgrounds:

Brief but relevant facts of the instant judicial inquiry are that allegedly Mr. Muhammad Asim Amin s/o Amin Gul r/o Naseer Khel, Kamal Khel District Kohat had committed suicide with pistol in a room of Police Station MRS Kohat during police custody, in respect of which FIR No.1239 dated 24-08-2019 u/s 325 PPC was registered by Rasool ur Rahman ASI. That Mr. Asim Amin was charged as accused in case FIR No.1236 dated 24.08.2019 u/s 381/34 PPC PS MRS Kohat, who was arrested from Bahadarkot Kohat by Mukhtiar Hussain IHC and Muhammad Hanif ASI on 24.08.2019. They brought the arrested accused Asim Amin to police station MRS in a rickshaw owned and driven by the arrested accused. The complainant Rasool ur Rahman ASI reported vide FIR No. 1239, that due to rush and shortage of space in Moharrar room, the accused Muhammad Asim Amin was kept in a separate room situated in front of Moharrar room by Mukhtiar Hussain IHC and Muhammad Hanif ASI. In the meanwhile they heard a fire shot from the room, where accused Asim Amin was kept. When he entered in the said room, found accused Muhammad Asim Amin lying on the floor in injured condition by committing suicide with pistol. Thus the complainant Rasool ur Rahman ASI lodged FIR No.1239 dated 24-08-2019 u/s 325 PPC, wherein mentioning the time of suicide as 10:15 hours, time of report as 10:20 hours, and time of FIR as 10:30 hours. Injured Muhammad Asim Amin was shifted to KDA hospital, where he was declared dead, and his postmortem was conducted by doctor Syed Atif Gillani DHQ Hospital Kohat.

The DPO Kohat addressed a letter No.13076/PA dated 24-08-2019 to worthy District & Sessions Judge, Kohat for judicial inquiry within the meaning of section 176Cr.PC. The Worthy District and Sessions Judge Kohat vide letter No. 1672-73 dated 06-09-2019 deputed Mr. Rehan Samad learned Judicial Magistrate-I Kohat as inquiry officer. The inquiry officer Mr. Rehan Samad learned Judicial Magistrate-I, Kohat, recorded the statements of below persons/witnesses.

1. Ayai Ullah Sub-Inspector/S.H.O police station MRS Kohat
2. Muhammad Hanif ASI police station MRS Kohat
3. Syed Muhammad Qasim Khan Moharrar staff police station MRS Kohat
4. Atif Khan I.I.C police station MRS Kohat

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Senior Civil Judge
Judicial Magistrate Kohat

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5. Mushahid Ali Bangash ASI police station MRS Kohat
6. Aftab Ahmad IHC Moharrar police station M.R.S Kohat
7. Rasool-ur-Rehman A.S.I police station M.R.S Kohat
8. Mukhtiyar Hussain IHC police station MRS Kohat
9. Amin Gul s/o Hazrat Gul r/o Kamal Khel Kohat
10. Syed Atif Gillani Medical Officer D.H.Q hospital Kohat
11. Noor Rehman s/o Meer Hussain Shah r/o Hayat Shaheed Colony Kohat
12. Welayat Shah s/o Wakeel Shah r/o Bahadar Kot Kohat
13. Sher Afzal s/o Mukhtiyar Khan Bahadar Kot Kohat

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After completion of inquiry, the inquiry officer Mr. Rehan Samad learned Judicial Magistrate-I, Kohat submitted his report dated 25-09-2019, which is reproduced as under:

"Pursuant to the directions of Hon'ble District & Sessions Judge, Kohat, inquest was conducted in the light of provisions of section 176-(i) and 174 Cr.PC. Evidence was gathered in the shape of statements and medical reports. Juxtaposition of the assertions made by either side coupled with medical report transpires that death of Muhammad Asim Amin s/o Amin Gul occurred in police custody. Cause of death, as evident from medical report, is fire arm injury. Now, whether the death is result of suicide or otherwise, as alleged by the complainant (father of the deceased) can be thrashed out as per law relating to the allegation or commission of a cognizable offence. The law, in this regard, as envisaged w/s 154 Cr.PC is crystal clear. The police can investigate the matter when there is a counter version and submit challan for trial or final report by thrashing every bit of the allegation leveled by the complainant party as veracity of these charges can only be determined after proper investigation".

The worthy District and Sessions Judge Kohat found the report inconclusive of inquiry officer Mr. Rehan Samad learned Judicial Magistrate-I, Kohat. Therefore entrusted the inquiry to the undersigned vide order dated 30.09.2019 and framed the following questions:

1. Whether the death of Mr. Muhammad Asim Amin is the result of suicide. If the answer is in positive, the further relevant question arises what prompted the accused to commit suicide and how he managed and made it possible within the PS?

[Signature]
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Senior Civil Judge
Judicial Magistrate's Kohat
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- 2. Whether the deceased had any previous history in connection with an attempt to commit suicide?
- 3. If it was a murder what was the immediate cause which prompted the police official/officials to commit his murder in the Police Station.
- 4. Whether after the occurrence, the police official/officials have been proceeded departmentally, if so, its effect and relevancy with the incident.

Proceeding conducted by the undersigned during inquiry :

When the inquiry was entrusted to me, I visited police station MRS Kohat, inspected the crime scene, and prepared site plan of the room where the alleged suicide was committed by Muhammad Asim Amin. I also prepared the detail sketch of police station MRS.

The below mentioned witnesses, whose statements were previously recorded by the predecessor inquiry officer, were re-summoned by me regarding some queries/cross-examination. They appeared and replied to the queries/cross-examination of the inquiry officer.

- 1. Ayat Ullah Khan SHO PS MRS
- 2. Muhammad Hanif ASI PS MRS
- 3. Mukhtiar Hussain IHC PS MRS
- 4. Rasool ur Rahman ASI PS MRS
- 5. Noor Kehman s/o Meer Hussain Shah r/o Hayat Shaheed Colony Kohat

I deemed appropriate to record the statements of some other witnesses, who were found necessary to be examined in the instant inquiry. Therefore I also summoned and examined the below mentioned witnesses.

- 1. Obaid Ullah s/o Qadir Khan r/o Qaum Mamozai Tapa Mir Kalam Khel Minar Garhi, PO Ghaljo Sama Mamozai, Tehsil Upper district Orakzai presently r/o Jarra District Kohat
- 2. Ikram Ud Din s/o Muhammad Saeed r/o Qaum Mamozai Tapa Mir Kalam Khel Buland Nawasi, Sama Mamozai, PO Ghaljo Tehsil Upper District Orakzai presently r/o Miangan Colony Kohat.
- 3. Tofeeq Ahmad s/o Muhammad Yousaf r/o Mohallah Faqeer Abad Pindi Road Kohat.
- 4. Meraj Ahmad s/o Muhammad Ghani r/o Qaum Mamozai Tapa Kalam Khel Buland Nawasi PO Ghaljo Sama Mamozai Tehsil Upper District Orakzai

[Signature]
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Senior Civil Judge
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- 5. Muhammad Rahman s/o Raza Khan r/o Nai Abadi Bahadur Kot Dist Kohat
- 6. Muhammad Hussain s/o Iqbal Hussain r/o Barh presently r/o Muslim Abad Tehsil & District Kohat

During inspection of police station MRS, I have observed that DVR system with screen were available in the Room of Moharrar. I have also observed that multiple CCTV cameras were installed on different points inside and outside police station MRS. I addressed letter to DPO Kohat to provide the video recording data of police station MRS Kohat and CDR/GPRS data of below mentioned cell numbers of the witnesses, who recorded their statements in the instant inquiry, and admitted that at the relevant time their mobiles were in their use. The DPO Kohat vide letter No.45002/PA dated 14.11.2019 replied that the CCTV cameras installed in police station MRS are damaged and not in working condition, while the CDR data of the below mentioned cell numbers of the relevant witnesses was provided by the DPO Kohat, however the GPRS data of the mentioned mobile numbers was not provided by the DPO, Kohat. Similarly the CDR/GPRS data of below mentioned cell numbers was also separately requisitioned from the Telenor and Ufone Companies Kohat, but they provided only the CDR data and the GPRS data was not provided on the ground that they have no access to the GPRS data of the mentioned mobiles numbers.

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- 01. Cell # 03459811138 owned and used by Ayat Ullah S.H.O police station MRS.
- 02. Cell # 0334-8264430 owned and used by Muhammad Hanif ASI police station MRS.
- 03. Cell # 0333-9623652 owned and used by Mukhtiyar Hussain IHC police station MRS.
- 04. Cell # 0334-3388249 owned and used by Noor Rehman s/o Meer Hassan Shah
- 05. Cell # 0332-9175966 owned and used by Obaid Ullah s/o Qadir Khan
- 06. Cell # 0331-8831077 owned and used by Ikram-ud-Deen s/o Muhammad Saeed

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Senior Civil Judge
Judicial Magistrate Kohat

Findings:

FIR No. 1239 Dated 24.8.2019 u/s 325 PPC PS MRS Kohat, was registered by Rasool ur Rahman ASI at 10:30 am, wherein he reported that at 10:15

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am, the arrested accused Asim Amin has committed suicide with pistol in a room police station MRS where he was kept alone. Thus it is essential to examine evidence and reasons on the basis of which Rasool Rehman ASI has suddenly reached to the conclusion that the occurrence is one of suicide and not homicide. The FIR is perused with his Zimni No. 1 dated 24.8.19 written between 10:35 to 16:30 hours and Zimni No. 2 dated 25.08.2019 written between 9:00 to 15:00 hours, it would be established that no eye witness of the alleged suicide was mentioned but indeed all the relevant witnesses in their statements recorded during investigation as well as in the instant judicial inquiry, have admitted that the suicider was left alone in the room by Mukhtiar Hussain IHC and Muhammad Hanif ASI. In the meanwhile they heard fire shot from the room where the suicider was left alone, upon which they rushed to the said room and found Asim Amin lying on the ground in injured condition with 30 bore pistol. During instant judicial inquiry when Rasool Rehman ASI was asked about the evidence on the basis of which he at first instance declared the occurrence as suicide, he failed to forward any reason or evidence. At that time when no evidence was available with Rasool Rehman ASI, then he was duty bound to have kept the case open for future fair investigation instead of declaring it as suicide under section 325 PPC. The local police were supposed to have waited for postmortem report, FSI report and any other direct or circumstantial evidence, and thereafter would have formed an opinion of suicide or otherwise. Moreover when I visit to PS MRS to inspect the crime scene, I watched live footage of four cameras on the screen installed on the table of Aftab Muharrar in his office. When I demanded the camera video recording of the day of occurrence in USB, he replied that recording was not available for the reason that DVR was out of order and not preserving the recording, and that the cameras and screen are kept open only to check the moments and activities in the police station. Thereafter I wrote letter to DPO Kohat to provide the video recording of police station MRS, who replied that cameras system of police station MRS not functional and video recording not available. In my view incorrect stance was taken by the local police for the reason that if DVR system was not in workable condition then why the cameras and screen were kept open on the table of Aftab Muharrar. Not providing the video recording and above discussed hasty conduct of Rasool Rehman ASI suggesting that from the very beginning it was intended to avoid fair investigation and to conceal the real facts. Therefore it is concluded that the FIR registered by Rasool Rehman ASI about

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Rasool
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Senior Civil Judge
Judicial Magistrate Kohat

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the suicide of Asim Amin was not only without evidence but also based on dishonesty.

As discussed above there was no evidence of suicide with the local police at the time of occurrence and lodging the FIR. However according to Zimni No. 02 dated 25-08-2019 of the investigation officer Rasool-ur-Rehman ASI, a young person namely Noor Rehman appeared in police station on the next day of the occurrence and stated that on the day of occurrence 24-08-2019, he came to police station MRS with Ikram-ud-Din and Obaidullah for some work. That when he was getting out from the room of the Moharrar, he saw a person standing in the opposite room with a pistol in his hand, who fired on his head. That the said occurrence was personally seen by him. That thereafter he went to his home and at evening time he came to know through social media that the legal heirs of that person have arranged protest in Kachchri Chock Kohat against the police with allegation that the police has murdered that person in PS MRS, whose name reveals upon him as Asim Amin. That he voluntarily came to police station to give evidence. Keeping in view the above assertion of the so called alleged eye witness Noor Rehman, the whole case depends on his testimony. Noor Rehman recorded his statement u/s 161 Cr.PC before the investigation officer Rasool-ur-Rehman ASI on 25-08-2019 as well as before the court of learned Judicial Magistrate-I, Kohat u/s 164 Cr.PC on 30-08-2019, while his statement was also recorded in the instant Judicial Inquiry, who remained stuck to his stance that he was the true eyewitness of the suicide of deceased Asim Amin committed in police station MRS on 24-08-2019. Therefore it is necessary to discuss and scrutinize minutely the evidence of Noor Rehman for the purpose of its reliability or otherwise. If the statements of Noor Rehman and his two companions Ikram ud Din and Obaidullah recorded in the instant Judicial Inquiry are perused in light of their statements recorded u/s 161 Cr.PC, it would be established that soon after the occurrence they were directed by the police to leave the police station MRS upon which they went back to their homes. However the Zimni No.01 dated 24-08-2019 of Rasool ur Rehman ASI, suggesting otherwise that between 10:30 to 16:30 hours he recorded the statements of Ikram-ud-Din and Obaidullah u/s 161 Cr.PC in PS MRS on 24-08-2019. Strangely on 24-08-2019 the alleged sole eyewitness of the occurrence failed to record his statement before Rasool-ur-Rehman ASI. The said eyewitness Noor Rehman failed to explain why he not given evidence on the day of occurrence to the local police or Rasool ur Rehman ASI, like his two other companions Ikram-ud-Din and Obaidullah, and later on what circumstances

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Senior Civil Judge
Judicial Magistrate Kohat

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compelled him to voluntarily give evidence on the second day of occurrence 20-08-2019. The alleged eyewitness Noor Rehman subsequently also recorded his statement u/s 164 Cr.PC before the learned Court of Judicial Magistrate-I on 30-08-2019. This delay about recording of statement u/s 161 and 164 Cr.PC not plausibly explained. The statements of the alleged eyewitness Noor Rehman and his two companions Ikram-ud-Din and Obaidullah recorded in the instant Judicial Inquiry were also found contradictory with the proceeding summarized in Zimni No.01 dated 24-08-2019 by Rasool ur Rehman ASI, to the extent that they in their statements in the judicial inquiry have admitted that soon after the occurrence they on the direction of the local police have left the police station MRS and went to their homes. Then the question would arise that how the statements u/s 161 Cr.PC of Ikram-ud -Din and Obaidullah were recorded by Rasool-ur-Rehman ASI on the same day of the occurrence. If it is admitted as correct that after the occurrence Ikram-ud-Din and Obaidullah have not left the police station on 24-08-2019, then second question would arise that why the sole eyewitness Noor Rehman statement u/s 161 Cr.PC was not recorded on 24.8.2019. These facts suggesting that on 24-08-2019 either Noor Rehman concealed his evidence or he was not the eyewitness but later on won over to give favorable statement on 25-08-2019. Moreover if the site plan prepared by Rasool-ur-Rehman ASI on 24-08-2019 is perused, it would reveal that no point was given to Ikram-ud-Din and Obaidullah in the site plan. However on 25-08-2019 additional footnote was written by Rasool ur Rehman ASI on the site plan, by giving point No. 10 to the alleged eyewitness Noor Rehman. If on 24.08.2019 the statements of Ikram ud Din and Obaid Ullah were actually recorded u/s 161 Cr.PC by the Rasool ur Rahman ASI, then he would have given specific point to them in the site plan like given to the other witnesses. The reason of visit of the alleged eyewitness Noor Rehman and his two companions Ikram-ud-Din and Obaidullah to PS MRS on 24.8.2019 has not been proved from the record of police station MRS. According to their version on 24-08-2019 at about 10:00 am they jointly went inside police station MRS to inquire about the application/complaint of Ikram-ud-Din in respect of the issue of his mobile. but when the Moharrar of police station MRS namely Khan Wada ASI was examined as witness in the instant Judicial inquiry, he stated that he checked the whole record, but application of Ikram-ud-Din was not found and in this regard no entry exist in the Roznamcha register of police station MRS. Thus from the available evidence and record it is proved that the purpose of visit of the above named three witnesses to police station MRS on 24-08-2019 at 10:00 am remained

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 Senior Civil Judge
 Judicial Magistrate Kohat

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unproved from the record of police station MRS. The requisitioned CDR available on instant inquiry file also suggesting that on 24-08-2019 till 10:35 AM Noor Rehman was in the locality of Mujeeb Abad and not PS MRS. From the above discussed facts and evidence I reached to the conclusion that the evidence of the alleged sole eyewitness Noor Rehman is not trustworthy and believable. He was not found a true chance eyewitness of the occurrence.

The precise story presented by the real players Mukhtiar Hussain IHC and Muhammad Hanif ASI, is that initially Mukhtair Hussain IHC was the inquiry officer of the snatching of the gold case, reported by one Miraj Ahmad s/o Muhammad Ghani, which was later on converted into FIR NO. 1236 dated 24.8.2019 u/s 382 PPC police station MRS. After registration of the said FIR, the investigation was entrusted to Rizwan Khan ASI and thereafter Mukhtair Hussain IHC was not the investigation officer of the said FIR. According to the statement of Mukhtair Hussain IHC on 24.8.2019 at 9.30 am he along with Muhammad Hanif ASI were on patrolling duty outside police station MRS. That he received telephonic spy information on his cell phone that the nominated accused Asim Amin of the said FIR is present in Bahadarkot Kohat, thus without informing the investigation officer of the FIR Rizwan ASI or his high-ups or taking any precautionary police additional escort and assistance, both of them rushed to Bahadarkot in a private rickshaw. There they arrested accused Asim Amin who was standing with his rickshaw. Mukhtair Hussain IHC conducted body search of the arrested accused Asim Amin on the spot, then they boarded with the arrested accused in his rickshaw, which was driven by the arrested accused and reached to police station MRS. Both of them seated the arrested accused on a chair in a room situated opposite to the room of Muharrar of police station MRS, and they left the arrested accused alone in the said room without any watch. Both of them went to the Muharrar room to inform him to shift the arrested accused to lock up but in the meanwhile they heard a fire shot, upon which they rushed to the room, where arrested accused Asim Amin was left alone, and found him in injured condition on the ground.

Admittedly Mukhtair Hussain IHC and Muhammad Hanif ASI were not the investigation officers of the FIR no. 1236, and they have not followed police rules during arrest and shifting of the nominated accused. Mukhtair Hussain IHC in his statement disclosed that he has interrogated the arrested accused Asim Amin in the room where he was stationed, and during interrogation the accused Asim Amin confessed before him that the snatched gold is available in his house. What happened

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Answers
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Senior Civil Judge
Judicial Magistrate Kohat

ATTACHED

during this unauthorized interrogation would be in better knowledge of Mukhtar Hussain IHC and Muhammad Hanif ASI but these facts establish their keen interest in the said case. They also admitted in their statements that detail body search of Asim Amin was carried out at the time of arrest, but nothing incriminating was recovered from him. The question arise that how pistol came in the hands of the arrested accused Asim Amin and that too inside PS MRS. They as well as Rasool Rehman ASI badly failed to plausibly explain and resolve this riddle. Their argument is illogical and not believable that when they reached to police station MRS and parked the rickshaw of Asim Amin and walked to enter the office but in the way they have allowed Asim Amin to go back alone to his rickshaw to lock his belongings and probably from the rickshaw he might have secretly taken his Pistol to commit suicide. If he had intended to commit suicide then the best available moment was when he had got the pistol in the rickshaw, and he would have never opted to carry the pistol inside the police station in their presence, knowing the fact that he is arrested accused and the pistol can be seized any time and will be booked in another case of keeping the arm. According to the recovery memo dated 24.8.2019 prepared by Rasool Rehman ASI, the suicide was committed by Asim Amin with a 30 bore pistol, which has been shown recovered from the place of suicide. He also mentioned that three live rounds of 30 bore have been recovered from the pistol. That one 30 bore empty shell and a used pellet (*sika*) were also recovered from the crime scene. The pellet/*sika* was not sent to FSL for analysis to determine its kind. Likewise no finger print has been taken from pistol used in the commission of offence. It is not out of context to presume that after the occurrence the local police must have thoroughly checked the locked rickshaw of the deceased Asim Amin in the police station, however no license copy, extra charger or bullets, bandolier etc shown recovered. So it is found highly doubtful that a person like Asim Amin a rickshaw driver will kept a pistol with single charger and four bullets only, for safety or otherwise. It was also admitted by the two police personals that when they were coming from Bahadarkot to police station MRS in the rickshaw of Asim Amin, he was cool and calm at the time of driving, and had made no attempt to escape or make accident, though he was in better position to do so. In light of the above facts and evidence and non-resistance attitude of Asim Amin, it is safely concluded that he never planned or thought to commit suicide.

According to postmortem report and statement of doctor Syed Atif Gillani, he examined the dead body of Asim Amin aged about 25-30 years old and

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 Senior Civil Judge
 Judicial Magistrate Kohat

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height 5 feet 7 inches, and observed single fire arm entry wound 01 inch on the temporal region 2cm above the right ear, charring marks present, and 2 inch wound present on left temporal region 4 cm above the left ear. That in his opinion fire was shot from very close range. However he observed no blackening marks though happened in suicide case with fire arm. Moreover the place of occurrence the room of police station MRS, and 07 feet high bullet mark exists on the wall from the ground. If the same is compare with the height of Asim Amin, and the occurrence is presumed to have been committed in standing position, then it became impossible and doubtful that the bullet would hit the wall 07 feet high from the ground, especially in the circumstances when he was sit down in a chair and left alone in the room as per statement of Mukhtiar Hussain IHC, then in such situation it was more easier to fire in sitting position instead of standing posture. Therefor the medical evidence and circumstances of the case not corresponding with each other, and also not supporting the police story that the occurrence was suicidal.

If the time of occurrence 10:15 hours mentioned in the FIR is compared with the requisitioned CDR data of the witnesses, it would be established that on 24.8.2019 from 10:35 to 10:50 hours the location of Mukhtair Hussain IHC is Togh and Bahadarkot and till 10:50 hours he was not in police station MRS. Likewise the CDR data of the mobile of the sole eyewitness Noor Rehman reflecting that till 10:35 hours he was in Mujceeb Abad and not in police station MRS. From the CDR data of Mukhtiar Hussain IHC and Noor Rehman it has been proved without any doubt that they were not present in police station MRS at the time of occurrence and time of report as mentioned in the FIR. This technology based evidence has not only negated and shattered the whole story of police but also destroyed the evidence of Rasool ur Rehman ASI, Mukhtair Hussain IHC, Muhammad Hanif ASI and specially the eyewitness Noor Rehman.

From the above discussed evidence and facts, I came to the conclusion that on 24.8.2019 the arrested accused Asim Amin s/o Amin Gul was armless and he has not committed suicide in the room of police station MRS Kohat as reported in FIR No.1239 dated 24-08-2019 u/s 325 PPC but in fact he was murdered in police captivity.

It is also pertinent to answer the questions formulated by Honorable District & Sessions Judge Kohat in his order sheet dated 30.09.2019, which are as under:

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Senior Civil Judge
Judicial Magistrate Kohat

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Q.No.1: Whether the death of Mr. Muhammad Asim Amin is the result of suicide. If the answer is in positive. the further relevant question is what prompted the accused to commit suicide and how he managed to make it possible within the PS?

Answer: No, the death Mr. Asim Amin was not the result of suicide.

Q.No.2: Whether the deceased had any previous history in connection with an attempt to commit suicide?

Answer: Yes, once deceased Asim Amin was booked in FIR No.120 dated 26.03.2015 u/s 325 PPC/15AA PS Billitang. The past history and tendency of Asim Amin is irrelevant to the present case of his murder, for the reason that a human not always live in one and same state of mind and life style.

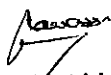
Q.No.3: If it was a murder what was the immediate cause which prompted the police official/officials to commit his murder in the Police Station.

Answer: Yes, the death of the Asim Amin was a murder during police custody in PS MRS Kohat on 24.08.2019. However the immediate cause of his murder is a mystery, which will be dug out and unearth during interrogation and investigation by the police, as till this moment no one has been charged as accused for the murder of Asim Amin.

Q.No.4: Whether after the occurrence, the police official/officials have been proceeded departmentally, if so its effect and relevancy with the incident.

Answer: Yes, in the case of deceased Asim Amin, the police officials Mr. Mukhtiar Hussain IHC and Muhammad Hanif ASI were dismissed from service on the ground of violation of the police rules and regulations by the DPO Kohat vide his office order dated 17.09.2019, but they were not dismissed from service on the ground that they have murdered Asim Amin. Therefore their dismissal has no relevancy with the murder of Asim Amin.

Dated: 07.03.2020


Tariq Abbas
Senior Civil Judge (adm)/Judicial Inquiry Officer,
Kohat

Senior Civil Judge
Judicial Magistrate Kohat

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Departmental
enquiry
Amended.
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ENQUIRY REPORT AGAINST IHC MUKHTIAR HUSSAIN No.672

No. 905 /PA-Ops Kohat, the dated 06 / 09 /2019

FINDINGS

This is in response of your good office Charge Sheet vide No.13074-75/PA; Dated 24.08.2019.

IHC Mukhtiar Hussain was charge sheeted with the allegations below:-

- a) That you alongwith PASI Muhammad Hanif have apprehended and brought Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat to PS MRS, who was wanted in Case FIR No. 1236 dated 24.08.2019 u/s 382 PPC PS MRS.
- b) That you alongwith above named official did not make proper body search of the accused and the accused committed suicide with arms in your custody/presence in Police station vide Case FIR No. 1239, dated 24.08.2019 u/s 325 PPC PS MRS.
- c) That for the above, you have committed a gross professional misconduct, criminal negligence and in efficiency.

For scrutinizing the conduct of enquiry he was summoned for personal hearing, recorded his statement and examined thoroughly. In his written reply of charge sheet and summary of allegations, he defended himself pleading his innocence. In his written reply he stated that on 22.08.2019 one namely Miraj s/o Muhammad Ghani r/o Mamozai present Hayat Shaheed Colony came to Police Station and report that 03 unknown persons took 02 Tola gold forcefully and run away. The report was registered in daily diary and the enquiry was marked to me and I initiated an enquiry u/s 157 Cr.PC. During enquiry I came to know that Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat and his two unknown friends were involved in the said case. A proper case vide FIR No. 1236 dated 24.08.2019 u/s 382/34 PPC PS MRS was registered against them. The informer informed me through mobile that the required Auto No. UR-018 alongwith driver is present at Bahadar kot. I alongwith PASI Muhammad Hanif rushed there to arrest the said auto driver. We have arrested the said driver after proper body search and brought him into Police station MRS. The auto was parked in police station and the accused was brought in reporting room to lock him in lockup. As we reached to the stairs the accused requested that he has to

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...age some luggage in auto. He went back to the parked auto riksha, and
... us at stairs of Police station and was directed to sit in record room.

Meanwhile I heard a sound of fire and came to record room where Muhammad
Asim Ameen committed suicide with his 30-bore pistol. After that the accused
was sent to hospital under the supervision of ASI Mushahid Ali and Constable
Zeeshan No.839. A proper case FIR No.1239 dated 24.08.2019 u/s 325 PPC PS MRS
was registered against Muhammad Asim Ameen, as he was alive.

In this regard statement of Constable Muhammad Shabir Ahmed
No.252 PS MRS was also recorded. Who disclosed that on 24.08.2019 I was
deputed on Magazine duty from 10 am to 02 pm. On that day I saw an auto
along with driver, IHC Mukhtiar Hussain and PASI Muhammad Hanif. They entered
to Police station and closed the main gate. After some time I heard a sound of
fire upon which rushed towards reporting room where I saw that police man and
private persons were present in front of record room. There I saw that auto driver
committed suicide after that he was sent to hospital for proper treatment.

Statements of Police officials namely PASI Muhammad Hanif, MHC
Aftab Ahmed, AMHC Syed Muhammad Qasim, LHC Atif Khan, ASI Rasool Rehman
and ASI Mushahid Ali also support the version of the official.

Statements of private persons present on the spot were also placed
in file for ready reference.

From perusal of previous police station record I came to know that
the deceased Muhammad Asim Ameen was earlier involved in theft vide case FIR
No. 496 dated 05.11.2015 u/s 380/457/411 PPC PS Billitang and stolen property
was also recovered from him. He has made a suicide attempt as well and in this
regard Case FIR No. 120 dated 26.03.2015 u/s 325/15-AA PS Billitang was
registered against him in which he survived.

As per autopsy report no sign of physical torture was found on the
body of the deceased, charring marks and blackening is also observed by the
Doctor.

Keeping in view the above circumstances and available record and
from the perusal of case file, I came to the conclusion that the accused
Muhammad Asim Ameen on 22.08.2019 committed dacoity upon which FIR No.
1236 dated 24.08.2019 u/s 382/34 PPC PS MRS was registered against him, in
which he took 02 tola gold from Miraj Ahmed s/o Muhammad Ghani r/o Quam
Mamozai district Orakzai presently resides at Hayat Shaheed colony Kohat.

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From the FIR No. 120 dated 26.03.2015 u/s 325/15-AA PS Billitang it is proved that, he had prior to this incident also made attempt on his own life.

From FIR No. 496 dated 05.11.2015 u/s 380/457/411 PPC PS Billitang it is proved that he was notorious dacoit and had criminal tendency of committing dacoities.

In the instant case FIR No. 1236 dated 24.08.2019 u/s 382/34 PPC he also committed daccity.

From the perusal of old record and statements of witness it is proved beyond any doubt that Muhammad Asim Ameen s/o Ameen Gul committed Suicide with pistol which was not detected by police, he himself brought to police station, but it was duty of arresting officer to have him searched properly before taking him to the room where incident occurred. IHC Mukhtiar Hussain is recommended for appropriate punishment commensurating the professional misconduct he has committed by not searching the accuse properly.

Submitted please.

(TAHIR IQBAL)

Superintendent of Police,
Operations, Kohat

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The Regional Police Officer,
Kohat Region.

Amrume D
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Subject:- DEPARTMENTAL APPEAL

Amrume

Respected Sir,

With profound regards and great veneration, appellant submits departmental appeal against the order of learned District Police Officer Kohat dated 16.09.2019 bearing OB No. 1127 vide which appellant was dismissed from service.

FACTS

1. That appellant was enlisted as constable in District Police Kohat. Appellant successfully qualified basic recruit course and promotion course and was elevated to the rank of Head Constable.
2. That appellant was posted in police station Mohammad Riaz Shaheed district Kohat. On 22.08.2019, station clerk recorded the report of one Miraj Ahmad in Daily Diary vide Serial No. 64. According to the report complainant was forcibly deprived of two (02) "Tola" gold by three unknown accused and then fled away from the scene of the occurrence in Rickshaw.
3. That the station clerk marked the report recorded in the daily diary to appellant for verifying the truth of the occurrence. During course of enquiry it came to light that one Mohammad Asim Amin and others were involved in the occurrence. Therefore the Station House Officer registered proper case vide FIR 1236 dated 24.08.2019 under section 382,34 PPC PS MRS.
4. That on the very day of registration of the case, appellant received spy information about the presence of case property i.e Rickshaw No. UR-018 alongwith driver in the limits of village Bahadar Kot. Therefore appellant accompanied by Mohammad Hanif P/ASI rushed to the spot for recovery of the Rickshaw and arrest of accused.
5. That on reaching the spot, Rickshaw and driver namely Mohammad Asim Amin were found. The driver did not resist his arrest and he was thoroughly searched with a view to safe driving of Rickshaw to Police Station. The driver was not handcuffed and accordingly he alongwith Rickshaw was shifted to Police Station under proper escort.
6. That on reaching the Police Station, the Rickshaw was parked. The accused driver was deboarded from Rickshaw and while proceeding towards the office of the Police Station, the accused Rickshaw driver placed request for properly locking the accessories of the Rickshaw. He was allowed and then he was shifted to office under proper escort.
7. That the accused driver was seated inside the record Room, side of opposite to the office of station clerk. The station clerk was busy in interaction with private persons and he was asked to admit the accused to lock-up.
8. That in the meanwhile, a report of fire shot coming from Record Room side was heard, the police officers and the private persons rushed to the record Room and found accused Rickshaw driver in injured condition alongwith 30 bore pistol. The injured was shifted to Hospital under proper escort. Criminal case on the charges

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of commission of attempt of suicide was registered against the accused vide FIR No. 1239 under section 325 PPC in PS MRS.

9. That later on, the accused driver succumbed to his injuries and the social Media highlighted the occurrence. Learned District Police Officer Kohat in order to defuse the situation, issued suspension order of the appellant and other followed by issuance of charge sheet based on allegations of commission of negligence in his duty and showing in efficiency by not conducting proper body search of the accused driver which led to commission of attempt of suicide inside the Police Station.
10. That appellant submitted detailed and plausible reply in response to the charge sheet. Enquiry officer conducted ex parte proceedings and the departmental proceedings initiated against appellant which culminated in passing the impugned order, hence this departmental appeal is submitted on the following grounds.

GROUNDS:-

- a. That the impugned order has been passed without application of mind to factual and legal aspects of the proceedings. Appellant accompanied by Muhammad Hanif PASI, while acting upon a tip of information quickly responded to the call of duty and ensured safe arrest of accused and recovered the case property Rickshaw. Furthermore, appellant traced the unknown accused charged in Robbery case FIR No. 1236/2019 mentioned above and worked out blind occurrence within short period of two days. During course of inquiry, the lower authority did not take into account the above good performance, professionalism and efficiency of appellant while passing the impugned order.
- b. The lower authority did not take into account the above good performance, professionalism and efficiency of appellant while passing the impugned order.
- c. That this is on the record that the charges levelled against appellant were the outcome of pressure developed by social Media about the occurrence of commission of attempt of suicide inside the Police Station as the lower authority has categorically observed in the impugned order that the incident created hype in social media. Therefore, the impugned order was not sustainable as it has been passed under influence of the side winds emanating from social media.
- d. That the findings of guilt recorded against appellant were not based on any evidence. The impugned order explains the story of the occurrence and no evidence has been referred to in support of the charges of commission of negligence in his duty and displaying inefficiency. The only reference to the find-up report of enquiry officer is not tenable because the findings were not supplied to the appellant despite submission of application for grant of copy of findings.
- e. That the enquiry officer as well as the lower authority has not considered the plausible defence advanced by appellant in shape of reply in response to the charge sheet. The principle of natural Justice requires provision of proper opportunity of defence to the accused officer which were ignored. The enquiry officer did not associate the appellant in the enquiry proceedings. No witness

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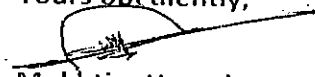
- was examined in the presence of appellant. No opportunity of cross examination on witnesses was provided to appellant. Therefore the superstructure of the impugned order based on proceedings conducted in violation of law and rules, is worth set aside.
- f. That the lower authority and the enquiry officer have not explained the alleged negligence in duty committed by appellant. Accused driver of the Rickshaw was properly searched and he was not in handcuff to enable him for driving case property Rickshaw. He was safely shifted to police station. He reportedly picked up pistol from the hidden cavity of the Rickshaw inside the police station. Appellant displayed efficiency by making arrested of the accused and recovery of case property Rickshaw. Therefore, none of the charge was proved against appellant.
- g. That the lower authority has wrongly assessed the facts and evidence on record. Offences against person are inevitable and are beyond the control of human being control on crimes against property is the main criteria for Judging the efficiency and professionalism of a police officer. Appellant successfully worked out a robbery case reported against unknown accused and also arrested the accused and recovered case property Rickshaw.
- h. Harsh penalty of dismissal from service was imposed on appellant on charges of commission of offence of attempt of suicide by accused arrested in Robbery case. Therefore the impugned order has been passed in violation of principles of natural Justice.
- i. That the whole departmental file has been prepared in violation of disciplinary rules. Appellant was not associated in the enquiry proceeding. Findings were not supplied to the appellant. The defence advanced by appellant was not considered. Therefore, the impugned order is worth set aside.
- j. That the authority did not consider the unblemished record of service of appellant. Harsh penalty of dismissal from service was imposed on appellant on the basis of trivial charges of negligence in duty.
- k. That award of penalty of dismissal from service amounts to award of punishment to all the members of the family of police officer.

Mukhtiar Hussain

It is therefore, requested that the impugned order may be set aside with all back benefits, please.

9-10-19

Yours obediently,


Mukhtiar Hussain
Ex-HC No. 672
District Police Kohat

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پولیس سٹیشن MRS کوپٹاں برفیل!

ان بیان کیا کہ میں محمد آفتاب احمد محروم دیگر سٹاف اور پرائیویٹ کسان

پندرہ روزہ ناچ میں کار سہارا میں مصروف تھا کہ سونے 24/19 کو مختصاً حسین 14C

محمد حنیف خان P.S.1 دفتر روزنامہ آکر آفتاب محروم کو بتلا گیا کہ بحوالہ مقدمہ

عدالت 1236 صوفیہ 24/19 جرم 382/39 ت سب تھانہ MRS میں نافذ ملزم محمد

عاصم محمد ولد امین گل سکندہ لغرت ضلع کمال ضلع کو (اگر ریکارڈ روم میں بٹھا گیا)

محروم کو حوالا دیا گیا ہے ہذا کے کی بلائی دیا گیا کہ لغت قریب 10:15 بجے

ریکارڈ روم کی جانب سے ٹائرنگ کی آواز سن کر میں مع محروم سٹاف اور

حنیہ حسین 14C اور محمد حنیف P.S.1 اور دیگر سٹاف اور پرائیویٹ

کسان موجود گان ریکارڈ روم جا کر دیکھا کہ ملزم محمد عاصم امین منورہ پلا

ضلع میں لٹ پت پڑا تھا اور ساتھ ہی سٹول پڑا تھا جسٹول

بورڈ جس کو بغرض علاج معالجہ بردے لفت شدہ ضرور زیر نظر رہی مشاہدہ

A.S.1 بمعہ لفریگٹ ٹیک اب سرکاری میں ڈال کر کے ڈی ای اسپتال روانہ

پیش آمدہ حالات و واقعات پور ملزم محمد عاصم امین ولد امین گل کمال

لغرت ضلع کمال ضلع سرنگھ جرم 325 ت سب کا یا کر اضرائی ہوا

کے نوٹس میں (ایا جا کر جس) مع مقدمہ عدالت 1239 سونے 24/19

جرم 325/39 درج رجسٹری - بدوران تفتیش جانے مطلوب ہے اس لیے

ہستول 30 بورڈ نوڈ شرکہ اٹھا کر آئی نوڈ کر کے جس کے چیمبر سے

عدد زندہ کارٹوس اور سنکڈ جاوہر سے 2 عدد کارٹوس لینی

3 عدد کارٹوس جو ہستول سے تازہ چللا ہوا بارود کی پو آ رہی

اور جانے مجروح سے قدرے خون بزر پور روٹی اٹھائی گئی اس

جانے مجروح سے دائیں سائڈ سے خون کارٹوس تازہ چللا ہوا

آ رہی تھی اور ایک عدد سٹار گولی چسپی ہوئی حالت میں

پو کر چلے اٹھا چللا ہوا علیحدہ بند بار اسل و جانے سرنگھ

(جاری)

درجہ سٹون



ATTESTED

بیان رسول رحمان اے اس آٹ

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فرد قبضہ پولیس کر کے موقع پر گوربان چشم دید ریپورٹس آسمان کے بیانات
 تکبیر کر کے سنا دیے اے اس آٹ نے عسکر اسٹاف کو اطلاع دی کہ ملزم مجروح
 محمد عام امین زخموں کی تاب نہ لا کر جاں بحق ہوا۔ بعد میں میڈیکل لیٹل / لکھنؤ
 موصول ہو کر ڈاکٹر صاحب نے تحریر فرمایا کہ مجروح محمد عام امین کہ اس
 کان کے اوپر ایک زخم داخلہ اور بائیں کان کے اوپر خارجی زخم تحریر فرمایا
 ہے۔ داخلہ زخم پر چیرنگ سارلس کا موجود ہونا بھی تحریر فرمایا۔ بروز وقوعہ
 فرد مقبوضہ کی اے علاوہ گوربان جو کہ ریپورٹ آسمان موجودگان سالیقہ ناظم کلنر احمد خان
 اور محمد رفیق، محمد حسین خان، نور رحمان اور دیگر ریپورٹ متعلقہ گوربان کے بیانات غلط
 کیے گئے ہیں۔ جن میں گوربان چشم دید نور رحمان کا ذکر دفعہ 164 ضف بیان

کتاب صاحب موصول صاحب نے قلمبند کیا ہے۔ جو کہ غلط ہے۔ پولیس سٹارٹ
 ریورٹ موصول ہو کر ڈاکٹر صاحب نے تحریر فرمایا ہے کہ متوفی پر یعنی متوفی کے
 دائیں کان کے اوپر ایک داخلہ زخم اور بائیں کان کے اوپر خارجی زخم تحریر
 فرمایا دیگر متوفی کے بدن پر کسی قسم کا تشدد و فریاد کا موجود ہونا ناویلا
 بردوان لکھنؤ تھا نہ ہی شہ سے معلومات کسی شہ جنسوں نے ظاہر کیا کہ ملزم
 متوفی محمد عام امین قبل ازین بھی خود کشی کا اقدام کر چکا تھا جس پر
 مقدمہ عدالت 120 سال 2015 ج 325 / 325 / 15AA / PPC تھانہ ملی ٹنگ درج
 ہے۔ اس طرح ملزم متوفی کے خلاف جو ری کے الزام میں ایک اور
 عدالت 492 سال 2015 ج 380 / 457 / 411 / PPC تھانہ ملی ٹنگ میں بھی
 ملزم ملوث رہا ہے۔ اس طرح مقدمہ عدالت نمبر 1236 مورخہ 24-8-19 ج
 382 PPC تھانہ MRS میں بھی ملزم مقدمہ معراج احمد سے بروز وقوعہ
 دستوں کی ٹوٹ پر ہونا زیورٹ جھین لے گئے۔

ATTESTED

(جاری)

درج ذیل دستوں

(3)

بیان رسول رحمان اے ایس آئی

17

ادارہ قوت ملی مقدمہ معراج اعدا رکنہ نمبر ۵۱۵-UR میں ملوث و استعمال
 ہوا تھا۔ بوقت گرفتاری محنتا، حسین ۱۰۴۷ اور محمد حنیف خان (P.S.) نے
 ملزم محمد عالم امین کی بدنی اجلاس و تدارکشی کی گئی تھی جس سے کچھ
 برآمد نہ ہوا تھا۔ وقوعہ میں استعمال ہونے والے رکنہ نمبر کوریہ ملکنی
 ملزم محمد عالم امین کو سمیرا (راکریٹھانہ کے کارپارٹنگ میں کھوا گیا اور
 ملزم کو رہنے ساتھ روانہ کر کے عین بلڈنگ ٹھکانہ دفتر محرم روزنامہ
 پہنچ کر ملزم نے محنتا، حسین ۱۰۴۷ اور محمد حنیف خان (P.S.) کو
 یہ موجودگی کوا اعدا حسین جو پرائیویٹ شخص اور لالعلق کوا
 اعدا کیا کہ وہ رکنہ میں ضروری سمجھاتا ہے۔ اور رکنہ لاک کر
 آتا ہے۔ ملزم محمد عالم امین رکنہ کے پاس جا کر چند لمحہ بعد
 پولیس کو آکر اسی جگہ پر پولیس کو دعوت دے کر پولیس لفی کے
 ملزم کو دفتر روزنامہ چھ میں پرائیویٹ لوگوں کے بجائے رکھا ڈر
 میں بٹھا کر محرم سٹاف کو بتلانے پر ملزم فروری لانے اپنے ہی
 سے اعدام خود کشی کر کے اس دنیا فانی سے چل بسا ہے۔ آفتاب
 روز روشن کی طرح صاف طور پر واضح اور ثابت ہوا کہ ملزم نے
 یہ پستول اپنے بدن میں چھپا کر دیکھا ڈر دم لایا تھا۔ جو کہ
 حسین ۱۰۴۷ و محمد حنیف خان (P.S.) نے دوبارہ جامہ
 نہیں کی تھی۔ ٹھکانہ بلڈنگ کے موصول شدہ F-1 R

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ATTESTED

ایک رسولا رحمان اے ایس آئی

19

ایک دفعہ میں مقدمہ معراج احمد رکنہ نمبر ۵۱۸-UR میں ملوث و استعمال
 ہوا تھا۔ بوقت گرفتاری مختار حسین ۱۰۴۷ اور محمد حنیف خان (P.S.) نے
 ملزم محمد عاصم امین کی بدنی / جسمی تلاش کی گئی تھی جس سے کچھ
 برآمد نہ ہوا تھا۔ وقوعہ میں استعمال ہونے والے رکنہ نمبر کو روک لیا گیا
 ملزم محمد عاصم امین کو سیراڈا کے مکان کے کارپائنگ میں کھوا لیا اور
 ملزم کو اپنے ساتھ روانہ کر کے عین بلاڈنگ مکانہ دفتر محراب روزنامہ
 پہنچ کر ملزم نے مختار حسین ۱۰۴۷ اور محمد حنیف خان (P.S.) کو
 یہ موجودگی گواہ محمد حسین جو پرائیویٹ شخص اور لائق گواہ
 اصرار کیا کہ وہ رکنہ میں ضروری سنبھالنے اور رکنہ آگ
 آتا ہے۔ ملزم محمد عاصم امین رکنہ کے پاس جا کر چند لمحہ بعد
 پولیس کو آکر ایسی جگہ پر پولیس کو دعوت دے کر پولیس لفٹ
 ملزم کو دفتر روزنامہ میں پرائیویٹ لوگوں کے بیٹے کے پاس
 میں بیٹھا کر محراب سٹاف کو بتلانے پر ملزم فروری لانے میں ہی
 سے اقدام خودکشی کر کے اس دنیا فانی سے چل بسا ہے۔ تفتیش
 روز روشن کی طرح صاف طور پر واضح اور ثابت ہوا کہ ملزم نے
 سے پستول اپنے بدن میں چھپا کر دیکارڈ روم لایا تھا۔ جو کہ
 حسین ۱۰۴۷ و محمد حنیف خان (P.S.) نے دوبارہ جاموں
 نہیں کی تھی۔ مکانہ بلی ٹنگ کے موصول شدہ R.F. ۲۰۱۱
 ۱۲۰ سال ۲۰۱۵ م 325PP/1588/1588 و مقدمہ عدت 492
 ۲۰۱۵ م 380/411/1588/1588 P.P.C. ت ب بھی ملے

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2 ATTESTED

(جاری)

درج ذیل ایس آئی

45

4

جاری بیان رسول رحمان علیہ السلام

(37)

بہت عمدہ حالات پر انجوت انسان و دیگر مخلوق کو لکھ کر لکھو اور

مذکورہ سے ثابت ہوتا ہے کہ انجوتوں نے خود کشی کی ہے۔ یہ صبر بیان

مکتوبہ تسلیم کیا۔

16/9/15

ATTESTED



PAKISTAN
ISLAMIC REPUBLIC OF

Name
Muhammad Hussain

Father Name
Iqbal Hussain

Gender | Country of Birth
M | Pakistan

Identity Number
14301-2069535-3

Date of Birth
1953

Date of Issue
03.12.2014

Date of Expiry
Lifetime

58

محمد
7
4.11.2019

لن الرخص ASI بر خلاف

60

دردست ہے کہ انٹوائٹری ٹیڈر میں دو بروج
سالہ انٹوائٹری اسپر میں نے اپنا بیان مورخہ 16-08-2018
کو علم ہند کیا ہے۔ متوقی عالم امین کے وقوعہ کے سلسلے
میں میں نے FIR No. 1238 مورخہ 24-08-2018 زیر دفعہ 32 SP
15AA

تھانہ ایم آر ایس میں رنج کیا تھا کیونکہ اس وقت میں تھانہ ایم آر ایس
میں ڈیوٹی پر موجود تھا۔ دردست ہے کہ میں نے متوقی عالم امین
کو بھارت خود تھانہ ایم آر ایس کے کھمبے میں خود لٹا کر
کرت ہوئے ہیں دیکھا ہے۔ یعنی اس کی خود کشی کا براہ راست
حکم دیا گیا ہے۔ اور خود کرنا کہ مقدمہ کے حالات واقعات
میں سے لگے کہ عالم امین نے خود لٹا کر ڈاکٹر کے خود کشی کی
تھی! اس لیے میری مدد میں میں نے خود کشی کا براہ
زیر دفعہ 32 ریٹ۔ مجھے اس وقت کسی بھی پولس
اینگار یا دیگر اہلوی شخصوں نے نہیں بتایا کہ اس نے عالم
امین کو خود کشی کرتے ہوئے دیکھا ہو۔ ڈاکٹر ای رپورٹ و
ایف ایس ای رپورٹ اور تفتیش سے پہلے میں حالات و
واقعات سے اس نتیجے پر پہنچا کہ عالم امین نے
خود کشی کی تھی اس لیے میں نے براہ راست

محمد
7
4.11.2019

ATP

الذی اجبر فیہ الزواہ رسول الرحمن ASI بر حلف سن جانب انوائلم فیہ

FIR NO. 395 PPC درج کر کے اس میں

کا نام ملزم محمد عیاض امین نے اپنے اویل بار بارہ خود کشی

سبوتوں سے ثابت کیا۔ اس وقوعہ کی نقشہ میں لکھی ہے۔

اور مکمل نقشہ کر کے میں نے آفری یعنی باریت ساقطی مقدمہ

S.H.D. نمبر 24/08/2018 کے حوالہ کیا۔ ہر روز قمر مقبولی نمبر 4

جائے وقوعہ سے میں نے ایک سیٹا گوئی بھی برا آمد کر کے بندہ با اس نمبر

کے ساتھ وہ سیٹا گوئی براہ راست آئی اس میں نہیں لکھا ہوا
کے ساتھ سیٹا گوئی بھی برا آمد کر کے بندہ با اس نمبر

سن کر درج شدہ تسلیم شدہ

سید رسول علی انوائلم فیہ کو باط

04.02.2020

ATTACHED

عسین ۱۰۴ تھانہ محمد ریاض شہزاد کوٹا بر حلف!

(21)

۱۰/۱۱/۲۰۱۹ کو مورچ نے رپورٹ کی کہ جھوٹے تین
پیسوں کے نوٹوں کے ساتھ ساتھ جس پر SH-5 نے انکوٹری (157) صرف
کے مارک کی۔ جس پر میں انکوٹری مکمل کی اور عدلی نے محمد عامر کے خلاف
میرا ای کیو ڈی۔ اور رکنہ عنبر 018 UR دوکسان کے ملوث ہونے پر درخواست
کی۔ پھر جملہ حالات انکوٹری SH-5 صاحب کے نوٹس میں لاکر عسین کے خلاف
باقاعدہ بہ جرم 382 PC مورچ 24/8/2019 مقدمہ درج رجسٹر ہوا۔ مورچ
24/8/19 کو صبح بوقت 9:30 پر عسین نے اطلاع دی کہ رکنہ مندرکہ UR-18
اور ڈاکٹر محمد عامر بمقام بیاد کوٹ میں اپنے رکنہ کے ساتھ موجود ہے۔ اس اطلاع

پر میں میرا حنیف خان P.S.O جنرل کی بتلائی ہوئی جگہ پر جا کر محمد عامر
کو رکنہ کے ساتھ موجود پا کر دریافت پر ایسا نام محمد عامر دلا گیا
مگر بتلایا بعد جامعہ کلاشی کے مندرکہ کو رکنہ چلانے کو کہا اور
پیسے ساتھ بیٹھے جس کوئی نہ لاکر رکنہ پارٹنگ میں گھبرا کر
دفتر عسین کی طرف لے جاتے ہوئے عامر مندرکہ میں لگا میں رکنہ میں
سامان سمجھاتا ہوں۔ رکنہ میں جا کر صدر محلہ بعد واپس ہوا
دفتر کی طرف لے جا کر دفتر عسین میں رکنہ بیٹھے کی وجہ سے
دفتر کے ساتھ ساتھ روم میں بیٹھا کر میں اور حنیف خان،
دفتر عسین میں جا کر عسین کو رکنہ کرنے حوالات ملنے کا کہا تو
اس دوران ساتھ روم سے ایک فائبرنی آواز سن کر
میں مع محمد سٹاف دو دو دوکسان ساتھ روم میں جا کر دیکھا کہ
محمد عامر نے خود پر باارادہ خود کشی ٹائمر لگایا تھا اور زخمی حالت
میں میرا پستول کے ٹکرہ میں پڑا تھا جس کو زخمی حالت
میں بہ اعداد مشاہد علی (اس آئی دو دیگر توی پولیس

ATTESTED

(جاری)

بیان مختصر من حدی

325
PPC

معرض علاج مطالبہ ہے۔ جس کے خلاف رسول رحمان نے اس آج نے مجرم

مقدمہ درج رجسٹر کیا۔ یہ صبر بہادری ہے

مکرم درجہ شہید
Kohat
16/09/19

2
ATTESTED

خان مستقل سید قوم ماہوزئی شیخ
خانہ علم و سجاد ماہوزئی، تحصیل ابراہیم

38

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عبر ما کوٹ ٹاٹ

مبارک باد، اکر ام الدین صاحبہ ارشدہ دار سے صلہ خور رحمان ہمارا
 دوست ہے۔ اکر ام الدین کے موبائل کی رقم کے سلسلے میں
 میں اکر ام الدین کیساتھ مورخہ 24.08.2018 بوقت تقریباً 10 بجے
 چھانہ ام اراہہ گیا تھا۔ اور وہاں پر خور رحمان بھی آ رہا تھا۔
 چھانے کے اندر جب ہم گئے تو خور رحمان کمرہ کھرا ان کے اندر
 چلا گیا صلہ میں بعد اکر ام الدین برآمد ہوا میں موجود تھی۔
 اس دوران نزدیک کمرے سے ایک فائبر کئی آواز آئی۔
 تو فوراً وہاں سے اور دیگر لوگ اس کمرے کی طرف بھاگ
 کر آ گئے۔ ہم بھی اس کمرے کے اندر دیکھنے پہنچے صلہ کے
 قریب کہ کیا ہے۔ تو دیکھا کہ ایک شخص خون من لبت
 یق ذمہ پر پڑا ہوا ہے۔ میں نے اس شخص کو
 بھارت خور اپنے آپ پر فائبر کرتے ہوئے نہیں دیکھا۔
 بعد میں فوراً والوں نے ہمیں اور دیگر ہر فرد کو قہراً
 کو جانے کو کہا تو ہم والوں سے چلے آئے۔ اس وقت میرا
 ساتھ انسا موبائل 0332-9675966 آن موجود تھا۔

Handwritten signature or mark.

سن کر درست تسلیم شد
17-10-2019

سید سلج انٹرنیٹ انسنر

(جاری جرحہ پر فحشہ حسنت الیٰ ہجرت)

عالم مدترم عالم آئین کو اس کے رکشے کی ڈرائیونگ

پر بیٹھا کر کہا کہ تمہارے ہم آ رہے ہیں اور میں

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محمد حنیف کے اس آگے رکشے میں بیٹھ گئے۔

وہاں سفر مدترم عالم آئین جب ڈرائیونگ کرتا تھا تو

اس کے ساتھ موقع تھا کہ وہ رکشے کا انٹریٹ کر داتا

تھا جس کا کوئی رقم اس کے پاس نہ تھا۔

اس کے ساتھ عالم آئین نے بارگاہی کر کے بند کیا اور رکشے کی چابی عالم

آئین کے پاس لے لی اور اس سے چابی میں نے ماہر محمد حنیف

نے اس آئی نے چاہی نہیں کہ جب ہم بارگاہ سے

تھانے کی سہولتوں پر پہنچے تو عالم آئین نے مجھے کہا کہ

اس کا کچھ ضروری سامان رکشے میں موجود ہے۔ اس کو

مخافتت رکھ کر لائے کرنا ہوں تو میں نے اس کے

احیاءت ری اور مدترم عالم آئین اگلے دن اپنے

رکشے کے پاس جا کر رکشے میں بیٹھ گیا اور میں

17.10.2019

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(3) جاری بر صبر، مختار، حسنین (کرمی لکھی ہے)

مگر حضرتان میں براہیویٹ لوگ موجود تھے اور کافی
تھا اس لیے میں نے مدترم عالم امین کو مگر حضرتان
کے سامنے واقع مگرہ و رکارد روم سے جان کر کسی پر بیٹھا
اور میرے ساتھ حضرت لے اس کی بھی موجود تھا۔

(4)

میں نے مدترم سے عالم امین سے جو وی سونا کے بارے میں
کچھ سوالات کیے اور اس نے تسلیم کیا کہ جو وی شہ سونا
اس کے گھر میں موجود ہے۔ میں نے اور محمد حنیف لے اس کی
نے مدترم کو اس مگرہ رکارد روم میں چھوڑ دیا اور اس کی
صفاقت کیلئے کسی کو بس ایسا کہ کو تفصیلات مگرہ رکارد
روم میں نہیں کیا۔ اور مدترم عالم امین کو ہم نے انکا
مگرہ رکارد روم میں چھوڑ دیا، اس وقت اس کے ساتھ کوئی
بھی نہیں ایسا کہ رکارد روم میں کبھی مگرہ رکارد روم میں
موجود نہیں تھا۔ میں اور محمد حنیف لے اس کی

بصورت
17.10.2019

مگرہ رکارد روم سے نکل کر مگرہ حضرتان آگے اور حضرتان
آفتاب کو ایسا کہ کہ مگرہ رکارد روم میں جو وی کا مدترم
عالم امین کو بیٹھا ہے اس کو سوالات میں میں نے
اس دوران ایک ماٹر کی آواز آئی تو اس دوران
ہم مگرہ رکارد روم سے نکلتے تو یہ تھا مدترم عالم
امین خون میں لٹ پڑے زمین پر پڑا ہوا تھا اور ایک
عمر 30 یور سٹول بھی پڑا ہوا تھا۔ مجھے معلوم نہیں
ہے کہ مدترم عالم امین نے کسی پر بیٹھا مگر خورشیدی

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(ہاری بیصرہ محتسبہ حسین ۱۳۳۲ھ)

پہری رات کئی طالعوں کو کھینچ کر اس کے بڈا لوم سٹول
کے نیچے کھینچ کر وہاں کے حالات اور واقعات بتائے ہیں۔

پہری صبح ساغنی مدرم عاصم آغین نے خود لہرائی لکھ کر
خود لکھی گا میں بڈا ہے میں صبحم دید گواہ نہیں ہوں۔
اس وقت تھانہ اور کمرہ حیدرآں میں مختلف لہرائیوں
کو موجود تھے جن میں بڈا خود گلزار ناظم اور رفیق
کو جانتا ہوں جو اس وقت تھانہ موجود تھے اللہ دیکھ
لہرائیوں کو نہیں جانتا ہوں۔ جو بوقت وقوع
تھانہ میں موجود تھے۔ میں اگر ام الدین - عبداللہ
اور نور الرحمن کو وقوع سے پہلے نہیں جانتا تھا۔
بوقت وقوع تھانہ میں میرے ساتھ میرا بڈا کیم محمد
0333-9623652 آواز موجود تھا۔

سن ۱۴۴۱ھ / ۲۰۱۹ء

17.10.2019

مدرسہ
سید رسول علی شاہ / انکوہری آفسر

2
NOTED

محمد حنیف اے ایس آئی تھا۔ محمد ریاض شیر کوہاٹ برحلف!

حلقہ بیانی لہاکہ خٹیا، ۱۰۴۷ کو خیر نے اطلاع دی علت ۱۹۳۶ میں مطلوب ملزم بہادر کوٹ میں موجود ہے۔ جس پر ہم موقع پر گئے جہاں ملزم رکشہ کے قریب موجود تھا۔ رکشہ نمبر UR018 تھا۔ ملزم نے ہانسیا محمد عامر اسٹیبلز میں اس کے لہد میں اور خٹیا حسین رکشہ میں بیچو کر تھکانے میں آئے۔ جب ہم تھکانے میں روزنا چیمپ کے قریب ہوئے تو ملزم نے دست برداری کی کہ میں رکشہ میں سامان سنبھالتا ہوں اور کچھ دیر بعد بیمار ہوں گا۔ آپا ہم جب ہم روزنا چیمپ گئے تو وہاں ہیست رش تھی اس لیے ہم نے روزنا چیمپ کے سامنے ریگا رڈ روم میں ملزم کو بیٹھا یا اور میں نے روزنا چیمپ آکر محرر کو کہا کہ ملزم کو حوالات میں لہا کر و اس اثناء میں ریگا رڈ روم سے فائٹری آواز سنائی دی، جس پر میں جمعہ محرر سٹاف و دیگر سول کمان ریگا رڈ روم گئے جہاں ملزم زخمی حالت میں پڑا تھا اور بستوں بھی پڑا تھا۔ جو کہ 36 بورڈ بستوں تھا، ملزم کو مشاہد علی ہسپتال لے کر چلا گیا۔ اور رسول دھیمان اے ایس آئی نے ملزم کو 325 ت س کا پرچہ الف آئی آر دی۔ یہ صبر بیانی ہے۔

شکر دین شہید لہا۔

Kohat-1, 16/09/19
انٹوائزی آفس

ATTESTED

ATTESTED

آئی ایچ سی پولیس سٹیشن ایم اے اے ایس



14101-8121788
18/02/1990

33

37

م امین کے چوری کے وقوعہ کا میں انوائٹری
 یہ تھا ہوں البتہ بعد از جائید کی الیائی آر اس
 کا میں تقسیب آفسر مورخہ 2018-08-24 کو نہیں تھا اور
 خان اس آئی اس مقدمے کا تقسیب آفسر تھا۔ میں
 محمد صنف ای ایس آئی مورخہ 2019-08-24 بوقت 9:30 AM
 ملٹریزم ہیٹروول طلب میں موجود تھے کہ مجھے ہزار لاکھ فیڈ
 اطلاع ملی کہ چوری کے مقدمے کا ملٹریزم عالم آصین بہادر کوٹ
 نہیں بھرتہ موجود ہے۔ ملٹریزم ہیٹروول طلب سے بہادر کوٹ
 تقریباً تین گھنٹے پہلے واقع سے اور رکتہ میں تقریباً 15 منٹ
 لگتے ہیں۔ جب مجھے اپنے عوبائیں خیر 03339623652 پر فہر
 نے اطلاع دی تو میں نے اپنے بھانجے کے ایس ایچ او بھانے
 کے محمد ران یا مقدمہ کے تقسیب آفسر راجوان خان کو مطلع نہیں
 کیا تھا۔ امدت میں کسی قسم کی تقریب یا مدد لیا۔ اور سہ ماہیں
 مع محمد صنف ای ایس آئی مذکورہ ہیٹروول طلب سے رکتہ
 میں بیٹھ کر بہادر کوٹ پہنچے اور فہر کی اطلاع کے مطابق
 اوہر ایک رکتہ فہری 02018 طلبہ آئی لٹھیں موجود تاکر
 کر معلومات کرنے میں اس نے عالم آصین ملٹریزم درست
 کیا اور عالم آصین جی جانا ملٹری فوری البتہ رکتہ ہی ملٹری

17.10.2019

2

رات اجرح پر محمد حنیف اے ایس ایچ منجانب انکو اڈری آفسر

ٹیچے مختار حسین اڑی ایچ سی نے مورخہ 08-2018-24 کو
 وقت 09:30 AM کے شاہکارہ اس تھے ضعیفہ اطلاع میں یہ کہ عالم
 امین ملزم بہادر کوٹ میں موجود ہے۔ اس کو گرفتار کر کے لے کر بہادر کوٹ
 چلے ہیں اس وقت میں اور مختار حسین اڑی ایچ سی میں بد دل کشی
 پر بمقام ملزم سٹروں ملک موجود تھے۔ لہذا میں ہمراہ مختار حسین
 اڑی ایچ سی بہادر کوٹ رکنش بہادر کوٹ تھے اور وہاں پر مختار کی اطلاع
 پر رکنش نمبری 018 کسٹو ایک شخص کو گھسے اور اس سے
 معلومات لے کر لے گیا کہ وہ ملزم عالم امین ہے۔ جس کو ہم نے گرفتار
 کیا۔ میں خود عالم امین کو نہیں جانتا تھا۔ مختار حسین اڑی ایچ سی
 نے گرفتار ملزم کی نقل جو تھری لی۔ میں معہ مختار حسین اڑی ایچ سی
 اور رکنش کی ڈرائیونگ ملزم عالم امین کو بہادر کوٹ سے لے کر
 عالم امین صبح طرف سے ڈرائیونگ کر رہا تھا۔ اس دوران ملزم
 کی کوئی کوشش نہیں کی حالانکہ اسے اس موقع موجود تھا کہ وہ
 رکنش کی ڈرائیونگ چھوڑ کر یا آٹو اسٹارٹ کر کے فرار ہوتا۔
 09:45 تقریباً۔ میں اور مختار حسین اڑی ایچ سی بہادر کوٹ بائٹ گرفتاری
 ملزم متھے تھے۔ جب ہم تھانے کے اندر تھے تو تھانے کی سپر فیسر
 نے کہا کہ ملزم عالم امین ملزم نے کہا کہ وہ رکنش میں منہوری سہا
 مختار حسین نے اس سے ایک گرفتاریوں کو میں نے اور اڑی ایچ سی
 رکنش کے پاس جا کر سہو گیا۔ میں اور مختار حسین

17.10.18

2

صورت کے اسی میں

تسلیں لیا۔

(37)

میں ہم عاصم انیس نے مکہ رکھا اور

میں نے مکہ کے لیے آب پراکٹر لیا تھا

میں نے آب پراکٹر لیا تھا۔ مکہ رکھا اور

میں نے مکہ کے لیے آب پراکٹر لیا تھا۔ مکہ رکھا اور

میں نے مکہ کے لیے آب پراکٹر لیا تھا۔ مکہ رکھا اور

میں نے مکہ کے لیے آب پراکٹر لیا تھا۔ مکہ رکھا اور

میں نے مکہ کے لیے آب پراکٹر لیا تھا۔ مکہ رکھا اور

میں نے مکہ کے لیے آب پراکٹر لیا تھا۔ مکہ رکھا اور

میں نے مکہ کے لیے آب پراکٹر لیا تھا۔ مکہ رکھا اور

17-10-2019

سید سید وحید ازنگو اسی آفس

ATTESTED

the



پولیس پاکستان
ٹیلی فون نمبر کارڈ
14301-9635308-9
پتہ: ...
15/05/1990

میں نے بطور موجودہ مسلم آباد

57

میں نے بطور انسپٹر محکمہ پولیس سے
سال 2003 میں فارغ ہو چکا ہوں۔ مورخہ 24-08-09 کو
صبح میں تھانہ ایم آر ایس گیا تھا۔ کیونکہ ہمارے علاقے میں
ایک جھگڑا ہوا تھا جس سلسلے میں FIR درج ہوئی تھی
اور اس کا ریکارڈ کے بارے میں معلومات کے سلسلے میں
تھانہ ایم آر ایس اس روز گیا تھا۔ میں تھانے کی سٹرکوں
میں گھبراہٹا تھا کہ اس دوران ایک حوالدار اور ایک لے اس ای
محکمہ رکشہ ڈرائیور تھانہ ایم آر ایس میں داخل ہو کر ڈرائیور
نے رکشہ پارک کیا اور وہ تینوں سٹریٹوں کی طرف چلے گئے
منہجے۔ تو رکشہ کے ڈرائیور نے ہردو پولیس اہلکاران کو
میری موجودگی میں کہا کہ تھانہ میں گاڑیوں سے سامان غائب
ہو گیا ہے اور اس گاڑی ضروری سامان رکشہ میں موجود
ہے۔ اس کو لاک کر کے والیں آ رہا ہوں۔ مذکورہ
رکشہ ڈرائیور جا کر رکشہ میں بیٹھا اور والیں آ کر
محکمہ مذکورہ بالا دو پولیس اہلکاران سٹریٹوں پر چڑھ
کر انڈر چلے گئے۔ کوئی تقریباً 4/3 منٹ بعد میں
نے ایک عدد فالس کی آواز سننی تو میں بھی فالس کی طرف

4-11-2019

2

میں نے اپنے دوستوں کو بتایا کہ میں نے ایک نئی چیز سیکھی ہے۔
 یہ ہے کہ میں نے ایک نئی چیز سیکھی ہے۔
 یہ ہے کہ میں نے ایک نئی چیز سیکھی ہے۔
 یہ ہے کہ میں نے ایک نئی چیز سیکھی ہے۔
 یہ ہے کہ میں نے ایک نئی چیز سیکھی ہے۔
 یہ ہے کہ میں نے ایک نئی چیز سیکھی ہے۔
 یہ ہے کہ میں نے ایک نئی چیز سیکھی ہے۔
 یہ ہے کہ میں نے ایک نئی چیز سیکھی ہے۔

میں نے ایک نئی چیز سیکھی ہے

میں نے ایک نئی چیز سیکھی ہے
 4-11-2018

ATTESTED

(62)

محمد یوسف بنہ، بینڈی روڈ، محلہ فقیر آباد

(57)

یلازہ، بینڈی روڈ، کالج ٹاؤن کویٹ

میں استعمال شدہ موبائلز کی خرید و فروخت کے کام سے بھی وابستہ ہوں اور یہی میرا روزگار ہے۔

یاسر میرا اپنے دوست آریا ریڈیو کے لیے ایک ڈی موبائل - 377 Samsung فروخت کرنا چاہتا ہے۔ اس کے

تھکا اور میرا چاہنے والا نہیں تھا۔ اس سے میں نے مذکورہ بالا موبائل - 1000/- روپے میں خرید لیا ہے۔ اس کے

دھنڑے میں رکھے گا اس کے ساتھ وعدہ کیا تھا۔ اگر ام الدین سے اس سے سہیے میں فون بھی آتا تھا کہ تھانہ ام الدین میں بیٹھتی ہو جائیں اس کے بعد میں نے اگر ام الدین کو اس کے - 1000/- روپے حوالہ کیے ہیں اور پھر معاملہ ختم ہو چکا ہے۔

سن کر دوست نسیم شہد

Handwritten signature

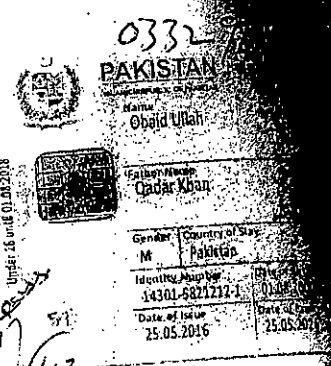
کنسر سول جی کوٹھال

04-11-2019

ATTESTED



سید سیدہ قومہ عورتی تہہ مہنگلا محل
ڈاکٹر خانہ علیہ جو تحصیل ایس جی اے اور کئی ایس جی اے



کاپی

کاپی

(63)

بیان کیا کہ عبداللہ پیراشہ دار ہے اور نور رحمان بہادر دار ہے
ہے۔ مورخہ 24.08.2018 کو میں بعد عبداللہ پیراشہ دار ایس جی اے
کے ذریعہ اور نور رحمان کو بھی ایس جی اے تھا ہے آجے کو کیا کہ
تھا کیونکہ میں نے ایک درکار میں موبائل خریدتے تھا تھا۔ اور وہ
رقم نہیں دے دیا تھا تو میں نے پھر ایس جی اے میں درخواست
دی تھی۔ مورخہ 24.08.2018 کو جب میں اور عبداللہ پیراشہ دار ایس جی اے
دوہے تو نور رحمان بھی اور ہم دونوں پیراشہ دار ایس جی اے کے اندر
قریباً 15 بجے گئے پیراشہ دار ایس جی اے میں بہت دیر تھا گھوم رہے تھے
نور رحمان کمرہ خیران کے اندر گیا۔ کہ میری درخواست کے
سلسلے میں معلومات کمرے میں بعد عبداللہ پیراشہ دار کے بل پر آگے
میں اس کا منتظر رہے رہے کہ یہ ایس جی اے دوران نزدیک کمرے سے
ایک فائبرگی آواز میں نے سنی تو پولیس ڈاے اور ڈیوٹی
اس کمرے کی طرف بھاگ کر آگئے میں عبداللہ پیراشہ دار اور نور رحمان
نے بھی دیکھا کہ ایک شخص اس کمرے میں زمین پر خون میں
لٹ پڑا تھا بعد میں پولیس والوں نے ہم پر ایس جی اے
ٹوٹوں کو تھامے سے باہر جانے کو کہا تو ہم اس روز پیراشہ دار
ایس جی اے سے واپس آگئے۔ اس وقت میرا ساکھو ایس جی اے
بل نمبر 8831077-8331 موجود تھا۔ میں نے اس شخص کو
فوراً اپنے آپ پر فائر کرتے نہیں دیکھا ہے۔
کالج کوٹ ایس جی اے ایس جی اے ایس جی اے ایس جی اے
17-10-2019

2

PAKISTAN



Country	Pakistan
City	Rawalpindi
Mobile No.	21301-0329663
Date of Issue	01.01.2018
Date of Expiry	03.01.2018

ایک ریپورٹ پر حلف!

28

25

تعمانہ اپنے علاقے کے لوگوں سے ہلکے بٹا جن کو روہی

میں لیا جانے بہادر کوٹ کے ایف شخص نے خودکشی کی ہے۔ میں نے اپنے علاقے آکر
 ولایت شاہ واقعہ کا ذکر کیا جو کہ ملانے کا صبر ہے۔ ولایت شاہ کو معلوم ہوا تو اس
 نے اسین گل کو لیا کہ صورت تمنا ہے جو واقعہ ہوا ہے اس کی بابت یہ میں لکھا ہے کہ
 آپ کا بیٹا زخمی ہوا ہے۔ اس پر ہم میں اسین گل اور ولایت شاہ کے ڈی ای
 ہسپتال روانہ ہوئے۔ ہسپتال پہنچے تو معلوم ہوا کہ عاصم آسین فوت ہو گیا تھا اور
 سردہ خانہ میں ڈرا تھا۔ وہاں سے ہم نے عاصم آسین کی نعش کو ایسپس میں
 ڈال کر بہادر کوٹ آگئے۔ اور ہم اپنے گھر علی گٹھ۔ یہ میرا بہادر ہے۔

شیر افضل
 14301-6878132-9

شکر رحمان نسیم لیا
 25/09/2019

2 ATTESTED

در سردہ خانہ

یہاں کوٹ کوہستان پر صفا!



شیراز احمد
27
مقامی

یہاں لہارہ اور بارہ بجے کے درمیان گھر میں موجود تھا کہ مجھے

پولیس نے اطلاع دی کہ آپ کے علاقے کا کوئی آدمی (کاٹھانے میں جا رہا تھا) جو
جس پر وہ علاقے میں آیا تو میں شیراز احمد کے گھر میں اس کے گھر کے ساتھ
گئے اور وہاں سے کے ڈی اے ہسپتال گئے۔ جہاں پر اس کے گھر کا بیٹا
مرد خانہ میں پڑا تھا۔ وہاں سے ہم نے فیشن ایجنسی میں ڈالی اور اپنے گھر
آ گئے۔ پولیس نے ہسپتال میں جھوٹے دستخط لے کر ہمیں گل کا بیٹا اور
ہم اپنے علاقے آکر فیشن ورثہ ساتھ ان کے گھر میں چھوڑ کر اپنے گھروں
کو چلے گئے۔ یہ ہمارا بیان ہے۔

شیراز احمد
25/09/2019

ولایت شاہ
14301-9502572-7

2
NOTED

سب سے پہلے لوگوں کو ایسے مسئلوں

نور رحمان ولد میر حسن شاہ سکندر حیات شہید کالونی کوٹاہ بہاولپور

76

میں بیوی لیا کہ سوغہ 8-24 بجے وقت 10:00 بجے صبح انوار الدین ولد محمد سعید اور عبداللہ
 کے ساتھ ساتھ کئی کئی کام کے سلسلے میں محمد ریاض شہید چھانم آئے بیوی تھے۔ میں
 ان سے خود درخاستم کر دیا۔ اور زمین پر کمر گیا۔ اس وقت میں اور دوسرے
 دو تین دن اس گھر میں گئے جہاں پر وہ شخص زخمی حالت میں پڑا ہوا تھا
 انٹرنیٹ پر تیار کیا کہ وہ شخص سر گیا ہے۔ اور اس کے وارثان کی پوری
 جوگ میں ہر چیز احتیاج کر رہے ہیں جس پر میں سوغہ 25/09/19
 کو صبح خود تھکانے گیا اور اپنا بیان دیکھا ڈکڑ کر دیا کہ اس دن اس
 شخص نے خود درخاستم کر کے خود کو زخمی کیا تھا۔ میں اس بات کا گواہ ہوں۔
 میرا بیان ہے۔

سنگر درویش تسلیم کیا۔
 Im-1, Kohat
 24/09/2019

2
 ATTACHED

میں نے یہ سب

۱۶۰۵ مریض کی اسپیشل ڈیوٹی لیو ہسپتال کو بائیا برصاف! (24)

مریض 24-8-19 کو صبح معمول اپنی ڈیوٹی پر تھا اس دوران مریض کو ڈی ایچ ایس ہسپتال لایا گیا اور مریض جان کنی کی حالت میں تھا۔ مریض کو ابتدائی طبی اسداد کی گئی۔ مگر وہ جانبر نہ ہو سکا۔ مریض سسیمی عمر عام ہیں کہ بون پر تشدد کی کوئی نشان نہ تھا۔ درمیان طرف کا سفید شلوک تھیں۔ سینے پر ٹیٹا تھا جس پر فون کے دھلیبے تھے۔ مقلوب کے سر کے دائیں جانب انٹری ووزلڈ (داخلی زخم) جو کہ ایک انچ اونچ اور عسبرنگ مارا گئی تھی۔ اور خارجی زخم سر کے بائیں جانب 2 انچ تھا۔ داخلی زخم کان سے 2 سنٹی میٹر اوپر تھا۔ خارجی زخم 4 سنٹی میٹر بائیں کان کے اوپر تھا۔ بون میں کسی قسم کی لہذا مرگ مقلوب نہیں تھی۔ مریض کی کھوپڑی گولی لگنے کی وجہ سے چھوڑا گیا تھا۔

دائیں اور بائیں جانب سوراخ ہو گئے تھے۔ متوقع طور پر مریض کی موت سر پر قریب سے گولی لگنے کی وجہ سے ہوئی ہوگی۔ کے مطابق مریض نے خود کشی کی تھی۔ اور دماغ کے اندرونی حرام صفر متاثر اور خون زیادہ بہنے سے ہوئی۔ یہ صراحتاً بیان ہے۔

شکر درستی تسلیم کیا۔
AM-1, Khat
24/09/2019

2
AFFECTED

اسین گل ولد حضرت گل سکنہ کمال چیل کوریا شاہ برحق!

23

بھائی کیا کہ صرف 24/9 کو صبح تقریباً 9:30 بجے سے گھر پر دستک ہوئی تو میرا بیٹا
 نام اسین در ہفت کرنا کے لیے باہر نکل اور کہا کہ سواری میں ان کو تھانہ ملدے تک چھوڑ کر
 آجائے اور والد سے رخصت کی وجہی اور مبلغ چاہیں نیز اور وہ بچے تاکہ رخصت کی قطعاً اور کر سکے۔
 اس روز بوقت 10:30 بجے گھر کا دروازہ زور سے کھلا اور چند افراد پولیس دردی
 میں داخل ہوئے تھے سب گھر میں داخل ہوئے۔ جن میں ایک کے نیم پلٹ ہو آیت اللہ
 لکھا تھا۔ ان کے ساتھ نہ کوئی لہوڑی کا نشانہ تھی نہ ہی حلقہ کا کوئی نشانہ اور
 نہ ہی شہر۔ انہوں نے بتایا کہ سب سے پہلے عام اسین نے سونے کی چوری کی ہے اور وہ
 سونے اور سونا گھر میں چھرا رکھا ہے اور اس کے گھر کی جامعہ ترائشی میں ملکر
 برآمد نہ کر سکے اور گھر میں خواتین کے کپڑوں کی بے حرمتی کی اور کچھ بھی برآمد
 نہ کر سکے اور چھوٹے سونے کے کپڑوں کی بے حرمتی کی اور کچھ بھی برآمد
 نہ کر سکے۔ تقریباً 11:00 بجے صبح میں شیر افضل اور ولایت شاہ جو بیچارے
 مجھے دیا ہیں نے اطلاع دی کہ اسین تھانہ صدر میں پولیس کی حراست میں رکھی گئی تھیں
 سے زخمی ہوا اور کے ڈی ای ہسپتال منتقل کیا گیا ہے۔ جس پر میں محبت داران کے
 ساتھ کے ڈی ای ہسپتال گیا تو اسین بیٹے کو مردہ حالت میں پایا اور مجھے بتایا گیا
 کہ سب سے پہلے نے خودکشی کی ہے۔ جبکہ مجھے یقین ہے کہ سب سے پہلے کو پولیس نے
 قتل کیا ہے۔ کیونکہ سب تو غسل کے دوران عام اسین کے سر پر تشدد کے نشانات
 پائے گئے ہیں جسکا ڈاکٹر نے رپورٹ میں ذکر نہیں کیا۔ اور گولی کے ٹکٹے اور ٹکٹے کی
 جگہ ڈاکٹر کی رپورٹ کے خلاف ہیں جو کہ تصدیق سے غائب ہیں۔ اس تصدیق
 جانفزاں ہوں جو کہ شامل کی ہوگی۔ مجھے قوی گمان ہے کہ اسین کو تشدد
 کرنے 5140 آیت اللہ محمد حسین اور دیگر ایسا ان تھانہ نے ملکر قتل کیا ہے۔ ان کے خلاف
 رسول امان ASI اور دیگر ایسا ان تھانہ نے ملکر قتل کیا ہے۔ ان کے خلاف
 F.I.R درج کرنے اور کارروائی عمل میں لائی جاوے۔

APR 2019

سنگر دست تسلیم کیا
 J.M. - 1
 24/09/19

اسین گل ولد حضرت گل
 14301-1922401-1

حلفاً بیان خان و عدہ آدی حال حضور ثناء الہم اراکین

حلفاً بیان کیا کہ آپ صبح میں ثناء الہم اراکین
سے بطور محرم ثقیات ہوں۔ میں نے ثناء کا مجد
ریکارڈ روزنامہ امد امتیازات دیکھے تھیں مجھے
اکرام الدین کی کوئی شہرتی درخواست نہیں
میں اور نہ ہی کسی دستخطی اس کی درخواست
کا اندازہ موجود پایا۔

سن کر درست تسلیم شد۔

شیر رسول صاحب انوار
04-02-2020

ATTESTED

16

الحمد 744 / 14C عمر ریحانہ R.S. کوہاٹ برصغیر

میں نے اپنے لیا کہ سورج 24-8 کو میں نے عمر ریحانہ دفتر روزنامہ ریحانہ رسول رحمان
 میں آئی وہ دیگر سولہ میں کی موجودگی میں کار سیکر میں معروف ہے کہ اس
 اتنا بوقت 10:15 صبح عمر حنیف P.S. اور مختیار 14C دفتر روزنامہ
 آئے اور لیا کہ مقدمہ عدالت نمبر 1239 سولہ 24-8 جرم 380 / PPC تھانہ MRS
 میں نافرذ ملزم محمد عامر امین ولد امین گل سکندہ کمال خیل کو گرفتار
 کر کے لائے ہیں اور ریکارڈ روم میں بٹھا ہے اور ملزم کو حوالہ دیا گیا ہے
 بند کر دو۔ اس دوران ریکارڈ روم سے فائٹنگ کی آواز سنائی دی
 میں مجھ دیگر عمر ریحانہ ریکارڈ روم لے کر ملزم خون میں لٹ پٹ
 پڑا تھا۔ رسول رحمان آئے اس آئی نے نقشہ ضرور مرتب کیا اور عدالت
 1239 سولہ 24-8 جرم 325-PPC درج رجسٹر ہوا۔ جو کہ رسول رحمان آئے اس
 آئی نے درج کی۔ یہ سب یہاں ہے۔

سند در دست تسلیم کیا۔

انوار علی آفیسر
16/09/19

2019
AT 1201

دستور

سید علی شہین نے ایس آئی ٹھکانہ محمد ریاض شہید کو یاں برفیل

75

صاف بیان کیا کہ برسر وقوعہ بدروان گشت مجھے اطلاع ملی جس پر میں ٹھکانہ
 M.R.S آیا۔ ٹھکانہ میں مجروح محمد عامر امین ڈیوٹی پر فیسر رسول رحمان
 نے ایس آئی نے حوالہ کیا جس پر میں مجروح کو سرکاری ٹیب ایب
 میں ڈال کر لے ڈی ای ہسپتال لے گیا۔ ہسپتال میں 11:05 صبح
 کر پہنچے تو ~~میں نے~~ مجروح کا لگتہ ضرور حوالہ ڈاکٹر لیا۔
 جو کہ بعد زخموں کا تاب نہ لاکر ہسپتال میں جاں بحق ہوا۔
 میں نے متوفی کا کاغذات رگ تیار کر کے حوالہ ڈاکٹر کے اور ایب
 پوسٹ مارٹم رپورٹ لکھ کر کووارٹن کے حوالہ کیا اور مجروح کو
 اطلاع دی کہ انٹرن بلا کے نوٹس میں واقعہ لکھ کر آئے۔
 یہ صبر بیان ہے۔

سید درستی تسلیم کیا۔

M. R. S. / انٹوائزی آفسر
16/9/19

ATTESTED

۲۵
L.H.C محمد رسالت تھانہ محمد باقی شہزاد کھارٹ برصغیر

(74)

سکا بیان کیا کہ میں وقوعہ کے روز روزنامہ میں موجود تھا کہ محمد حنیف اسی
 اور مختیار ۱۴۰ نے تھانہ محمد روزنامہ میں آکر بتلایا کہ میں نے محمد عامر امین
 کو گرفتار کر کے لائے ہیں اور ساتھ کمرہ میں بیٹھا ہے اس دوران
 ریکارڈ میں سے فائرنگ کی آواز سنائی دی جس پر میں پہرہ دیگر
 محمد رسالت ف ریکارڈ رقم گئے پھر ساتھ سو پین بھی تھے۔ جہاں پر
 محمد عامر امین زخمی حالت میں فون میں لبت پڑا تھا۔ جس
 پر رسول رحمان اے ایس آئی نے مجروح کا نقشہ ضرور بنایا اور
 پھر انے مشاہیر کی اطلاع کی گئی جس کے آنے پر نقشہ ضرور
 اور زخمی اس کے حوالہ کیے گئے۔ اس کے بعد رسول رحمان نے
 مقدمہ عدت ۱۲۳۹ مؤرخ ۲۹/۸/۲۹ درج رجسٹر کیا۔ مجروح محمد عامر
 امین کے ساتھ اپنے خود پستول بھی زمین پر پڑا تھا۔ یہ صراحتاً بیان

محمد رسالت تسلیم کیا۔
 Khet - 1 / انکوائری آفیسر
 16/09/19

ATTEST

23

مقام خان محرم سٹاف نجانہ محمد رضا فیض شہلا کواٹ برصفا!

1. بی بی اے کیا ہے یہ سولہ دیگر ہر اسٹاف نجانہ میں موجود تھا کہ اس اثنا و
 میں علی صنیف خان P.S.I اور مختیار حسین 1.04 روزانہ لکھتے تھے اور ان
 بچے اور آفتاب محرم سے کیا کم اہلیت 1236 میں مطلوب علیہ عامہ ہیں
 کو کر فٹا کر کے لاکر سالانہ روم میں بٹھا دیا اور اس کو دوران
 میں بہادر پور۔ اس دوران ناگہانی آواز سنائی دی جس پر
 ہم سالانہ روم لے گئے یہاں پر محمد عامر امین زخمی حالت میں
 خون میں لبت پٹیا تھا اور زخمی حالت میں تھا اور
 قریبت دستوں کی ڈیڑھی تھی۔ جس پر محرم نے اہلیت آفس کو
 اطلاع دی جس پر مشن یہ علی نے کہا کہ آکر علاج ہو جائے
 کو کہانہ سے فوراً ہسپتال لے گیا۔ مزید ڈیڑھی آفس میں
 میں محرم نے علاج سے نہایت 1239 درجہ صدمہ کی۔ یہ میں
 بیان ہے۔

سیکرٹری
 شہلا کواٹ
 دہلی

1. M. A. / 1239
 16/09/19

2
 ALI SHERIFF

75

پولیس سٹیشن MRS کوہاٹ برصغیر
50405

مقامی لیالہ وقوعہ کے روز بروز 24/8/19 میں جب موصول گشت پر تھا

کہ بزرگہ ڈائریس اطلاع موصول ہوئی جس پر میں نے (MRS) کو

آیا۔ تھانہ آنے پر معلوم ہوا کہ ملزم عاصم علی صاحب ولد اسحاق

مکان ضلع حال بیمار کوشا نے دیکھا دردم کے اندر اپنے آپ پر

فائرنگ کر کے خودکشی کر لی ہے۔ جس پر میں تھانہ آکر ہسپتال

روالہ ہوا۔ سنکر رسن تھانہ

JDA-1, Kohat
16/09/19

2
ATTACHED

(76)

بیان عبید اللہ ولد قادر خان پتہ۔ ہو دوری مدرسہ
کھانہ کوپاٹ، جبرما، تحصیل و ضلع کوپاٹ۔ مستقل پتہ۔ قوم
ماہوزئی تپہ میٹرکلام تحصیل مینار گڑھی، ڈاکخانہ غلیو، سہار
ماہوزئی، تحصیل ایرضلع اورکزئی ایجنسی۔

(59)

بیان کرنا ہوں کہ اس سے قبل میں نے اپنا
فصل بیان آپ انکو الٹری آفسیئر کے سامنے قلم بند
کر چکا ہوں۔ بروز وقوعہ صدر سالانہ صبرا موہائیل
منٹر 0332-9175966 موجود تھا۔ جو کہ سہواً منٹر
بیان میں غلطی کی وجہ سے 0332-9875966 درج
ہے۔ صدر موہائیل منٹر 0332-9675966 نہیں
ہے بلکہ صدر موہائیل منٹر 0332-9175966 ہے۔
درستگی کی جائے۔

سن کر درستی تسلیم شد۔

ATTESTED

سنٹر سول جج کوپاٹ
16.12.2019



پاکستان
پولیس فورسز
14301-85025
10/07/1974

29) ملا خان اسحاق لیچ اور پولیس اسٹیشن

31) راجہ اعجاز احمدی آفیسر -

متوفی ملزم عالم امین کی مقام بہادر کوٹ میں جوڑگی
 اطلاع ضمیمہ طور پر مختار حسین آئی ایچ سی کو ملی تھی اور مجھے
 بذات خود ضمیمہ اطلاع نہیں ملی تھی۔ بوقت روانگی مختار حسین
 آئی ایچ سی ضمیمہ ایس ایس آئی از تھانہ بہادر کوٹ تھے
 انہوں نے اطلاع نہیں دی تھی۔ اور نہ ہی مجھ سے اجازت طلب
 کی تھی۔ میں مورخہ 24/08/2018 بوقت 10:30 بجے گشت لڑھا۔
 اور تھانہ سے باہر تھا کہ مقام ملز امین سسرکاری والٹر لس کے
 ذریعے مقام ملز امین کے تھانہ ایس ایس میں گرفتار ملزم
 عالم امین نے خود کشی کی ہے۔ اس بڑے میں والٹر لس تھانہ
 آیا۔ اس وقت میرے ساتھ ایس ایس ایس نمبر 03459811138
 آن موجود تھا۔ مورخہ 24-08-2018 کو میں نے ملزم عالم امین
 کے گھوڑے کو تلاش نہیں کی ہے۔ ہمارے تھانے میں چار سسرکاری
 بیک اپ اور چار سسرکاری موٹر سائیکل موجود ہیں۔ مورخہ 24-08-2018
 کو مجھ ضمیمہ ایس ایس آئی اور مختار حسین آئی ایچ سی سسرکاری گاڑی
 یا سسرکاری موٹر سائیکل پر سوار ہو کر گرفتاری عالم امین کے لیے
 استعمال نہیں کی تھی مجھے معلوم نہیں ہے کہ مذکورہ دونوں
 پولیس اہلکار کس ذریعے سے بہادر کوٹ پہنچ کر ملزم
 عالم امین کو گرفتار کیا تھا۔ حد سرت تھانہ ایس ایس
 مورخہ 24/08/2018 وقت تھانہ میں پراکٹس لوگ اپنے مسئلوں

17-10-2019

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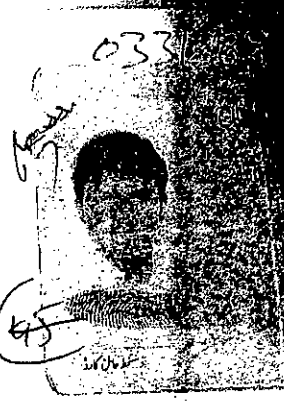
(جاری صرح پر حضرت اللہ العالیٰ اور)
ان میں سے کسی کو نہیں جانتا ہوں۔
ان کے نام بتاتا ہوں۔ جب فرم 24-08-2018

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... کے اندر مختلف مقامات پر گھر
... کی آرنسب ہیں البتہ کافی عرصہ سے خراب
... میں رکھا گیا ہے۔ مجھے معلوم نہیں
... کے اندر پلر کسایا گیا ہے۔
... اس کی معلومات ضرور تھانی کو ہوگی
... میں عاصم اعین نے خودکشی کی ہے وہ گھر
... اور وقت ضرورت
... میں شاف اور آئے والے جہاز بھی بیٹھتے ہیں۔
... میں ٹیبل اور کرسیاں بھی پڑی ہوئی ہیں اور اس
... کے اندر ایک وائٹ روم بھی موجود ہے۔ خودکشی کے گھر
... میں دو اور گھر ایک عدد (Bullet Mark) موجود ہے۔
... جسکی تھاکتھی کے بارے میں متعلقہ تفتیشی افسر کو علم
... ہے۔

سنجیدہ سہیل نسیم شہر -
17.10.2018

سید مولیٰ ج / اٹوالتی افسر

مد عبد حسنی شاہ قوم عشر زکی تہ
انڈی تحصیل الف اکرم ر ضلع کرم احسنی



ذہ بیوں اور دوکاندار بیوں - اکرم الدین

اور عبد اللہ پیر درساہ میں - اکرم الدین نے فحانہ ایم ار اس میں
درخواست دی تھی کہ اس نے اپنی دوکاندار بیوں کو مابکمل فروخت
کیا جو اس کے سینے نہیں رہتا ہے اور اس سلسلے میں اکرم الدین
اور عبد اللہ مورخہ 24-08-2019 کو فحانہ ایم ار اس پر لے گئے
اور فحانہ ایم ار اس کو کیا تھا۔ لہذا میں مورخہ 24-08-2019 کو بیوت
۱۰ بجے صبح فحانہ ایم ار اس سے تہمتا تو تھا کہ باہر اکرام الدین اور عبد اللہ
موجود تھے۔ ان سے ملاقات کی اور کچھ بات چیت کی اس کے
لہذا ہم بیوں فحانہ کے اندر گئے۔ اور مکہ محمدان بہتے
وہاں پر بہت رش تھا اور کافی لوگ موجود تھے۔ اس پر

عصمت
17-10-2019

اکرام الدین اور عبد اللہ باہر برآمدے میں ٹھہر گئے جبکہ
میں مکہ محمدان کے اندر جا کر اکرام الدین کی درخواست
کے بارے میں وہاں پر موجود پولیس ایگاز سے دریافت
کیا۔ لیکن رش زیادہ ہوتا کہ وہ سے میں مکہ محمدان
سے باہر آتا تو سامنے ایک گھر کا دروازہ کھلتا تھا جس
کے اندر ایک شخص کھڑا تھا اور پندرہ بیوتوں اس نے اپنے
سر پر ٹائٹ کر کے گھر پر اس میں نہ بہ دتو وہ خود چشم بند رکھا
اتنے میں جملہ پولیس ٹوٹ ہوگے اور پولیس ایگازان
بھاگ کر ہوئے۔ اور بعد میں پولیس نے ان

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حاجی شہزادہ نور محمد خان ولد شہزادہ حسن

کے ہوگوں کو تھانے سے رجعت کروا دیا۔ بعد میں

بہتر ہوئے اور معلوم ہوا کہ وہ شخص فوت ہو چکا

ہے اور اس کے رشتہ داران نے جلوس نکال دیا کہ

اس شخص نے خودکشی نہیں کی تھی بلکہ بولس پھسل

گیا تھا اس لیے چونکہ میں اس شخص کی خودکشی

کا بیڑا خود ہی گواہ ہوں اس لیے میں اپنی

مرضی سے اگر ایم اے ایس اسکواران کو بتانا

کہ میں اس شخص کی خودکشی کا چشم دید گواہ ہوں

اللہ کی رضا کیلئے درست شہادت دینے کو تیار

ہوں۔ جس شخص نے خودکشی کی تھی مجھے اس کا

نام عالم حسین معلوم ہوا ہے۔ جس کو

میں نہیں جانتا تھا اور نہ ہی میرا اس کیس کا پتہ

اس کے خاندان کیسے کوئی تعلق یا تعلق

ہے۔ حکم بولس میں میرا کوئی رشتہ دار نہیں

ہے۔ اور میں اللہ کی رضا کی خاطر شہادت دے رہا

ہوں۔ بوقت وقوعہ میں میرا سالہ عمر تھی۔

17-10-2018

شہزادہ نور محمد خان

میر
کو
علامہ

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شہزادہ نور محمد خان

(جاری صیرجہ بر محمد حسین)

اور ساتھ ہی کافی پولیس ایسکاران ملحقہ لبرالٹی
 کے لئے بھی فائر کے کچرے کی طرف دھڑک کر آئے ہیں بھی کمرہ

(88)

کے اندر گیا اور دیکھا کہ وہیں رکشہ ڈرائیور خون میں
 لٹ پڑا تھا۔ بعد میں اس شخص کا نام عام
 امین معلوم ہوا جس نے خود پر ایک ٹائر کر کے تھانہ
 ایچ ایم اے کے کچرے کے اندر فورکشی کی ہے اور
 صیری رائے کے مطابق عام امین نے فورکشی کی
 ہے اور اس کو کسی نے قتل نہیں کیا ہے۔ صیری
 رائے اور تجربے کے مطابق ڈرائیور عام امین جب
 رکشہ میں سامان لاکر بیٹھ رہا تھا کہ اندر
 بیٹھا اس وقت شاید اس نے رکشہ سے سٹارٹ
 لے کر اپنے لبرالٹی میں چھپا کر مذکورہ بالا دو
 پولیس ایسکاران کے ساتھ تھانے کے اندر گیا۔ اور
 فورکشی کی۔ اس دوز بوقت وقوع صیری سے
 موبائل نمبر 03365292503 آن موجود تھا۔

سن کر درست تسلیم شد

سنٹر سول جی کوٹہ
 04-11-2019

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بیان ازاں محمد حنیف خان PASI تھانہ MRS

مورخہ 24.08.2019 تھانہ میں ہمراہ مختیار حسین IHC موجود تھے کہ مختیار حسین IHC کو موبائل فون پر فحش نے اطلاع دی کہ مورخہ 22.08.19 کو جس رکشہ ڈرائیور نے سونا برز وچھین کر لے گیا تھا وہ موضع بہادر کوٹ میں رکشہ سمیٹ موجود ہے۔

میں معہ مختیار حسین IHC فوری طور پر منجبر کی نشان زدہ جگہ پر جا کر دیکھا کہ رکشہ نمبر UR-018 کھڑا ہے اور ڈرائیور سے معلومات کرنے پر اپنا نام محمد عاصم امین ولد امین گل سکنہ کمال خیل بتلایا۔ ملزم محمد عاصم نے تو افعال اپنی جائز گرفتاری پیش کر کے جامعہ تلاشی لینے کے بعد گرفتار کیا اور رکشہ متذکرہ ہالائے ہمراہ تھانہ لایا۔ رکشہ تھانہ کے پارکنگ میں کھڑا کر کے ملزم محمد عاصم امین کو بغرض بندش حوالات دفتر مشاف کی طرف روانہ کرتے ہوئے میٹھی کے قریب پہنچے تو ملزم مذکورہ نے استدعا کی کہ وہ رکشے میں ضروری سامان سنبھالتا ہے۔ ملزم رکشہ کے پاس گیا چند لمحہ بعد واپس ہو کر دفتر مشاف (دفتر روزنامہ) میں دیگر پرائیویٹ لوگوں کو موجود پانے پر ملزم مذکورہ کو دفتر مشاف کے بالمقابل دفتر ریکارڈ روم میں بیٹھایا۔ مشاف سے ملزم کو حوالات میں بند کرنے کا کہا۔

اسی اثناء میں ریکارڈ روم کی طرف سے فائر کی آوازیں آئیں، مشاف و دیگر موجود پرائیویٹ کسان ریکارڈ روم کی طرف فوری طور پر گئے۔ ملزم محمد عاصم امین کو زخمی حالت میں پڑا پایا اور ساتھ 30 بورسٹول پڑی تھی۔ ملزم مجروح محمد عاصم امین کو باہر ادو دیگر مشاف بسواری سرکاری گاڑی میں ڈال کر زیر نگرانی مشاہد علی ASI و کانسٹیبل ذیشان نمبر 839 بغرض علاج معالجہ ڈی اے ہسپتال روانہ کیا۔ رسول الرحمن ASI نے خود کشی کے اقدام کرنے پر ملزم مجروح محمد عاصم امین کے خلاف مجرم PPC 325 مقدمہ درج رجسٹر کیا۔
دوہ ہذا میرے روزنامہ میں مندرجہ مشاف اور تھانہ میں موجود پرائیویٹ کسان کا بھی چشم دید ہے۔ یہ براہیان ہے۔


محمد حنیف، PASI تھانہ MRS

27.08.2019 مورخہ

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بیان ازاں سنتری کانشیل محمد شبیر احمد نمبر 252 تھانہ MRS

مورنہ 24.08.2019 کو میں صبح 10 بجے تا 2 بجے تک تھانہ کے مین گیٹ میگزین ڈیوٹی پر موجود تھا کہ ایک رکشہ برنگ زرد نمبری 018-UR آکر معلومات کیلئے روکا۔ رکشہ کے ڈرائیور سیٹ پر ایک جوان، ساتھ مختیار حسین (HC) اور اسی رکشے کے پچھلی سیٹ پر محمد حنیف خان PASI بیٹھا ہوا تھا۔

میں نے پیراٹھا کر تھانہ کے مین گیٹ کھول کر رکشے کو تھانہ میں داخل ہونے دیا۔ رکشہ داخل ہونے کے بعد میں نے تھانہ کا مین گیٹ بند کیا اور ڈیوٹی سرانجام دینے لگا۔

تھوڑی دیر بعد تھانہ کے اندر بننے فائر کی آواز سنی گئی۔ میں فوراً دفتر محرر کی طرف آ کر دیکھا کہ محرر شاف ودیگر پرائیویٹ کسان ریکارڈ روم کے سامنے کھڑے تھے معلوم ہوا کہ رکشہ ڈرائیور نے اپنے اوپر بارادہ خودکشی فائرنگ کر کے زخمی ہوا ہے۔ محرر کو سڑکاری گاڑی میں ڈال کر طبی امداد کیلئے ہسپتال روانہ کرتے ہی میں نے مین گیٹ کھولا۔ یہ میرا بیان ہے۔

سنتری کانشیل محمد شبیر احمد تھانہ MRS

تاریخ 27.08.2019

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بیان ازاں سید محمد قاسم AMHC تھانہ MRS

مورخہ 24.08.2019 تھانہ میں ہمراہ دفتر سٹاف و دیگر پرائیویٹ کسان اپنے دفتر میں موجود تھے کہ محمد حنیف خان PASI اور مختیار حسین IHC دفتر روزنامہ آکر محرر آفتاب کو بتایا کہ ملزم محمد عاصم امین منٹلو بہ بحوالہ مقدمہ علت 1236 مورخہ 24.08.2019 جرم 382/34PPC تھانہ MRS کو گرفتار کر کے لا کر ریکارڈ روم میں بیٹھایا ہے اور ملزم کو حوالات میں بند کرنے کا کہا۔

اسی اثناء میں ریکارڈ روم کی طرف سے فائر کی آواز سن کر میں، محرر سٹاف و دیگر موجود پرائیویٹ کسان ریکارڈ روم کی طرف فوری طور پر گئے۔ ملزم محمد عاصم امین کو زخمی حالت میں پڑا پایا اور ساتھ 30 بورسٹول پڑی تھی۔ ملزم محمد عاصم امین کو بالمداد دیگر سٹاف سرکاری گاڑی میں ڈال کر زیر نگرانی مشاہد علی ASI و کانسٹیبل ذیشان نمبر 839 بغرض علاج معالجہ کے ڈی اے ہسپتال روانہ کیا۔ رسول الرحمن ASI نے خودکشی کے اقدام کرنے پر ملزم محمود محمد عاصم امین کے خلاف جرم 325PPC مقدمہ درج رجسٹر کیا۔

دفعہ ہذا میرے روزنامہ میں محرر سٹاف اور تھانہ میں موجود پرائیویٹ کسان کا بھی چشم دید ہے۔ یہ میرا بیان ہے۔

سید محمد قاسم AMHC تھانہ MRS

تاریخ 27.08.2019

ATTESTED

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بیان ازاں عاٹف خان LHC تھانہ MRS

مورخہ 24.08.2019 تھانہ میں ہمراف دفتر شاف و دیگر پرائیویٹ کسان اہ پنے دفتر میں موجود اتھے کہ محمد حنیف خان P ASI اور مختیار حسین IHC دفتر روزنامچہ آ کر بتایا کہ ملزم محمد عاصم امین مطلوبہ بہتالہ مقدمہ علت 1236 مورخہ 24.08.2019 جرم 382/34 PPC تھانہ MRS کو گرفتار کر کے لاکر ریکارڈ روم میں بیٹھایا ہے اور ملزم کو حوالات میں بند کرنے کا کہا۔

اسی اثناء میں ریکارڈ روم کی طرف سے فائر کی آواز سن کر میں، محرر شاف و دیگر موجود پرائیویٹ کسان ریکارڈ روم کی طرف فوری طور پر گئے۔ ملزم محمد عاصم امین کو زخمی حالت میں پڑا پایا اور ساتھ 30 بور پستول پڑی تھی۔ ملزم مجروح محمد عاصم امین کو با امداد دیگر شاف سرکاری گاڑی میں ڈال کر زیر نگرانی مشاہد علی ASI و کانسٹیبل ذیشان نمبر 839 بغرض علاج معالجہ کے ڈی اے ہسپتال روانہ کیا۔ رسول الرحمن ASI نے خود کشی کے اقدام کرنے پر ملزم مجروح محمد عاصم امین کے خلاف جرم 325 PPC مقدمہ درج رجسٹر کیا۔

دقوعہ ہذا میرے، روزنامچہ میں محرر شاف اور تھانہ میں موجود پرائیویٹ کسان کا بھی چشم دید ہے۔ یہ میرا بیان ہے۔

عاٹف خان LHC تھانہ MRS

تاریخ 27.08.2019

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(87)

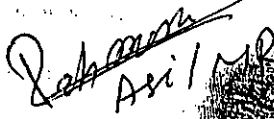
بیان ازاں رسول الرحمن ASI تھانہ MRS

بروز وقوعہ مورخہ 24.08.2019 کو میں تھانہ میں موجود تھا کہ بحوالہ مقدمہ علت 1235 مجرم PPC 382 تھانہ MRS میں نامزد ملزم محمد عاصم امین گل سکھ کمال خیل کو محمد حنیف Pasi اور مختیار حسین IHC نے گرفتار کر کے تھانہ لا کر دفتر محرر کے بالمقابل ریکارڈ روم دفتر میں بیٹھایا اور محرر شاف کو ملزم کو حوالا میں بند کرنے کے بارے میں ہدایت کی۔

اسی اثناء میں ریکارڈ روم کی طرف سے فائر کی آواز سنی گئی میں بمعہ محرر شاف و دیگر موجود پرائیویٹ کسان کے فوراً ریکارڈ روم کی طرف جا کر دیکھا کہ ملزم محمد عاصم امین خون میں لت پت زمین پر پڑا تھا اور ساتھ ہی پستول بھی موجود تھی۔ ملزم محمد عاصم مذکورہ نے اپنے اذیت اپنی ہی پستول سے بار اداہ خودکشی فائر کر کے خودکشی کی کوشش کی ہے۔ ملزم مجروح کا نقشہ ضرر مرتب کر کے زیر نظر انی مشاہد علی ASI و کانسٹیبل ذیشان نمبر 839 بسواری سرکاری گاڑی بغرض علاج معالجہ کے ڈی اے ہسپتال روانہ کیا۔ خودکشی کے اقدام کرنے پر ملزم مجروح محمد عاصم امین کے خلاف مجرم PPC 325 مقدمہ درج رجسٹر کیا۔

میں نے موقع پر حالات و واقعات کو مد نظر رکھتے ہوئے تفتیش شروع کی۔ وقوعہ ہذا میرے، روز مجھ میں محرر شاف اور تھانہ میں

موجود پرائیویٹ کسان کا بھی چشم دید ہے۔ یہ میرا بیان ہے۔


MRS ASI تھانہ

تاریخ 27.08.2019

ALTESTED

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بیان ازاں آفتاب احمد MHC تھانہ MRS

مورخہ 24.08.2019 تھانہ میں ہمراہ دفتر سٹاف و دیگر پرائیویٹ کسان اپنے دفتر میں موجود تھے کہ محمد حنیف خان P A S I اور مختیار حسین I H C دفتر روزنامہ آکر بتایا کہ ملزم محمد عاصم امین مطلوبہ بحوالہ مقدمہ علت 1236 مورخہ 24.08.2019 جرم 382/34 PPC تھانہ MRS کو گرفتار کر کے لا کر ریکارڈ روم میں بیٹھایا ہے۔ حوالات میں بند کرنے کا کہا۔

اسی اثناء میں ریکارڈ روم کی طرف سے فائر کی آواز سن کر میں، محرر سٹاف و دیگر موجود پرائیویٹ کسان ریکارڈ روم کی طرف فوری طور پر گئے۔ ملزم محمد عاصم امین کو ذمہ حالت میں پڑا پایا اور ساتھ 30 بورسٹول پڑی تھی۔ ملزم مجبوراً محمد عاصم امین کو ہالہ داد دیگر سٹاف سرکاری گاڑی میں ڈال کر زیر نگرانی مشاہد علی ASI و کانسٹیبل ذیشان نمبر 839 بغرض علاج معالجہ کے ڈی اے ہسپتال روانہ کیا۔ رسول الرحمن ASI نے خودکشی کے اقدام کرنے پر ملزم مجبوراً محمد عاصم امین کے خلاف جرم 325 PPC مقدمہ درج رجسٹر کیا۔

دفعہ ہذا میرے، روزنامہ میں محرر سٹاف اور تھانہ میں موجود پرائیویٹ کسان کا بھی چشم دید ہے۔ یہ میرا بیان ہے۔

آفتاب احمد MHC تھانہ MRS

تاریخ 27.08.2019

ATTESTED

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بیان ازالہ مختیار IHC تھانہ MRS

مورخہ 22.08.2019 کو مہمی معراج احمد ولد محمد غنی سکند قوم ماموزئی حال حیات شہید کا وئی تھانہ آکر رپورٹ کہ مجھ سے بہرہ کام کالو چند بانڈہ کیکر درختان تین نامعلوم کسان نے دو تو لے سونا اور 2000 روپے نقد بڑوڑ چھین لئے اور لٹہ میں فرار ہو گئے۔ رپورٹ درج روز نامچہ ہو کر تقلمد بغرض انکواری من IHC کو مارک ہوئی جس پر حقیقت معلوم کرنے کیلئے انکواری زیر دفعہ (ا) 157 ض ف شروع کی بعد انکواری کے معلوم ہوا کہ دو محمد عاصم امین ولد امین گل سکند نصر خیل اکمال اور اسکے دو ساتھیوں (اسم مسکن نامعلوم) کے کارستانی ہے جس پر جناب ایس ایچ ا صاحب نے مقدمہ علت 1236 مورخہ 19.07.2024 جرم 382/34 PPC برخلاف نامزد ملزم و دیگر نامعلوم ملزمان درج رجسٹر کیا۔

انکواری کے دوران من IHC ہنے نامزد ملزم کی گرفتاری کے لئے انفارمرفیہ کو مقرر کیا۔ انفارمرفیہ نے بذریعہ موبائل فون اطلاع دی کہ مطلوبہ رکشہ نمبری UR-018 معہ ڈرائیور کے موضع بہادر کوٹ میں موجود ہے۔ محمد حنیف خان FASI ہمراہ ملزم کی گرفتاری کیلئے بتائی گئی جگہ پر جا کر رکشہ متذکرہ معہ ڈرائیور کے کھڑا پایا۔ ڈرائیور نے دریافت پر اپنا نام محمد عاصم امین ولد امین گل سکند کمال خیل بتلایا۔ ملزم محمد عاصم نے تو لاً فعلاً اپنی جائز گرفتاری پیش کر کے جامعہ تلاشی لینے کے بعد گرفتار کیا اور رکشہ متذکرہ بالا کے ہمراہ تھانہ لایا۔ رکشہ تھانہ کے پارکنگ میں کھڑا کر کے ملزم محمد عاصم امین کو بغرض بندش حوالات دفتر محرشاف کی طرف روانہ کرتے ہوئے بیڑی کے قریب پہنچے تو ملزم مذکورہ نے استدعا کی کہ وہ رکشے میں ضروری سامان سنبھالتا ہے۔ ملزم رکشہ کے پاس گیا چند لمحہ بعد واپس ہو کر دفتر محرشاف میں دیگر پرائیویٹ لوگوں کو موجود پانے پر ملزم مذکورہ کو دفتر محرر کے بالمقابل دفتر ریکارڈ روم میں بیٹھایا۔ محرشاف سے نام کوالات میں بند کرنے کا کہا۔

اسی اثناء میں ریکارڈ روم کی طرف سے فائر کی آوازیں کر میں، محرشاف و دیگر موجود پرائیویٹ کسان، ریکارڈ روم کی طرف فوری طور پر گئے۔ ملزم محمد عاصم امین کو زخمی حالت میں پڑا پایا اور ساتھ 30 بورپستول پڑی تھی۔ ملزم مجروح محمد عاصم امین کو بالمداد دیگر شفاف بسواری سرکاری گاڑی میں ڈال کر زیر نگرانی مشاہد علی ASI و کانسٹیبل ذیشان نمبر 839 بغرض علاج معالجہ کے ڈی ہسپتال روانہ کیا۔ رسول الرحمن ASI نے خودکشی کے اقدام کرنے پر ملزم مجروح محمد عاصم امین کے خلاف جرم 325 PPC مقدمہ درج رجسٹر کیا۔

دفعہ ہذا میرے، روز نامچہ میں محرشاف اور تھانہ میں موجود پرائیویٹ کسان کا بھی چشم دید ہے۔ یہ میرا بیان ہے۔

مختیار حین IHC تھانہ MRS

تاریخ 27.08.2019

ACCEPTED

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بیان ازاں مشاہد علی ASI تھانہ MRS

مورخہ 24.08.2019 کو میں گشت ڈیوٹی پر تھا کہ تھانہ سے اطلاع ملی کہ ایک جوان نے تھانہ میں اقدام خودکشی کی ہے فوری طور پر تھانہ آ کر دیکھا کہ محرر شاف ودیگر پرائیویٹ کسان ریکارڈ روم کے سامنے کھڑے تھے معلوم ہوا کہ ایک رکشہ ڈرائیور نے اپنے اوپر فائر کر کے زخمی ہوا ہے۔ مجروح کو سرکاری پیک اپ میں فوری طبی امداد کیلئے ہمراہ کانسٹیبل ذیشان 839 کے ڈی اے ہسپتال لے جایا گیا جہاں ڈاکٹر صاحب نے مجروح کی فوری طبی امداد مہیا کی۔ میں ہسپتال میں موجود تھا کہ مجروح زخم کی تاب نہ لا کر جاں بحق ہوا۔

مجروح کی موت کی اطلاع بذریعہ موبائل فون محرر تھانہ کو دی۔ اس دوران متوفی کے وارثہ بھی ہسپتال آ پہنچے۔ میں نے متوفی کے کاغذات مرگ تیار کر کے بحفاظت کانسٹیبل ذیشان 839 بغرض پوسٹ مارٹم رپورٹ ڈاکٹر صاحب کے حوالے کئے۔ ڈاکٹر صاحب نے بعد پوسٹ مارٹم کے نقش حوالہ وارثہ کی یہ میرا بیان ہے۔

مشاہد علی ASI تھانہ MRS

تاریخ 27.08.2019

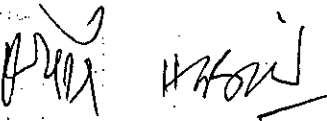
ATTESTED

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بیان ازاں محمد حسین ولد اقبال حسین سکند بڑھ حال مسلم ٹاؤن گلی نمبر 3

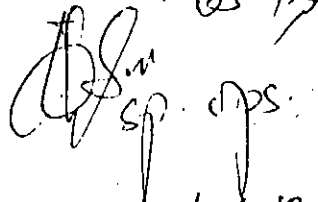
حلفاً بیان کرتا ہوں کہ مورخہ 24.08.2019 کو میں نجی کام کے سلسلے میں تھانہ MIRS میں آیا تھا۔ محن تھانہ میں کھڑا تھا کہ تھانہ کے اندر ایک رکشہ داخل ہو کر پارکنگ کی جگہ پر کھڑا ہوا۔ رکشہ سے تین کسان جس میں محمد حنیف PASI مختیار حسین IHC اور ایک پرائیویٹ شخص اتر کر روزنامہ کی طرف آتے ہوئے مذکورہ شخص جسکا نام بعد میں محمد عاصم آمین معلوم ہوا نے پولیس اہلکاران کو کہا کہ رکشہ میں اسکا کوئی ضروری سامان ہے وہ سنبھالتا ہے۔ رکشہ کو جا کر رکشہ میں داخل ہوا چند لمحہ بعد واپس ہو کر پولیس والے اس سے روزنامہ کی طرف لے گئے۔

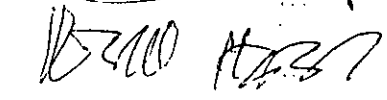
کچھ وقفہ بعد ایک فائر کی آواز سنائی دی۔ پولیس اہلکاران تھانہ میں دیگر پرائیویٹ کسان ذرا الے کرے کی طرف دوڑے۔ میں بھی گیا اس کرے میں یہی محمد عاصم آمین خون میں لت پت فرش پر پڑا اور اسکے قریب ہسٹول بھی پڑی تھی۔ پولیس والوں نے ہسٹول قبضہ میں لیکر مذکورہ ڈچی کو باامداد پولیس موبائل پک اپ میں ڈال کر علاج معالجہ ہسپتال لے گئے۔ یہ میرا بیان ہے۔


محمد حسین ولد اقبال حسین

تاریخ 03.09.2019

کرامت : جب اسی لمحہ میں آواز سنائی دی اور میں سے سامان سنبھالنے لگا تو
آپ کو کچھ گھوڑے گئے۔
جواب : جی ہاں، میں نے سب کچھ لے لیا اور وہاں سے اتر کر روزنامہ
سے باہر نکلا تھا۔


4/9/2019


محمد حسین ولد اقبال حسین

ATTESTED

(92)

بیان ازاں نور الرحمن ولد میر حسن سکند علی شیر زئی سپہ میر محمد خیل صدہ ضلع کرم

0334-3388248

حلقاً بیان کرتا ہوں کہ مورخہ 24.08.2019 کو بوقت 10:00 بجے ہمراہ آرام الدین ولد محمد سعید سکند میا نگانی کالونی، عبید اللہ ولد قادر خان سکند خواسی باغہ جرما کے ساتھ کسی کام کے سلسلے میں تھانہ MRS آئے تھے۔ میں دفتر محرر تھانہ سے نکل کر سامنے والے کمرے میں ایک شخص کھڑا اور پستول ہاتھ میں تھی۔ اپنے آپ پر پستول سے سر پر رکھ کر فائر کیا۔ فائر ہوتے ہی زمین پر گر پڑا جسکو میں اپنے آپ فائر کرتے وقت دیکھا تھا اس وقت کمرے میں اس شخص کے علاوہ دیگر کوئی شخص موجود نہ تھا۔ فائر ہوتے ہی پولیس دالے اور پرائیویٹ کسان محرر کے کمرے سے نکل کر میں بھی پولیس والوں کے ساتھ کمرے کے اندر دیکھا کہ کمرے میں موجود شخص زخمی حالت میں پڑا تھا۔ پولیس اور پرائیویٹ لوگوں کی جم گھڑ بن کر پولیس والوں نے ہمیں باہر جانے کو کہا اور میں باہر جا کر گھر خود چلا گیا۔

شام کو پتہ چلا کہ زخمی شخص جاں بحق ہوا ہے اور اسکے وارثوں نے اسکی لاش کو کچھری چوک لے جا کر پولیس کے خلاف احتجاج کیا تھا کہ یہ لوجوان کو پولیس والوں نے تھانہ میں قتل کیا ہے۔ مورخہ 25.08.19 کو اس سلسلے میں تھانہ آ کر اپنا بیان ریکارڈ کرایا کہ اسی دن تھانہ میں کمرے کے اندر موجود شخص نے اپنے آپ پر فائر کر کے زخمی کیا تھا یہ میرا بیان ہے۔

سوال: تم نے خود پستول آگے سے لے کر دیکھا تھا۔

جواب: جی ہاں دیکھا تھا۔

سوال: اسے بائیں کوئی شخص دھرا کر خود لگا۔

جواب: نہیں اور کوئی دیکھ کر شخص خود لگا۔

Attested

Handwritten signature

4/1/2019
Superintendent of Police
Quetta
Kohat

ATTESTED

نور الرحمن ولد میر حسن

تاریخ 03.09.2019

نور الرحمن ولد میر حسن محل صا

Handwritten signature

(93)

بیان ازاں نور الرحمن ولد میر حسن سکند علی شیر زئی سپہ میر احمد خیل صدہ ضلع کرم

334-3388248

حلفاً بیان کرتا ہوں کہ مورخہ 24.08.2019 کو بوقت 10:00 بجے ہمراہ اکرام الدین ولد محمد سعید سکند میاں گانی کالونی سعید اللہ ولد قادر خان سکند خواہی بانڈہ جرمہ کے ساتھ کسی کام کے سلسلے میں تھانہ MRS آئے تھے۔ میں دفتر محرر تھانہ سے نکل کر سامنے والے کمرے میں ایک شخص کھڑا اور پستول ہاتھ میں تھی۔ اپنے آپ پر پستول سے سر پر رکھ کر فائر کیا۔ فائر ہوتے ہی زمین پر گر پڑا۔ ہسکوش اپنے آپ فائر کرتے وقت دیکھا تھا اس وقت کمرے میں اس شخص کے علاوہ دیگر کوئی شخص موجود نہ تھا۔ فائر ہوتے ہی پولیس والے اور پرائیویٹ کسان محرر کے کمرے سے نکل کر میں بھی پولیس والوں کے ساتھ کمرے کے اندر دیکھا کہ کمرے میں موجود شخص زخمی حالت میں پڑا تھا۔ پولیس اور پرائیویٹ لوگوں کی جم گھبہ بن کر پولیس والوں نے ہمیں باہر جانے کو کہا اور میں باہر جا کر گھر خود چلا گیا۔

شام کو پتہ چلا کہ زخمی شخص جاں بحق ہوا ہے اور اسکے وارثاء نے اسکی لاش کو پکھری چوک لے جا کر پولیس کے خلاف احتجاج کیا تھا کہ یہ نوجوان کو پولیس والوں نے تھانہ میں قتل کیا ہے۔ مورخہ 25.08.19 کو اس سلسلے میں تھانہ آ کر اپنا بیان ریکارڈ کرایا کہ اسی دن تھانہ میں کمرے کے اندر موجود شخص نے اپنے آپ پر فائر کر کے زخمی کیا تھا یہ میرا بیان ہے۔



نور الرحمن ولد میر حسن

تاریخ 03.09.2019

سوال: تم نے خود پستول آگے کیا اور (بگھا گیا)۔

جواب: ہاں، (بگھا گیا)۔

سوال: آگے یا اس کوئی شخص دہرا خود کھا۔

جواب: ہاں، میں اور کوئی دیکھ نہیں خود کھا۔

Attested

[Signature]

4/9/19
SUPERINTENDENT OF POLICE
DIPLOMA
KONJAT

2
ATTESTED

نور الرحمن ولد میر حسن صاحب کا لکھنا



(94)

بیان ازاں سابقہ کونسلر شیر افضل ولد مختیار خان سکنہ محلہ نئی آباد (بہادر کوٹ)
0334-8481566

حلفاً بیان کرتا ہوں کہ مورخہ 24.08.2019 کو میں کسی شخص کی ضمانت کے سلسلے میں تھانہ MRS آیا اور معلوم ہوا کہ تھانہ میں کسی شخص نے اپنے آپ پر فائر کر کے خودکشی کی ہے جس کا نام محمد عاصم امین سکنہ بہادر کوٹ ہے میں واپس گاؤں بہادر کوٹ جا کر معلومات کرنے پر معلوم ہوا کہ محمد عاصم امین مسی امین گل سکنہ نصر خیل کمال خیل کا بیٹا ہے جو بہادر کوٹ میں کرایہ پر ہائوس پذیر تھے جسکو اطلاع دی کہ آپ کے بیٹے نے تھانہ میں اپنے آپ پر فائر کر کے خودکشی کی ہے اور زخمی حالت میں ہسپتال منتقل کیا گیا ہے۔ یہ میرا بیان ہے۔



سابقہ کونسلر شیر افضل ولد مختیار خان

تحریر 03.09.2019

سوال: آپ کیسے سے بہادر کوٹ تھانہ میں آئے اور خودکشی کی ہے۔
جواب: بہادر کوٹ کے ایک رکن کے جیسے والد کا نام محمد عاصم امین ہے اور اس کا مکان مشاہد سوپر چیمبر امین پورج چیمبر سارا تھا اور 216 کے کی ملائی ہوئی تھی اسکی ضمانت دہانے کے بعد تھانہ میں آئے اور وہیں اسے فائر کر کے خودکشی ہوئی ہے۔



Attested
Superintendent of Police
Operation
Kohat

ATTESTED

ATTESTED

Supervision
Operational Office
Kohat

4/9/17
sp. ops.
[Signature]

[Signature]

[Handwritten Urdu text]
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔

03.09.2019

[Signature]
[Fingerprint]

[Handwritten Urdu text]
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔
میں نے اس کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔

333-9618008
ان کے بارے میں جاننا چاہتا تھا کہ وہ کیا کر رہا ہے۔

(95)

APPROVED

Monday 9/17/19
SP
P.S.
Attornal

محمد سعید خان

03.09.2019

محمد سعید خان

216 جے ایم پی ایف کے بارے میں جاننے کے لیے درخواست کی ہے۔
میں نے اس بارے میں جاننے کے لیے درخواست کی ہے۔
میں نے اس بارے میں جاننے کے لیے درخواست کی ہے۔
میں نے اس بارے میں جاننے کے لیے درخواست کی ہے۔
میں نے اس بارے میں جاننے کے لیے درخواست کی ہے۔

336-1043523

96

ATTESTED

Superintendent of Police
Cantonment
Kashmir

[Signature]

[Signature]

03.09.2019

03.09.2019

آفیسر برائے برائے برائے



میں نے اس پر دستخط کیے ہیں اور اس پر اپنے دستخط کیے ہیں۔
میں نے اس پر دستخط کیے ہیں اور اس پر اپنے دستخط کیے ہیں۔
میں نے اس پر دستخط کیے ہیں اور اس پر اپنے دستخط کیے ہیں۔
میں نے اس پر دستخط کیے ہیں اور اس پر اپنے دستخط کیے ہیں۔

0331-4731661
پتہ: برائے برائے برائے

97

(99)

بیان ازاں عبید اللہ ولد قادر خان سکنہ تیراہ حال خواہی باغہ برما

۰۳۳۹ - ۹۱۷۵۹۶۶

حلفاً بیان کرتا ہوں کہ مورخہ 24.08.2019 کو میں معہ خالد زاد کسی اکرام الدین ولد محمد سعید حال جرما کے ساتھ کسی کام کے سلسلے میں
تھانہ MRS آئے تھے تھانہ کے برآمدے میں ہم دونوں موجود تھے کہ دفتر محرر کے سامنے کمرے سے ایک فائر کی آواز سن کر پولیس والے اور ہم
دونوں کمرے کے اندر جا کر دیکھا کہ ایک شخص نے پستول سے اپنے آپ پر فائر کر کے زخمی کیا تھا مجروح شخص کو میں نہیں جانتا ہوں یہ میرا بیان ہے۔



عبید اللہ ولد قادر خان

تاریخ 03.09.2019

Attested:

[Signature]
sp - ops
Superintendent
Cantonment
Kohat

2
ATTESTED

100

9-1990341

رہنما فی تمار کرب

NIL

بیان ازاں محمد رفیق ولد شربت خان سکندہ بورکہ جو باجیل

حلفاً بیان کرتا ہوں کہ مورخہ 24.08.2019 کو میں بسلسلہ ضروری کام تھانہ MIRS امرہ سابقہ ناظم گلزار صاحب آیا تھا اور دفتر محرر میں موجود تھا کہ اسی اثناء میں ایک فائر کی آواز سن کر میں، محرر سٹاف و دیگر موجود پرائیویٹ کسٹن دفتر سے باہر نکلے تو سامنے کمرے میں دیکھا کہ ایک شخص زخمی حالت میں پڑا پایا اور ساتھ ہی پستول پڑی تھی اور کمرے کا دروازہ بھی کھلا تھا۔ زخمی شخص کو بالمداد پولیس موبائل پک اپ میں ڈال کر علاج معالجہ ہسپتال لے گئے۔ زخمی شخص نے خود اپنے آپ پر فائر کیا ہے میں واقعہ چشم دید ہوں یہ میرا بیان ہے۔

محمد رفیق ولد شربت خان

تاریخ 03.09.2019



Attested
 SP
 Sub-Division of Police
 03/09/2019

2
 ATTESTED

101

Annexure (D)

POLICE DEPTT:

KOHAT REGION

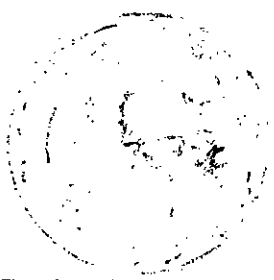
ORDER.

This order will dispose of a departmental appeal, moved by Ex-HC Mukhtiar Hussain No. 672 of Operation Staff Kohat against the punishment order, passed by DPO Kohat vide OB No. 1127, dated 17.09.2019 whereby he was awarded major punishment of dismissal from service on the allegations of negligence in discharge of official duty and not properly searching the accused which resulted in his suicide inside the Police Station.

He preferred an appeal to the undersigned upon which comments were obtained from DPO Kohat and his service documents were perused. He was also heard in person in Orderly Room, held on 25.06.2020. During hearing, he did not advance any plausible explanation in his defense to prove his innocence.

I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved beyond any shadow of doubt and the same has also been established by the E.O in his findings. Therefore, his appeal being devoid of merits is hereby rejected.

Order Announced
25.06.2020



JHce

(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.

No. 6895 /EC, dated Kohat the 6/7 /2020.

Copy to DPO/Kohat for information w/r to his office Letter No. 21261/LB, dated 02.12.2019. His Service Roll & Fauji Missal / Enquiry File is returned herewith.

SRC/CHC
Per n. actin

[Signature]

JHce

(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.

ATTESTE

102

Annexure (E)

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

No. S/ 4231 /20, dated Peshawar the 29/10/2020.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-197 (amended 2014) submitted by Ex-HC Mukhtiar Hussain No. 672. The petitioner was dismissed from service by District Police Officer, Kohat vide OB No. 1127, dated 17.09.2019 on the allegation that on 24.08.2019, the above named ex-official alongwith PASI Muhammad Hanif (co-accused official) apprehended Muhammad Asim Ameen s/o Ameen Gul wanted in case FIR No. 1236 dated 24.08.2019 u/s 382 PPC Police Station MRS and brought to Police Station MRS. He alongwith above named official did not make proper body search of the accused and let him to sit inside room, where the accused allegedly committed suicide with arms in his custody/presence in Police Station. A case vide FIR No. 1239, dated 24.08.2019 u/s 325 PPC PS MRS was registered against the deceased. His appeal was rejected by Regional Police Officer, Kohat vide Order Endst: No. 6895/EC, dated 06.07.2020.

Meeting of Appellate Board was held on 06.10.2020 wherein petitioner was heard in person. During hearing, petitioner contended that the accused was properly searched out but he rushed to the Rikshaw parked in Police Station and recovered his pistol and lastly attempted suicide.

The petitioner has long service of 20 years, 05 months & 12 days at his credit. The Board is of the opinion that the penalty imposed on petitioner is harsh and decided that the petitioner is hereby re-instated in service and his penalty of dismissal from service is converted into minor penalty of forfeiture of two years approved service, however, the intervening period to be treated as leave without pay.

This order is issued with the approval by the Competent Authority.

6553
4/11/20

Sd/-

DR. ISHTIAQ AHMED, PSP/PPM
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 4232-40 /20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat. One Service Roll and one Fauji Missal/Enquiry file of the above named Ex-HC received vide your Office Memo: No. 9558/EC, dated 03.09.2020 is returned herewith for your office record.
2. District Police Officer, Kohat.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

2
ANNEXED

(ZAHOOR BABAR AFRIDI) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

GRG/0110/PO
20/11/20
District Police Officer
Kohat 29/10/2020

103

Annex-6

171



DISTRICT PUBLIC PROSECUTOR OFFICE
KOHAT
Phone & Fax # 0922-9260282
E-mail: dppkohat@yahoo.com

**LEGAL OPINION REGARDING CASE OF MUHAMMAD ASIM WHO
HAD ALLEGEDLY COMMITTED SUICIDE PS MRS on 24-08-2019.**

Respected Sir,

The District Police Officer vide letter No 257/PA OPS: DATED Kohat 19-03-2020 sought legal opinion from DPP Kohat in case FIR No 1239 dated 24-08-2019. The case was marked to both the undersigned for tendering legal opinion.

As per available record the brief facts of the case are that on 24-08-2019 one accused namely Muhammad Asim Amin s/o Amin Gul r/o Naseer Khel Kamal Khel was arrested in FIR No 1236 dated 24-08-2019 register u/s 382/ 34 PPC of PS MRS, by Mukhtair Hussian IHC and Muhammad Hanif ASI and the accused was brought to the PS.

As per the version of FIR no 1239 dated 24-08-2019 u/s 325 PPC PS MRS the accused namely Muhammad Asim (deceased) had committed suicide with firearms in the PS.

In order to dig out the cause of death of deceased Asim, the Honourable District & Sessions Judge Kohat was approached by Police department for holding an inquiry with in the meaning of section 176 CrPc. The Judicial inquiry was earlier marked to Learned JM-I Kohat by District & Sessions Judge Kohat who after recording evidence of the witnesses and bringing on record the relevant documents etc, submitted his report dated 25-09-2019 to District and session judge Kohat. Thereafter the Learned District & Sessions Judge Kohat assigned the same to SCJ, Kohat.

ATTESTED


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(172) The Learned SCJ issued his findings wherein he declared the fact that 24-08-2019 the arrested accused Asim Amin was armless and he had committed suicide in the room of PS MRS Kohat as reported in FIR No 1239 dated 24-08-2019 u/s 325 PPC but in fact he was murdered in police captivity".


In light of the findings of Learned SCJ/ Judicial Inquiry officer Kohat dated 07-03-2020, we are of the opinion that section 302/34 PPC may be added/inserted in case FIR No 1239 dated 24-08-2019 u/s 325 PPC of PS MRS Kohat, while section 325 PPC be deleted accordingly and fair/ impartial investigation must be carried out. All the responsible officers, as narrated/ nominated in the statement of Amin Gul s/o Hazrat Gul (father of deceased) dated 24-09-2019, should be dealt according to Law.

Our opinion is subject to the approval of learned DPP, Kohat.

Submitted please.


Amjid Ali
Assistant Public Prosecutor
Kohat

To
Tanseer Ali Mehdi
Assistant Public Prosecutor,
Kohat


Malik Tariq Bakhsh
District Public Prosecutor
Kohat


ATTESTED

105

OFFICE OF THE SENIOR CIVIL JUDGE KOHAT

No. 892 /SCJ, Kohat

dated: 19/10 /2019

To: DISTRICT POLICE OFFICER,
KOHAT

Subject: **VIDEO RECORDING DATA OF POLICE STATION MRS
KOHAT**

Dear Sir,

Undersigned is conducting inquiry u/s 176 Cr.PC regarding the death of Asim Amin s/o Amin Gul, who has allegedly committed suicide in police custody inside Police Station MRS on 24.08.2019 at 10:15 hours, as per FIR No.1239 dated 24.08.2019 u/s 325 PPC Police Station MRS, registered on the report of Rasool ur Rahman ASI.

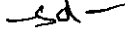
The undersigned visited police station MRS, inspected the crime scene and found two DVRs and multiple cameras installed in Police Station MRS.

Therefore for completion of inquiry, the video recording data of police station MRS of 24.08.2019 from 08:00 AM to 01:00 PM shall be provided in USB forthwith.


Tariq Abbas
Senior Civil Judge/JM-u/S-30,
Kohat

Copy to:

1. Worthy District and Sessions Judge Kohat for information
2. Office Copy


Tariq Abbas
Senior Civil Judge/JM-u/S-30,
Kohat

ATTESTED

POST-MORTEM REPORT

Yearly No. _____
 NAME Muhammad Asim Ameen
 FATHER'S NAME OR HUSBAND'S NAME Muhammad Ameen
 CAS No. _____
 RESIDENCE Kamal Khel
 SEX Male AGE 25-30 years
 DISTRICT Kohat

6/2/19

Body brought by Police Body identified by O Ameen gul
 Whence brought: Village Chaudhary Chel
 Thana, District _____

DATE AND HOUR OF DEATH 11:20 am 25/8/19

Death: Room death
 Examination of body _____
 Despatch of matter to Chemical Examination _____

Symptoms observed before death: In shock, gasping

Information furnished by Police: suicide (fire arm injury)

N.B. - The Medical Officer will observe the state of all the organs, and when he finds no disease or injury, he should write in the appropriate place the word "Healthy"

EXTERNAL APPEARANCE

Mark of ligature on neck and dissection, etc. No mark of ligature or dissection present

Condition of subject: stout, emaciated, decomposed, etc.; Clothing Middle aged man thin lean wearing white colour shalwar kameez with blood stained. No postmortem rigidity present

Wounds, bruises, position, size, nature. No physical torture present on body. No abrasion, laceration or burn present chest, leg or abdomen except

Exit about 2 inch exit wound present on (LA) top of region 1cm above ear.
 Entry - about 1 inch entry wound present on Rt. temporal region 2cm above Rt. ear. Chastity marks present.

ATTACHED

SEARCHED

Intact -

8 Blood vessels

Intact -

6 Pericardium and heart

Intact -

5 Left lung

Intact -

Right lung

Intact -

3 Larynx and trachea

Intact -

2 Ribs

Intact

1 White ribs and cartilages

III - THORAX

Skull scalp brain damaged due to fire arms injuries

Head, Skull and vertebrae

I - CRANIUM AND SPINAL CORD

N.B. - The Spinal Cord need not be examined unless any indication of disease or injury

107

IV ABDOMEN

1. Walls	Intact-
2. Peritoneum	Intact
3. Mouth, Pharynx and Oesophagus	Intact
4. Diaphragm	Intact-
5. Stomach and its contents	Intact
6. Pancreas	Intact -
7. Small Intestines and their contents	Intact:
8. Large Intestines and their contents	Intact
9. Liver	Intact-
10. Spleen	Intact-
11. Kidneys	Intact-
12. Bladder	Intact-
13. Organs of generation External and Internal	Intact

~~2-20-07~~
HIL

V - MUSCLES, BONES, JOINTS.

Injury	Disease or Deformity	Fracture	
Scalp Skull brain damaged			

REMARKS BY MEDICAL OFFICER.

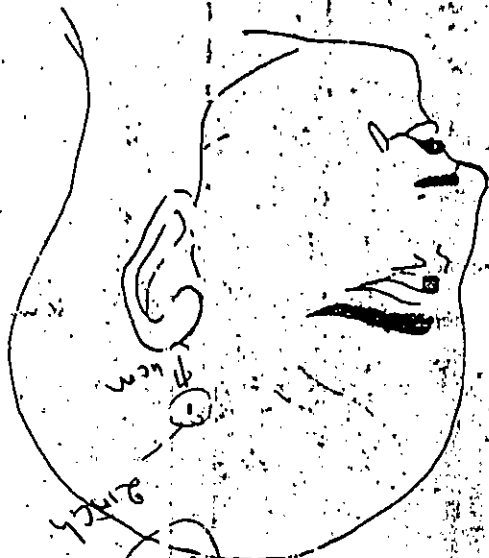
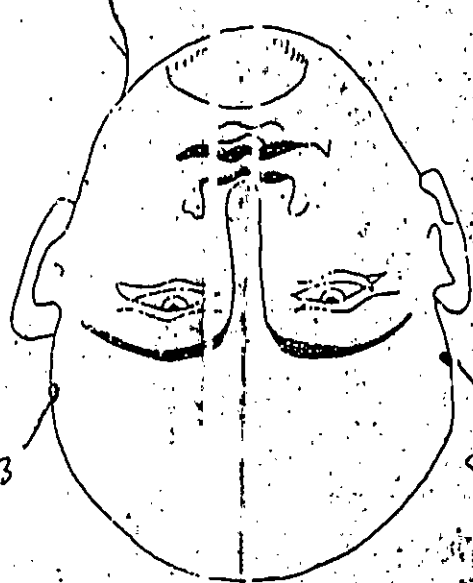
In my opinion the fire was shot from very close range. According to police it was attempted suicide entry from (R) temporal exit Lt temporal -> brain stem injury massive haemorrhage -> shock -> death

Probable time that elapsed -
 (a) between injury and death: 10-15 minutes.
 (b) between death and Post-Mortem: 20-30 minutes.

Station: DHO Hospital KDA Kohat
 Date: 28/8/16
 Signature & Designation of Medical Officer: Dr. Syed Arafat Gilani A.C.W.

ATTESTED

Magistrate - 1, Kohat



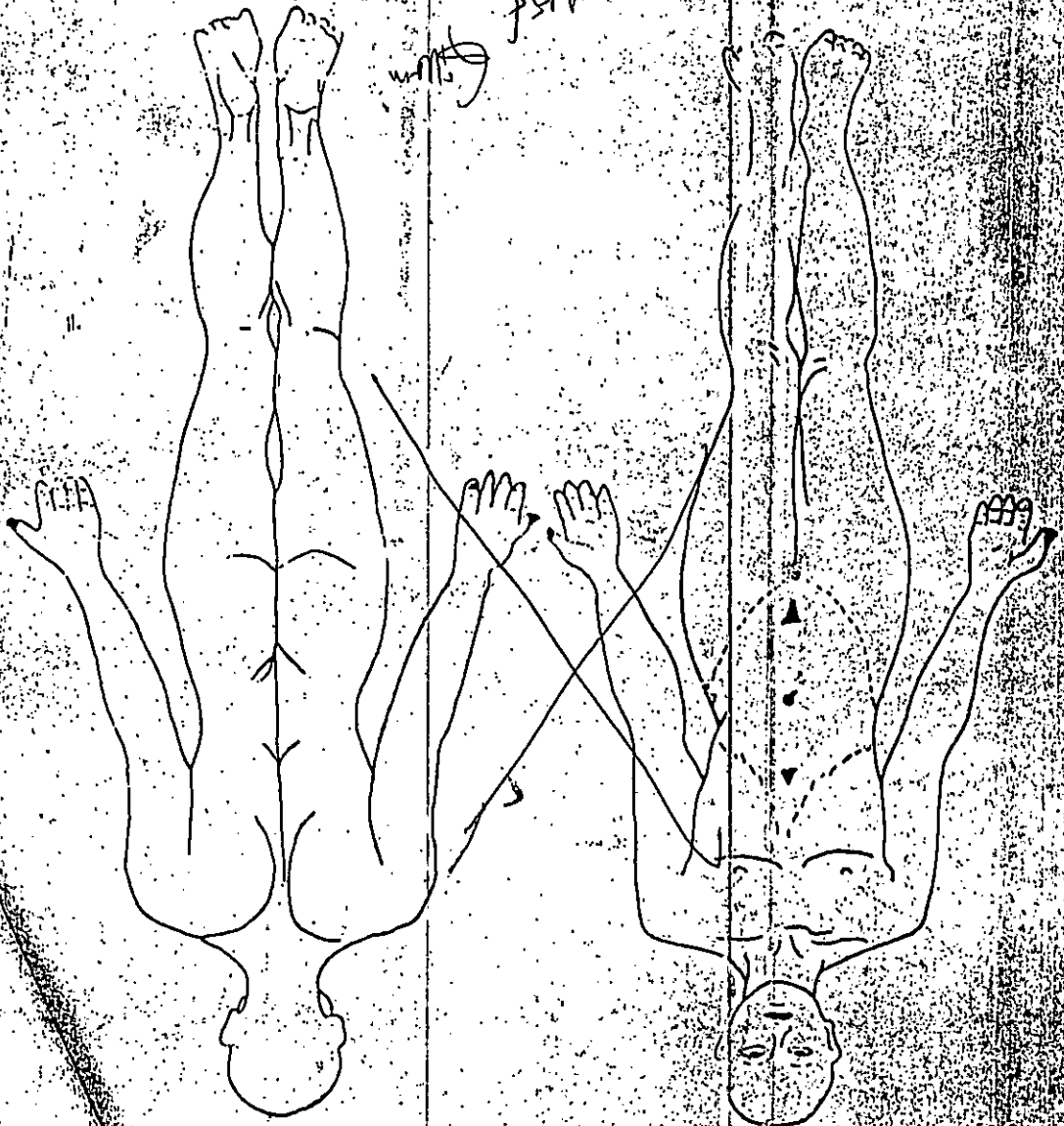
(RT) outer work
chaining

(LT) outer work
chaining

...magistral - 1. Kohn

ATTESTED

Handwritten notes:
1st 2nd
3rd 4th



CO LINES OF THE BODY FOR LOCATING INJURIES OF DEAD

(111)

112

DISTRICT PUBLIC PROSECUTOR OFFICE, KOHAT
No. DPP/Kt/ 219
Dated the Kohat 07/04/2020
Phone & Fax # 0922-9262282
E-mail: kohatdpp@gmail.com



To

The District Police Officer
Kohat

Subject: LEGAL OPINION REGARDING CASE OF MUHAMMAD ASIM WHO HAD ALLEGEDLY COMMITTED SUICIDE PS MRS on 24-08-2019.

Memo,

It is submitted that the above mentioned case was received by this office for legal opinion. Legal opinion is tendered and record of the case alongwith the opinion is hereby returned to your goodself.

District Public Prosecutor
Kohat

R/Sir.

Submitted for your kind
perusal. PZ's

No. 286/PA-925
Date 8-04-2020

Superintendent of Police
Operations
Kohat

8/4/2020

ATTESTED

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OFFICE OF THE
DISTRICT POLICE OFFICER
KOHAT
Tel: 0922-9260116 Fax 9260117

No 1704 /PA dated Kohat the 15 /2019

To: - The Superintendent of Police,
Investigation Wing Kohat.

Subject: - LEGAL OPINION REGARDING CASE OF MUHAMMAD ASIM
WHO HAD ALLEGEDLY COMMITTED SUICIDE PS MRS ON
24.08.2019

Memo: -

Enclosed please find herewith judicial enquiry file in case FIR No.
1239 dated 24.08.2019 u/s 325 PPC PS MRS alongwith legal opinion of prosecution for
further necessary action under the law.

Encl: Judicial enquiry
File alongwith
Opinion (172 Pages)

DISTRICT POLICE OFFICER,
KOHAT 22/13/4

Reader/HC INV PS Sadder (MRS)

For Compliance

Superintendent of Police
Investigation Kohat
16/4

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16-04-020

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FBI - NEW YORK

TO DIRECTOR, FBI (100-442611) FROM NEW YORK (100-100000) 1P
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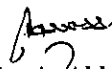
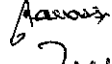
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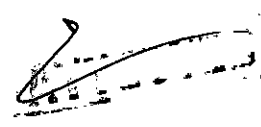
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FORM "A"
FORM OF ORDER SHEET
IN THE COURT OF TARIQ ABBAS, SENIOR CIVIL JUDGE/JUDICIAL
MAGISTRATE/SEC-30, KOHAT

Serial No. of Order of Proceedings	Date of order or Proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.
Order#10	12-12-2019	<p>Ameen Gul father of deceased Asim Ameen present. Muhammad Tauseef franchisee Ufone company Kohat present and personally produced CDR data comprised of 6 pages, which placed on file. During conversation he stated that the CDR of mobile No. 03329675966 is pending and not provided because the said mobile number is in use outside the Province of KPK.</p> <p>Today letter No.55002 dated 12-12-2019 of DPO Kohat alongwith report of SHO PS. MRS Kohat and CDR data of mobile No. 03329175966 received and placed on file, transpires that inadvertently in the statement of one witness namely Obaidullah s/o Qadir Khan his mobile No. was written as 0332-9675966 instead of 03329175966. Therefore for the further verification of the said fact the witness Obaidullah s/o Qadir Khan be summon again to record supplementary statement in the instant inquiry for 16-12-2019.</p> <p style="text-align: center;"> Tariq Abbas SCJ/JM u/s 30 Cr.P.C/Inquiry Officer, Kohat</p>
Oy-11	16.12.2019	<p>Witness Obaidullah s/o Qadir Khan present, his supplementary statement recorded. File to come up for further proceeding on 02-01-2020.</p> <p style="text-align: center;"> Tariq Abbas Senior Civil Judge, Kohat.</p> <p style="text-align: center;">Senior Civil Judge Judicial Magistrate Kohat</p>



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FORM "A"
FORM OF ORDER SHEET
TARIQ ABBAS, SENIOR CIVIL JUDGE/JUDICIAL
MAGISTRATE/SEC-30, KOHAT

Order or other proceedings with signature of Judge or Magistrate
and that of parties or counsel where necessary.

26-11-2019

Order
proceedings

Ameen Gul father of deceased Asim Ameen present.
Hamad bin Shad Area Sale Head Telenor Kohat also present, he
produced in a sealed envelope the mobile data of mobile No.0345-
9811138 owned by ~~Mayat~~ ^{has been on 15-11-19} Ullah Khan SHO, which comprised of
four pages, placed on file. The mobile data comprised of seven
pages of seven mobile numbers ~~also~~ ^{has been on 15-11-19} received from the office of
District Police Officer Kohat alongwith covering letter
No.45002/PA dated 14-11-2019, however the mobile data of one
mobile No.0332-9675966 of Obaid Ullah s/o Qadir Khan not
received from DPO Office Kohat, which was requisitioned by the
undersigned vide letter No.997 dated 11-11-2019.

Letter No.995-96 dated 11-11-2019 issued by the
undersigned to the Manager/Incharge Telenor and Ufone
Companies Kohat returned as served by the concerned process
server Faisal Mehmood. Muhammad Tauseef Franchisee Ufone
Company Kohat personally appeared and stated that he will
produce the requisite data in few days and sought time, granted.

The mobile data of mobile No. 03329675966 of Obaid
Ullah s/o Qadir Khan will be requisitioned from DPO Office
Kohat through separate letter for 12-12-2019.

Tariq
Tariq Abbas

SCJ/JM u/s 30 Cr.P.C/Inquiry Officer, Kohat

AT 11/11/19

IN THE COURT OF	Order No.	Date of order or Proceedings	Order and the
	Order#09	26-11-2019	

Order-05 24.10.2019

The requisite data not received. Moharrar telephonically inform/remind DPO Kohat and Incharge Telenor companies Kohat to provide the requisite data on 31.10.2019.

(Tariq Abbas)
SCJ/JM u/s 30 Cr.PC/Inquiry Officer
Kohat

Order-06 31.10.2019

The requisite data not received. Moharrar is directed telephonically inform/remind DPO Kohat and Incharge Telenor & Ufone companies, Kohat to provide the requisite data on next hearing. From perusal of record it found necessary to also summon one Tofeeq Ahmad, Muhammad Rahman, Muhammad Hussain and Muhammad Meraj to record their statements and point of view, therefore they be summoned for 04.11.2019.

(Tariq Abbas)
SCJ/JM u/s 30 Cr.PC/Inquiry Officer,
Kohat

Order-07 04.11.2019

Tofeeq Ahmad, Muhammad Rahman, Muhammad Hussain and Muhammad Meraj present, their statements recorded and placed on file. Fresh reminder letter is issued to DPO Kohat regarding camera recording data of police station MRS and separate reminder letter is issued to Incharge/manager Telenor and Ufone companies Kohat to provide ownership and GPS data of relevant persons/witnesses. File to come up for 11.11.2019.

(Tariq Abbas)
SCJ/JM u/s 30 Cr.PC/Inquiry Officer,
Kohat

Order-08 11.11.2019

Previous letters to DPO Kohat, Manager Telenor Kohat and Manager Ufone company Kohat received served, but they failed to provide required information and data. Therefore fresh reminder letter issued to them, and file to come up on 26.11.19.

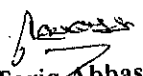
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Order of other proceedings with signature of judge or magistrate that of parties or counsel where necessary.

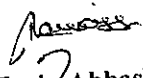
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07.10.2019

Inquiry file received from the office of worthy District & Sessions Judge, Kohat. Be registered in the relevant register. I will visit the crime scene on 07.10.2019.


(Tariq Abbas)
SCJ/JM u/s 30 Cr.PC/Inquiry Officer,
Kohat

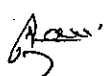
02
07.10.2019

I visited police station MRS, checked and prepared site plan, placed on file. From the perusal of record it transpires that some information is required to be asked on certain facts and points from Ayat Ullah SHO, Muhammad Hanif ASI, Mukhtiar Hussain IHC, private witnesses Noor Rahman, Obaid Ullah and Ikram Ud Din, therefore they be summoned for 17.10.2019.


(Tariq Abbas)
SCJ/JM u/s 30 Cr.PC/Inquiry Officer,
Kohat

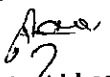
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17.10.2019

Ayat Ullah SHO, Muhammad Hanif ASI, Mukhtiar Hussain IHC, private witnesses Noor Rahman, Obaid Ullah and Ikram Ud Din are present, some question in shape of cross-examination were recorded and asked from the above mentioned persons/witnesses. File to come up for further proceedings for 19.10.2019.


(Tariq Abbas)
SCJ/JM u/s 30 Cr.PC/Inquiry Officer,
Kohat

04
19.10.2019

Perusal of record reveals that video recording data of police station MRS Kohat and data regarding GPS location of SIMs of the present/witnesses namely Ayat Ullah SHO, Muhammad Haneef ASI, Mukhtiar Hussain IHC, Noor Rahman s/o Mir Hassan Shah, Obaid ullah s/o Qadir Khan, Ikram ud Din s/o Muhammad Saeed is necessary in the instant inquiry. In this respect separate letter to DPO Kohat, managers/incharge Telenor and Ufone companies issued. File to come up for requisite data for 24.10.2019.


(Tariq Abbas)
SCJ/JM u/s 30 Cr.PC/Inquiry Officer,
Kohat

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covered by Sub Section-I of Section 174 Cr.PC. This is clear case within the ambit of section 174(I) read with section 176(C) therefore, the Illaqa Judicial Magistrate was supposed to come with conclusive finding however without adhering to the real issue and conclusive finding as to the actual matter in issue the report has been submitted as above, totally inconclusive. Keeping in view the nature and sensitivity of issue, it needs to be conducted by senior judicial officer therefore it stands entrusted to SCJ (admin) with following specific queries.

- a. Whether the death of Mr. Muhammad Asim Ameen is the result of suicide. If the answer is in positive, the further relevant question arises what prompted the accused to commit suicide and how he managed and made it possible within the PS ?
- b. Whether the deceased had any previous history in connection with an attempt to commit suicide?
- c. If it was a murder what was the immediate cause which prompted the police official/officials to commit his murder in the Police Station.
- d. Whether after the occurrence, the police official/officials have been proceeded departmentally, if so, its effect and relevancy with the incident.

The SCJ (Admin) is directed to go through the relevant law and after holding exhaustive inquiry to come up with definite conclusion supported by reason and logic.

The office is directed to send the case file to the officer concerned forthwith.

(Signature)
(SHOAIB KHAN)
District & Sessions Judge, Kohat

ATTESTED

Order of Proceedings
02.10.2019

Judge, Kohat
scene on 07.10.2019

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07.10.2019

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30.09.2019

The subject inquiry report received back from the court of JM-I and perused.

The subject inquiry was sent to the Illaqa Magistrate in pursuance to the request of DPO, Kohat whereby he through his letter No.13076/PA dated 24.08.2019 requested for an inquiry by Magistrate as envisaged u/s 176 Cr.PC, after the death of one Muhammad Asim Ameen in the PS MRS, required and detained by the local police in case FIR No. 1236 dated 24.08.2019 u/s 382/34 PPC PS MRS. The said Muhammad Asim Ameen while in custody of the police allegedly committed suicide against which case vide FIR No. 1239 dated 24.08.2019 u/s 325 PPC PS MRS was registered. After recording the statements of few relevant persons the file in hand was sent to this court with following observation and conclusion:-

Now, whether the death is result of suicide or otherwise, as alleged by the complainant (father of deceased) can be thrashed out as per law relating to the allegation or commission of a cognizable offence. The law, in this regard, as envisaged u/s 154 Cr.PC is crystal clear. The police can investigate the matter when there is a counter version and submit challan for trial or final report by thrashing every bit of the allegation leveled by the complainant party as veracity of these charges can only be determined after proper investigation.

With regard to above observation of JM-I, I deem it appropriate to clarify that section 176 Cr.PC is independent from section 154 Cr.PC and scope of the former section of law is to discover the actual cause of death of a deceased person which may be in addition to the investigation held by the police, if the case is

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30.09.2019

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JM-I and pe
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Order-13 04.02.2020

Rasool ur Rahman ASI present and some queries were put to him, the answers of which were recorded. Khan Wada ASI/Moharar PS MRS present and his statement also recorded. File to come up for report on 28.02.2020.

Tariq Abbas

Tariq Abbas
Senior Civil Judge (Admn)/Judicial
Inquiry Officer, Kohat

Senior Civil Judge
Judicial Magistrate Kohat

Order-14 27.02.2020

I, the Presiding Officer/Inquiry Officer will be on station leave on 28.02.2020, therefore file to come up for report on 07.03.2020.

Tariq Abbas

Tariq Abbas
Senior Civil Judge (Admn)/Judicial
Inquiry Officer, Kohat

Senior Civil Judge
Judicial Magistrate Kohat

Order-15 07.03.2020

Vide my detail inquiry report of today comprised of eleven pages, placed on file, Moharrar of this court is directed to send the inquiry file after necessary completion and compilation to worthy District & Sessions Judge, Kohat.

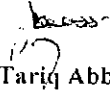
Tariq Abbas

Tariq Abbas
Senior Civil Judge (Admn)/Judicial
Inquiry Officer, Kohat

Senior Civil Judge
Judicial Magistrate Kohat

ATTESTED

FORM OF ORDER SHEET
COURT OF TARIQ ABBAS, SENIOR CIVIL JUDGE/JUDICIAL
MAGISTRATE/SEC-30, KOHAT

Date of order or Proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.
12 02.01.2020	<p>Perusal of record reveals that in light of statement of witness Ikram-ud-Deen s/o Muhammad Saeed it is found necessary to requisition the record of his application from Moharrar of PS.MRS. Therefore Moharrar PS.MRS be summon along with original record of the application of the witness Ikram-ud-Deen and Roznamcha register dated 20-08-2019, 23-08-2019 and 24-08-2019, moreover about the death of Asim Ameen FIR No. 1239 Dated 24-08-2019. was registered in PS. MRS u/s 325 PPC by Rasool-ur-Rehman ASI, whose statement was recorded in the instant inquiry by the previous inquiry Officer/Judicial Magistrate-1, Kohat. The undersign ^{deem} being it necessary to summon Rasool-ur-Rehman for some inquiries and clarification on factual points. Therefore Rasool-ur-Rehman ASI also be summon. Adjourned and inquiry file to come up on 04-02-2020, because the undersign will go on one month medical leave for medical leave.</p> <p style="text-align: center;">  Tariq Abbas Senior Civil Judge/Judicial Magistrate u/s 30 Cr.P.C, Kohat. </p>

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Order No. 01
14.09.2019

Instant inquiry submitted by the office of Hon'ble District & Sessions Judge, Kohat vide office order dated: 06.09.2019, in the light of letter/request by the District Police Officer, Kohat bearing No. 13076/PA dated Kohat the 24.08.2019 in connection with case FIR No. 1239 dated: 24.08.2019 u/s 325 PPC PS MRS Kohat. Pursuant to this, SHO PS MRS, Rasool Ur Rehman ASI PS MRS, Moharrir of PS MRS alongwith his staff and Roznamcha and Mushahid Ali ASI are summoned for dated: 16.09.2019. Father of the deceased Amin Gul t/o Nasar Khel Kamal Khel is also summoned for the date fixed.

Muhammad Rehan Samad
Judicial Magistrate-I/Inquiry Officer, Kohat

Order--#
16.09.2019

APP for the state present. Mr. Khan Muhammad Advocate (brother of complainant)/uncle of deceased also in attendance. Today, examination in chief of Muhammad Hanif ASI, Mukhtyar Hussain IHC, Ayat Ullah SHO, Syed Muhammad Qasim Khan, Atif Khan LHC, Mushahid Ali Bangash ASI, Aftab Ahmed IHC and Rasool Khan ASI recorded.

Learned counsel for complainant requested for adjournment. Adjourned.

File to come up for 18/9/19.

Muhammad Rehan Samad
Judicial Magistrate-I,
Kohat

IN THE
Criminal No. _____
Order of Proceedings _____
Date of order or Proceedings: 02.01.2020
Order: 12
Or. Magis. _____
of v _____

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No. 03
09.2019

APP for state present. Mr. Khan Muhammad Advocate on behalf of deceased present. Police officials in attendance. Learned counsel representing the parties mutually sought adjournment. Adjourned. Case file to come up for 24/9/19.

Muhammad Rehan Samad
Judicial Magistrate-I/Inquiry Officer, Kohat

Order No.04
24.09.2019

Complainant/father of deceased present. Noor Rehman and Dr. Syed Atif Gilani also present. Their statements have been recorded. As the instant proceedings/recording of statements pertains to an inquest/inquiry into the cause of death, therefore, the witnesses need not to be subjected to cross examination, however, learned counsel for complainant Mr. Fawad Hussain sought some time in order to assist the court on this legal proposition. Granted. Further, father of deceased amen Gul s/o Hazrat Gul stated that he got information about the incident from his neighbor ^{who} mohaladar, namely Sher Afzal and Wilyat Shah both residents of Kamal Khel, are summoned for 25.09.2019.

Muhammad Rehan Samad,
JM-I, Kohat/inquiry Officer, Kohat

ATTESTED

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Order No. 03
18.09.2019

Advocate
attendance.
muttyar

Order No. 05
25.09.2019

Complainant/father of the deceased present. Statements of Wilayat Shah
Wakeel Shah and Sher Afzal s/o Muttyar Khan recorded. Complete inquiry report
separately submitted to Hon'ble District & Sessions Judge, Kohat.

Judicial Magistrate-Inquiry Officer,
Kohat

7

ATTESTED



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OFFICE OF THE
DISTRICT POLICE OFFICER
KOHAT

Tel: 0922-9260116 Fax 9260125

No. 45002 /PA dated Kohat the 14-11-2019

77

To: - The Senior Civil Judge, Kohat
Subject: - VIDEO RECORDING DATA OF POLICE STATION MRS
KOHAT, GPRS DATA AND SIMS OWNERSHIP DATA

Memo: -

Kindly refer to your directives vide No. 969/SCJ, Kohat dated 06.11.2019

2. It is submitted that as reported by SDPO Saddar, Kohat, CCTV Cameras install in Police station MRS are damaged and not in working condition.

3. Ownership of cellular numbers and CDR of persons mentioned in above quoted reference are enclosed and submitted herewith as desired please.

*Received, Complied
of 07 pages,
Seen
or
Place on inquiry
file.
15.11.2019*

DISTRICT POLICE OFFICER,
KOHAT *14/11*

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OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN) KOHAT

No. 995-96 /SCJ, Kohat

dated: 11/11/19

REMINDER No.2

To: 75

1. Hamad bin Shad, Manager/Incharge/ Area Sale Head, Telenor Company, Kohat.
2. Idrees, Manager/Incharge Ufone Company, Kohat

Subject: **GPRS/CDR AND OWNERSHIP DATA OF SIMs**

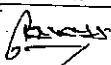
Reference: (i) Letter No.893 dated 19.10.2019 of this Court on the same subject enclosed
(ii) Letter No.968 dated 06.11.2019 of this Court on the same subject enclosed

Undersigned is conducting inquiry u/s 176 Cr.PC regarding the death of Asim Amin s/o Amin Gul reported vide FIR No.1239 dated 24.08.2019 u/s 325 PPC Police Station MRS, who allegedly committed suicide in police custody inside Police Station MRS on 24.08.2019 at 10:15 hours.

During inquiry some persons/witnesses recorded their statements and disclosed that at relevant time their mobile numbers were switched on, therefore GPRS/CDR and ownership data of their SIMs mentioned below duly signed and stamped shall be provided by 26th November 2019.

In case of failure, you are directed to personally appear, that why necessary legal proceedings not be initiated against you, because non production of documents/record, omission to give information, omission to give assistance, to public servant in discharge of public duty, is offence under sections 175, 176 and 187 Pakistan Penal Code, punishable up to one month imprisonment.

Cell No.	User Name
0345-9811138	Ayat Ullah SHO
0334-8264430	Muhammad Hanceef ASI
0333-9623652	Mukhtiar Hussain IHC
0334-3388249	Noor Rahman s/o Mir Hassan Shah
0332-9675966	Obaid Ullah s/o Qadir Khan
0331-8831077	Ikram ud Din s/o Muhammad Saeed
0336-1043523	Muhammad Rahman s/o Raza Khan
0336-5292503	Muhammad Hussain s/o Iqbal Hussain

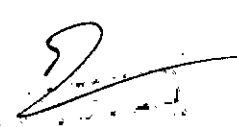

Tariq Abbas
Senior Civil Judge/JM-u/S-30,
Kohat

Copy to:

1. Worthy District and Sessions Judge Kohat for information
2. Learned DPO, Kohat for information
3. Civil Nazir of this Court with direction to serve this letter/notice and also affix the same on the offices of Telenor and Ufone Kohat.
4. Office Copy

—sd—
Tariq Abbas
Senior Civil Judge/JM-u/S-30,
Kohat

Senior Civil Judge
Judicial Magistrate Kohat



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OFFICE OF THE SENIOR CIVIL JUDGE (ADM)

No. 969 /SCJ, Kohat

dated: 6/11

REMINDER

To: DISTRICT POLICE OFFICER,
KOHAT

Subject: VIDEO RECORDING DATA OF POLICE STATION
KOHAT, GPRS DATA AND SIMS OWNERSHIP DATA

Reference: Letter No.892 dated 19.10.2019 of this Court on the same subject enclosed

Dear Sir,

Undersigned is conducting inquiry u/s 176 Cr.PC regarding the death of Asim Amin s/o Amin Gul reported vide FIR No.1239 dated 24.08.2019 u/s 325 PPC Police Station MRS, who allegedly committed suicide in police custody inside Police Station MRS on 24.08.2019 at 10:15 hours.

The undersigned visited police station MRS, inspected the crime scene and found two DVRs and multiple cameras installed in Police Station MRS. Therefore for completion of inquiry, the video recording data of police station MRS on 24.08.2019 from 08:00 AM to 01:00 PM shall be provided in USB.

Moreover during inquiry some persons/witnesses recorded their statements and disclosed that at relevant time their mobile numbers were in use, therefore the GPRS data and SIM ownership data duly signed and stamped, of below mentioned SIMs and persons also be provided by 11th November 2019.

Cell No.	Owner/User Name
0345-9811138	Ayat Ullah SHO
0334-8264430	Muhammad Haneef ASI
0333-9623652	Mukhtiar Hussain IHC
0334-3388249	Noor Rahman s/o Mir Hassan Shah
0332-9675966	Obaid Ullah s/o Qadir Khan
0331-8831077	Ikram ud Din s/o Muhammad Saeed
0336-1043523	Muhammad Rahman s/o Raza Khan
0336-5292503	Muhammad Hussain s/o Iqbal Hussain

Tariq Abbas

Senior Civil Judge/JM-u/S-30,
Kohat

Copy to:

6. Worthy District and Sessions Judge Kohat for information
7. Office Copy

Tariq Abbas

Senior Civil Judge/JM-u/S-30,
Kohat

Senior Civil Judge
Judicial Magistrate Kohat

(129) (129)

OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN) KOHAT

No. 968 /SCJ, Kohat

dated: 6/11 /2019

REMINDER

To: 1. Manager/Incharge Telenor Company, Kohat.
2. Manager/Incharge Ufone Company, Kohat.

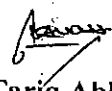
Subject: **OWNER NAME AND GPS LOCATION DATA**

Reference: Letter No.893 dated 19.10.2019 of this Court on the same subject enclosed

Undersigned is conducting inquiry u/s 176 Cr.PC regarding the death of Asim Amin s/o Amin Gul reported vide FIR No.1239 dated 24.08.2019 u/s 325 PPC Police Station MRS, who allegedly committed suicide in police custody inside Police Station MRS on 24.08.2019 at 10:15 hours.

Moreover during inquiry some persons/witnesses recorded their statements and disclosed that at relevant time their mobile numbers were in use, therefore the GPRS data and SIM ownership data duly signed and stamped, of below mentioned SIMs and persons be provided by 11th November 2019. In case of failure, you are directed to personally appear, that why necessary legal proceedings not be initiated.

Cell No.	User Name
0345-9811138	Ayat Ullah SHO
0334-8264430	Muhammad Haneef ASI
0333-9623652	Mukhtiar Hussain IHC
0334-3388249	Noor Rahman s/o Mir Hassan Shah
0332-9675966	Obaid Ullah s/o Qadir Khan
0331-8831077	Ikram ud Din s/o Muhammad Saeed
0336-1043523	Muhammad Rahman s/o Raza Khan
0336-5292503	Muhammad Hussain s/o Iqbal Hussain


Tariq Abbas

Senior Civil Judge/JM-u/S-30,
Kohat

Copy to:

8. Worthy District and Sessions Judge Kohat for information
9. District Police Office Kohat for service and implementation
10. Office Copy

sd,

Tariq Abbas

Senior Civil Judge/JM-u/S-30,
Kohat

Senior Civil Judge
Judicial Magistrate Kohat

2

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OFFICE OF THE SENIOR CIVIL JUDGE KOHAT

No. 893 /SCJ, Kohat

dated: 19/10 /2019

To: 1. Manager/Incharge Telenor Company, Kohat.
2. Manager/Incharge Ufone Company, Kohat

Subject: OWNER NAME AND GPS LOCATION DATA

Undersigned is conducting inquiry u/s 176 Cr.PC regarding the death of Asim Amin s/o Amin Gul, who allegedly committed suicide in police custody inside Police Station MRS on 24.08.2019 at 10:15 hours, as per FIR No.1239 dated 24.08.2019 u/s 325 PPC Police Station MRS, registered on the report of Rasool ur Rahman ASI.

During inquiry the below mentioned witnesses admitted that at relevant time their below mentioned mobile numbers were in their use. Therefore you are hereby directed to provide the names of owner and GPS Location of below mentioned mobile numbers during 08:00 AM to 01:00 PM on 24.08.2019. Your report duly signed and stamped must reach to this office within three days.

Cell No.	User Name
0345-9811138	Ayat Ullah SHO
0334-8264430	Muhammad Haneef ASI
0333-9623652	Mukhtiar Hussain IHC
0334-3388249	Noor Rahman s/o Mir Hassan Shah
0332-9675966	Obaid Ullah s/o Qadir Khan
0331-8831077	Ikram ud Din s/o Muhammad Saeed

Tariq Abbas
Tariq Abbas
Senior Civil Judge/JM-u/S-30,
Kohat

Copy to:

3. Worthy District and Sessions Judge Kohat for information
4. District Police Office Kohat for service and implementation
5. Office Copy

Tariq Abbas
Tariq Abbas
Senior Civil Judge/JM-u/S
Kohat

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OFFICE OF THE SENIOR CIVIL JUDGE KOHAT

No. 892 /SCJ, Kohat dated: 19/10 /2019

To: DISTRICT POLICE OFFICER,
KOHAT

Subject: VIDEO RECORDING DATA OF POLICE STATION MRS
KOHAT

Dear Sir,

Undersigned is conducting inquiry u/s 176 Cr.PC regarding the death of Asim Amin s/o Amin Gul, who has allegedly committed suicide in police custody inside Police Station MRS on 24.08.2019 at 10:15 hours, as per FIR No.1239 dated 24.08.2019 u/s 325 PPC Police Station MRS, registered on the report of Rasool ur Rahman ASI.

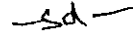
The undersigned visited police station MRS, inspected the crime scene and found two DVRs and multiple cameras installed in Police Station MRS.


Therefore for completion of inquiry, the video recording data of police station MRS of 24.08.2019 from 08:00 AM to 01:00 PM shall be provided in USB forthwith.


Tariq Abbas
Senior Civil Judge/JM-u/S-30,
Kohat

Copy to:

1. Worthy District and Sessions Judge Kohat for information
2. Office Copy


Tariq Abbas
Senior Civil Judge/JM-u/S-30,
Kohat



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	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location	
430	923089417110	8/24/2019 11:21	8/24/2019 11:21		19	OUTGOING	VOICE	Hayat Shaheed Colony
430	923314365392	8/24/2019 11:43	8/24/2019 11:44		28	OUTGOING	VOICE	Hayat Shaheed Colony
430	923314365392	8/24/2019 11:51	8/24/2019 11:53		103	OUTGOING	VOICE	Hayat Shaheed Colony
130	923328010873	8/24/2019 11:53	8/24/2019 11:54		54	INCOMING	VOICE	Hayat Shaheed Colony
130	923345126063	8/24/2019 11:55	8/24/2019 11:55		2	INCOMING	VOICE	Hayat Shaheed Colony
130	923345126063	8/24/2019 11:55	8/24/2019 11:57		101	INCOMING	VOICE	Mujeeb abad - KOHAT
130	923345126063	8/24/2019 11:59	8/24/2019 11:59		28	INCOMING	VOICE	Mujeeb abad - KOHAT
20	923345126063	8/24/2019 14:45	8/24/2019 14:46		52	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT

Ufone
FRANCHISE
 ID: UFRKHT 0002

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12.1.17

ATTESTED

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
359007090860290	923339623652	923339666548	8/24/2019 8:10	8/24/2019 8:12				
359007090860290	923339623652	923338818334	8/24/2019 9:08	8/24/2019 9:12	112	INCOMING	VOICE	Bus Stand - KOHAT
359007090860290	923339623652	923318763155	8/24/2019 9:12	8/24/2019 9:17	225	OUTGOING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923341010162	8/24/2019 9:17	8/24/2019 9:17	259	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923341010162	8/24/2019 9:17	8/24/2019 9:17	1	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339629426	8/24/2019 9:17	8/24/2019 9:18	88	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339629426	8/24/2019 9:23	8/24/2019 9:24	70	OUTGOING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923339629426	8/24/2019 9:26	8/24/2019 9:26	22	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923369429543	8/24/2019 9:38	8/24/2019 9:40	81	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	97332328521	8/24/2019 9:42	8/24/2019 9:45	140	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923369429543	8/24/2019 9:45	8/24/2019 9:45	37	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923302425625	8/24/2019 9:54	8/24/2019 9:54	13	OUTGOING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 9:58	8/24/2019 9:59	24	INCOMING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 9:59	8/24/2019 9:59	9	INCOMING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339622431	8/24/2019 10:02	8/24/2019 10:03	28	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923318838271	8/24/2019 10:06	8/24/2019 10:07	81	INCOMING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 10:08	8/24/2019 10:10	101	INCOMING	VOICE	Bahdur Kot - KOHAT
359007090860290	923339623652	923335867581	8/24/2019 10:35	8/24/2019 10:35	5	INCOMING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923339622431	8/24/2019 10:48	8/24/2019 10:48	38	OUTGOING	VOICE	Bahdur Kot - KOHAT
359007090860290	923339623652	923348481566	8/24/2019 10:49	8/24/2019 10:50	29	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339614426	8/24/2019 11:25	8/24/2019 11:27	99	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339614416	8/24/2019 11:27	8/24/2019 11:27	11	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263003	8/24/2019 11:28	8/24/2019 11:29	91	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263002	8/24/2019 11:33	8/24/2019 11:34	69	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923351952250	8/24/2019 11:36	8/24/2019 11:36	38	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923318838271	8/24/2019 11:36	8/24/2019 11:37	17	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923302425525	8/24/2019 11:53	8/24/2019 11:53	30	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923354916592	8/24/2019 11:54	8/24/2019 11:54	35	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339666548	8/24/2019 12:10	8/24/2019 12:13	155	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339640838	8/24/2019 12:13	8/24/2019 12:13	6	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 12:59	8/24/2019 12:59	26	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263002	8/24/2019 13:54	8/24/2019 13:54	116	OUTGOING	VOICE	Sector 2 college town - KOHAT

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ALL-CTED

FRANCIS
ID: UFRKHT003

12-12-19

دین گور

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IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
359007090860290	923339623652	923339666548	8/24/2019 8:10	8/24/2019 8:12	112	INCOMING	VOICE	Bus Stand - KOHAT
359007090860290	923339623652	923338818334	8/24/2019 9:08	8/24/2019 9:12	225	OUTGOING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923318763155	8/24/2019 9:12	8/24/2019 9:17	259	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923341010162	8/24/2019 9:17	8/24/2019 9:17	1	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923341010162	8/24/2019 9:17	8/24/2019 9:18	88	OUTGOING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923339629426	8/24/2019 9:23	8/24/2019 9:24	70	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339629426	8/24/2019 9:26	8/24/2019 9:26	22	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923369429543	8/24/2019 9:38	8/24/2019 9:40	81	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	97332328521	8/24/2019 9:42	8/24/2019 9:45	140	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923369429543	8/24/2019 9:45	8/24/2019 9:45	27	INCOMING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923302425625	8/24/2019 9:54	8/24/2019 9:54	13	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 9:58	8/24/2019 9:59	24	INCOMING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 9:59	8/24/2019 9:59	9	INCOMING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339622431	8/24/2019 10:02	8/24/2019 10:03	28	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923318838271	8/24/2019 10:06	8/24/2019 10:07	81	INCOMING	VOICE	Bahdur Kot - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 10:08	8/24/2019 10:10	101	INCOMING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923335867381	8/24/2019 10:35	8/24/2019 10:35	5	INCOMING	VOICE	Bahdur Kot - KOHAT
359007090860290	923339623652	923339622431	8/24/2019 10:48	8/24/2019 10:48	38	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923348481566	8/24/2019 10:49	8/24/2019 10:50	29	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339614426	8/24/2019 11:25	8/24/2019 11:27	99	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339614416	8/24/2019 11:27	8/24/2019 11:27	11	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263003	8/24/2019 11:28	8/24/2019 11:29	91	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263003	8/24/2019 11:33	8/24/2019 11:34	69	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923351952250	8/24/2019 11:36	8/24/2019 11:36	38	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923318838271	8/24/2019 11:36	8/24/2019 11:37	17	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923302425525	8/24/2019 11:53	8/24/2019 11:53	30	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923354916592	8/24/2019 11:54	8/24/2019 11:54	35	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339666548	8/24/2019 12:10	8/24/2019 12:13	155	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339640838	8/24/2019 12:13	8/24/2019 12:13	6	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348293192	8/24/2019 12:59	8/24/2019 12:59	26	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	92334263003	8/24/2019 13:52	8/24/2019 13:54	116	OUTGOING	VOICE	Sector 2 college town - KOHAT

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12-12-19

FRANCIS
ID: UFRKHT

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ATTESSED

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
354478095678250	923343388249	923325366291	8/24/2019 8:21	8/24/2019 8:21	24	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
354478095678250	923343388249	923325366291	8/24/2019 9:42	8/24/2019 9:42	30	INCOMING	VOICE	Togh Payan - KOHAT
354478095678250	923343388249	923368702867	8/24/2019 10:34	8/24/2019 10:35	61	INCOMING	VOICE	Mujeeb abad - KOHAT
354478095678250	923343388249	971566604119	8/24/2019 10:44	8/24/2019 10:49	312	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
354478095678250	923343388249	923359934989	8/24/2019 12:11	8/24/2019 12:11	21	INCOMING	VOICE	Mujeeb abad - KOHAT
354478095678250	923343388249	923369429543	8/24/2019 14:01	8/24/2019 14:02	15	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT

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FRANCHISE
ID: UFRKHT 0002

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12.12.19

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ATTESTED

	A Number	B Number	Call Start Time	Call End Time	Call Dura	Call Type	Type	Location - A
097077400	923318831077	923325366291	8/24/2019 7:11	8/24/2019 7:14	174	INCOMING	VOICE	Bus Stand - KOHAT
097077400	923318831077	923369429543	8/24/2019 8:39	8/24/2019 8:40	55	INCOMING	VOICE	Miangan Collony - KOHAT
097077400	923318831077	923318877923	8/24/2019 9:48	8/24/2019 9:48	21	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923369429543	8/24/2019 9:49	8/24/2019 9:50	11	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923318877923	8/24/2019 9:58	8/24/2019 9:58	25	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923368046597	8/24/2019 10:33	8/24/2019 10:33	17	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923368046597	8/24/2019 10:34	8/24/2019 10:34	9	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923349477173	8/24/2019 10:56	8/24/2019 10:57	42	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
097077400	923318831077	923349477173	8/24/2019 10:57	8/24/2019 11:00	167	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
097077400	923318831077	923365423665	8/24/2019 11:07	8/24/2019 11:08	11	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923359859441	8/24/2019 11:31	8/24/2019 11:32	45	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
097077400	923318831077	923365423665	8/24/2019 11:38	8/24/2019 11:39	72	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
097077400	923318831077	923369429543	8/24/2019 11:44	8/24/2019 11:45	18	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923318877923	8/24/2019 11:57	8/24/2019 11:58	25	INCOMING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923369074133	8/24/2019 11:59	8/24/2019 12:02	141	OUTGOING	VOICE	Mujeeb abad - KOHAT
097077400	923318831077	923359859441	8/24/2019 12:04	8/24/2019 12:05	19	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
097077400	923318831077	923329653359	8/24/2019 13:15	8/24/2019 13:16	29	INCOMING	VOICE	Mujeeb abad - KOHAT

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FRANCHISE
ID: UFRKHT 0002

آدم اسین گورہ

12-12-19

ATTESTED

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
354181108362520	923365292503	923308531714	8/24/2019 9:59	8/24/2019 9:59	51	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
354181108362520	923365292503	923335241475	8/24/2019 10:06	8/24/2019 10:09	151	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
354181108362520	923365292503	923348284401	8/24/2019 10:09	8/24/2019 10:10	38	INCOMING	VOICE	Bahdur Kot - KOHAT
354181108362520	923365292503	923333979892	8/24/2019 10:11	8/24/2019 10:13	93	OUTGOING	VOICE	Mujeeb abad - KOHAT
354181108362520	923365292503	923348284401	8/24/2019 10:52	8/24/2019 10:52	8	OUTGOING	VOICE	Usmania colony - KOHAT
354181108362520	923365292503	923341528727	8/24/2019 15:53	8/24/2019 15:53	48	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT

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ID: UFRKHT 0002

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ATTESTED

17.12.19

گواہ نام لکھیں

	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
06630	923361043523	923314731661	8/24/2019 0:09	8/24/2019 0:09	11	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
06630	923361043523	923376349649	8/24/2019 9:38	8/24/2019 9:38	54	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
06630	923361043523	923339608020	8/24/2019 10:17	8/24/2019 10:19	123	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
06630	923361043523	923356871114	8/24/2019 10:33	8/24/2019 10:35	110	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
06630	923361043523	923369884638	8/24/2019 10:35	8/24/2019 10:36	93	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
06630	923361043523	923369884638	8/24/2019 10:38	8/24/2019 10:39	41	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
06630	923361043523	923369884638	8/24/2019 10:41	8/24/2019 10:41	43	OUTGOING	VOICE	Mujeeb abad - KOHAT
06630	923361043523	923369884638	8/24/2019 10:55	8/24/2019 10:55	44	INCOMING	VOICE	Dhoda RdKohat - KOHAT
06630	923361043523	923005676237	8/24/2019 11:04	8/24/2019 11:04	24	OUTGOING	VOICE	Kohat - KOHAT
06630	923361043523	923334430399	8/24/2019 11:07	8/24/2019 11:08	49	OUTGOING	VOICE	Dhoda RdKohat - KOHAT
06630	923361043523	923331919490	8/24/2019 11:29	8/24/2019 11:29	25	OUTGOING	VOICE	Kacheri Chowk - KOHAT
06630	923361043523	923314731661	8/24/2019 11:32	8/24/2019 11:33	15	OUTGOING	VOICE	Pir Khel - PIR KHEL
06630	923361043523	923369884638	8/24/2019 13:13	8/24/2019 13:13	20	OUTGOING	VOICE	Togh Payan - KOHAT

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FRANCHISE
ID: UFRKHT 0002

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12.12.19

گواہ محمد رحمان



CDR of Cell No.923459811138,Name:AYAT ULLAH KHAN BABER , CNIC: 1430120480679

IMEI	A Party	b Party	CALL_START_DT_TM	CALL_END_DT_TM	Call Type	Dur	Type	Location
35540209010791	923459811138	923005402540	8/24/2019 10:38:17 AM	8/24/2019 10:39:33 AM	INCOMING	76	GSM	Rahimabad, Near Rawalpindi Road, Kohat.
35540209010791	923459811138	FreeWhatsap	8/24/2019 11:54:45 AM	8/24/2019 11:54:45 AM	INCOMING	0	SMS	Hayat Shaheed Colony, Rawalpindi Road, Tehsil & District Kohat.
35540209010791	923459811138	923332186306	8/24/2019 2:42:26 PM	8/24/2019 2:42:49 PM	INCOMING	23	GSM	Hayat Shaheed Colony, Rawalpindi Road, Tehsil & District Kohat.

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15/11/2019

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CDR of Cell No. 923348264430, NAME: MUHAMMAD HANEEF, CNIC: 1410161217863

MSISDN	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
923348264430	923348264430	923089417110	24/08/2019 11:21	24/08/2019 11:21	19	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
923348264430	923348264430	923314365392	24/08/2019 11:43	24/08/2019 11:44	28	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
923348264430	923348264430	923314365392	24/08/2019 11:51	24/08/2019 11:53	103	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
923348264430	923348264430	923314365392	24/08/2019 11:53	24/08/2019 11:54	54	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
923348264430	923348264430	923528010873	24/08/2019 11:55	24/08/2019 11:55	2	INCOMING	VOICE	Mujeeb abad - KOHAT
923348264430	923348264430	923345126063	24/08/2019 11:55	24/08/2019 11:57	101	INCOMING	VOICE	Mujeeb abad - KOHAT
923348264430	923348264430	923345126063	24/08/2019 11:59	24/08/2019 11:59	28	INCOMING	VOICE	Mujeeb abad - KOHAT
923348264430	923348264430	923345126063	24/08/2019 14:45	24/08/2019 14:46	52	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
923348264430	923348264430	923345126063						

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Muhammad
15.11.2019

PASI محمد حنیف

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CDR of Cell No.923339623652, NAME: MUKHTIAR HUSSAIN, CNIC: 143011981533

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
359007090860290	923339623652	923339666548	24/08/2019 8:10	24/08/2019 8:12	112	INCOMING	VOICE	Bus Stand - KOHAT
359007090860290	923339623652	923338818334	24/08/2019 9:08	24/08/2019 9:12	225	OUTGOING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923318763155	24/08/2019 9:12	24/08/2019 9:17	259	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923341010162	24/08/2019 9:17	24/08/2019 9:17	1	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339629426	24/08/2019 9:17	24/08/2019 9:18	88	OUTGOING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923339629426	24/08/2019 9:23	24/08/2019 9:24	70	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923369429543	24/08/2019 9:26	24/08/2019 9:26	22	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	97332328521	24/08/2019 9:38	24/08/2019 9:40	81	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923369429543	24/08/2019 9:42	24/08/2019 9:45	140	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923302425625	24/08/2019 9:45	24/08/2019 9:45	37	INCOMING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923348293192	24/08/2019 9:54	24/08/2019 9:54	13	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923348293192	24/08/2019 9:58	24/08/2019 9:59	24	INCOMING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339622431	24/08/2019 9:59	24/08/2019 9:59	9	INCOMING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923318838271	24/08/2019 10:02	24/08/2019 10:03	28	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923348293192	24/08/2019 10:06	24/08/2019 10:07	81	INCOMING	VOICE	Bahdur Kot - KOHAT
359007090860290	923339623652	923335867381	24/08/2019 10:08	24/08/2019 10:10	101	INCOMING	VOICE	Mujeeb abad - KOHAT
359007090860290	923339623652	923339622431	24/08/2019 10:35	24/08/2019 10:35	5	INCOMING	VOICE	Bahdur Kot - KOHAT
359007090860290	923339623652	923348481566	24/08/2019 10:48	24/08/2019 10:48	38	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339614426	24/08/2019 10:49	24/08/2019 10:50	29	OUTGOING	VOICE	Togh Payan - KOHAT
359007090860290	923339623652	923339614416	24/08/2019 11:25	24/08/2019 11:27	99	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263003	24/08/2019 11:27	24/08/2019 11:27	11	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263003	24/08/2019 11:28	24/08/2019 11:29	91	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923351952250	24/08/2019 11:33	24/08/2019 11:34	69	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923318838271	24/08/2019 11:36	24/08/2019 11:36	38	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923302425525	24/08/2019 11:36	24/08/2019 11:37	17	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923354916592	24/08/2019 11:36	24/08/2019 11:37	17	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339666548	24/08/2019 11:53	24/08/2019 11:53	30	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339666548	24/08/2019 11:54	24/08/2019 11:54	35	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923339640838	24/08/2019 12:10	24/08/2019 12:13	155	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348293192	24/08/2019 12:13	24/08/2019 12:13	6	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348293192	24/08/2019 12:59	24/08/2019 12:59	26	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
359007090860290	923339623652	923348263003	24/08/2019 13:52	24/08/2019 13:54	116	OUTGOING	VOICE	Sector 2 college tower

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مکھتیار حسین

CDR of Cell No.: 923343388249, NAME: Noor Rehman, CNIC: 2130109299663,

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
354478095678250	923343388249	923325366291	24/08/2019 8:21	24/08/2019 8:21	24	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
354478095678250	923343388249	923325366291	24/08/2019 9:42	24/08/2019 9:42	30	INCOMING	VOICE	Togh Payan - KOHAT
354478095678250	923343388249	923368702867	24/08/2019 10:34	24/08/2019 10:35	61	INCOMING	VOICE	Mujeeb abad - KOHAT
354478095678250	923343388249	971566604119	24/08/2019 10:44	24/08/2019 10:49	312	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
354478095678250	923343388249	923359934989	24/08/2019 12:11	24/08/2019 12:11	21	INCOMING	VOICE	Mujeeb abad - KOHAT
354478095678250	923343388249	923369429543	24/08/2019 14:01	24/08/2019 14:02	15	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT

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گواہ نور رحمان

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CDR of Cell No.03318831077, Name: Ikram Uddin CNIC No.21604-7043747-7

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
355827097077400	923318831077	923325366291	24/08/2019 7:11	24/08/2019 7:14	174	INCOMING	VOICE	Bus Stand - KOHAT
355827097077400	923318831077	923369429543	24/08/2019 8:39	24/08/2019 8:40	55	INCOMING	VOICE	Miangan Collony - KOHAT
355827097077400	923318831077	923318877923	24/08/2019 9:48	24/08/2019 9:48	21	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923369429543	24/08/2019 9:49	24/08/2019 9:50	11	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923318877923	24/08/2019 9:58	24/08/2019 9:58	25	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923368046597	24/08/2019 10:33	24/08/2019 10:33	17	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923368046597	24/08/2019 10:34	24/08/2019 10:34	9	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923349477173	24/08/2019 10:56	24/08/2019 10:57	42	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
355827097077400	923318831077	923349477173	24/08/2019 10:57	24/08/2019 11:00	167	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
355827097077400	923318831077	923365423665	24/08/2019 11:07	24/08/2019 11:08	11	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923359859441	24/08/2019 11:31	24/08/2019 11:32	45	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
355827097077400	923318831077	923365423665	24/08/2019 11:38	24/08/2019 11:39	72	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
355827097077400	923318831077	923369429543	24/08/2019 11:44	24/08/2019 11:45	18	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923318877923	24/08/2019 11:57	24/08/2019 11:58	25	INCOMING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923369074133	24/08/2019 11:59	24/08/2019 12:02	141	OUTGOING	VOICE	Mujeeb abad - KOHAT
355827097077400	923318831077	923359859441	24/08/2019 12:04	24/08/2019 12:05	19	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
355827097077400	923318831077	923329653359	24/08/2019 13:15	24/08/2019 13:16	29	INCOMING	VOICE	Mujeeb abad - KOHAT

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ATTACHED

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35.11.2019

گواہ اکرام الدین

D

CDR of Cell No.923361043523, NAME: MUHAMMAD REHMAN, CNIC: 1430196353089

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
353939080606630	923361043523	923314731661	24/08/2019 0:09	24/08/2019 0:09	11	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
353939080606630	923361043523	923376349649	24/08/2019 9:38	24/08/2019 9:38	54	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
353939080606630	923361043523	923339608020	24/08/2019 10:17	24/08/2019 10:19	123	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
353939080606630	923361043523	923356871114	24/08/2019 10:33	24/08/2019 10:35	110	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
353939080606630	923361043523	923369884638	24/08/2019 10:35	24/08/2019 10:36	93	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
353939080606630	923361043523	923369884638	24/08/2019 10:38	24/08/2019 10:39	41	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
353939080606630	923361043523	923369884638	24/08/2019 10:41	24/08/2019 10:41	43	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
353939080606630	923361043523	923369884638	24/08/2019 10:55	24/08/2019 10:55	44	INCOMING	VOICE	Mujeeb abad - KOHAT
353939080606630	923361043523	923005676237	24/08/2019 11:04	24/08/2019 11:04	24	OUTGOING	VOICE	Dhoda RdKohat - KOHAT
353939080606630	923361043523	923334430399	24/08/2019 11:07	24/08/2019 11:08	49	OUTGOING	VOICE	Kohat - KOHAT
353939080606630	923361043523	923331919490	24/08/2019 11:29	24/08/2019 11:29	25	OUTGOING	VOICE	Dhoda RdKohat - KOHAT
353939080606630	923361043523	923314731661	24/08/2019 11:32	24/08/2019 11:33	15	OUTGOING	VOICE	Kacheri Chowk - KOHAT
353939080606630	923361043523	923369884638	24/08/2019 13:13	24/08/2019 13:13	20	OUTGOING	VOICE	Pir Khel - PIR KHEL
								Togh Payan - KOHAT

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15.11.2019

گواہ محمد رحمان

Judge
Kohat

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SIWS

CDR of Cell No. 923365292503, NAME: kaneez fatima, CNIC: 1430186105692

IMEI	A Number	B Number	Call Start Time	Call End Time	Call Duration	Call Type	Type	Location - A
354181108362520	923365292503	923308531714	24/08/2019 9:59	24/08/2019 9:59	51	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT
354181108362520	923365292503	923335241475	24/08/2019 10:06	24/08/2019 10:09	151	INCOMING	VOICE	Hayat Shaheed Colony - KOHAT
354181108362520	923365292503	923348284401	24/08/2019 10:09	24/08/2019 10:10	38	INCOMING	VOICE	Bahdur Kot - KOHAT
354181108362520	923365292503	923333979892	24/08/2019 10:11	24/08/2019 10:13	93	OUTGOING	VOICE	Mujeeb abad - KOHAT
354181108362520	923365292503	923348284401	24/08/2019 10:52	24/08/2019 10:52	8	OUTGOING	VOICE	Usmania colony - KOHAT
354181108362520	923365292503	923341528727	24/08/2019 15:53	24/08/2019 15:53	48	OUTGOING	VOICE	Hayat Shaheed Colony - KOHAT

15-11-19

گواہ محمد صبیح

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Mr. Tariq Abbas,
Senior Civil Judge/JM-u/S-30,
District and Session Court,
Kohat

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Place on file
Comprising
four pages.

26.11.2019

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Senior Civil Judge
Judicial Magistrate Kohat

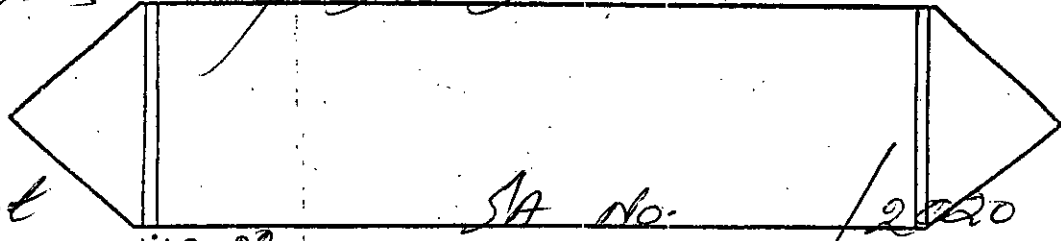
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بعدالت حیدر نسرویس سٹریٹس کمپنی لمیٹڈ
UPCC لاہور



Appellant

2020ء پنجاب

SA No.

2020

24/9/2020

مختیار حسن بنام

موزعہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام کئیوں کیلئے نسرویس سٹریٹس کمپنی لمیٹڈ مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالت فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برادگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

مختیار حسن ولد سید علی

المرقوم _____ ماہ _____ 2020ء

_____ واہ العبد

مقام _____ کے لئے منظور ہے۔

[Handwritten Signature]

Attested & Accepted
Nasir ul-Haq

08/02/22

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1418/2020
Mukhtair Hussain Ex-HC 672

..... Appellant

VERSUS

Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

INDEX

S #	Description of documents	Annexure	pages
1.	Parawise comments	-	1-3
2.	Affidavit	-	04
3.	Copy of dismissal order of the appellant, vide No. 1127 dated 17.09.2019.	A	05
4.	Copy of judicial inquiry conducted by Judicial Magistrate	B	06-16
5.	Copy of appeal rejection order by RPO Kohat	C	17
6.	Copy of order of respondent No. 1	D	18


Deponent

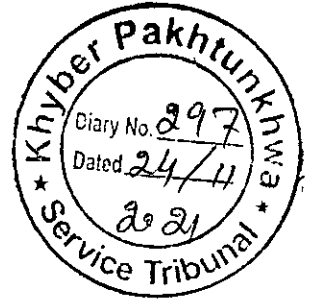
P-1

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1418/2020
Mukhtair Hussain Ex-HC 672

..... Appellant

VERSUS



Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

PARAWISE COMMENTS BY RESPONDENTS.

Respectfully Sheweth:-

Preliminary Objections:-

- i. That the appellant has got no cause of action.
- ii. The appellant has got no locus standi to file the appeal.
- iii. That the appeal is bad for misjoinder and nonjoinder of necessary parties.
- iv. That the appellant is estopped to file the instant appeal for his own act.
- v. That the appeal is bad in eyes of law and not maintainable.
- vi. That the appellant has not approached the honorable Tribunal with clean hands.
- vii. That appeal is badly barred by law & limitation.

Facts:-

1. Enrollment of appellant in Police department, pertains to record, hence no comments.
2. Correct to the extent, that accused named Asim Amin (deceased) was arrested by appellant alongwith his colleague ASI Muhammad Hanif, the accused was not properly searched by appellant and above named official and brought to Police station. The accused was required to put him behind the Police station lock up after thorough search by the appellant, but accused was left in a room unattended, wherein accused allegedly committed suicide. The incident took place due to inefficiency, willful negligence and non-professionalism, created hype in general public, social media and also caused embarrassment.
3. As submitted above, the appellant had committed gross inefficiency, willful negligence and non-professionalism, due to which not only accused lost his life, but the appellant caused embarrassment to the department, hence, a regular inquiry was initiated against the appellant under the relevant rules.
4. Pertains to record, as explain in para No. 3.

5. Incorrect, the appellant was proceeded with departmentally on the basis of his misconduct submitted above and in accordance with the relevant rules.
6. The charges / allegations leveled against the appellant were established beyond any shadow of doubt, therefore, on completion of all codal formalities, the proceedings culminated into his dismissal from service vide respondent No. 3 order bearing No. 1127 dated 17.09.2019. Copy is annexure A.
7. Incorrect, on the request of respondent No. 3 a judicial inquiry was conducted by Judicial Magistrate. The inquiry officer / Judicial Magistrate vide his report / answer to question No. 2 stated as **the death Mr. Asif Amin was not the result of suicide**. Copy of judicial inquiry is annexure B. *DPO Kohat*
8. Incorrect, as replied above, the charges / allegations leveled against the appellant were established beyond any shadow of doubt, which resulted into his dismissal from service.
9. The departmental appeal of the appellant against the impugned order was rejected by 1st appellate authority (Regional Police Officer, Kohat), who is not impleaded as respondent. However, the respondent No. 1, while taking lenient view partially accepted revision petition of the appellant and impugned order of dismissal from service was converted into a minor penalty of forfeiture of two year approved service, however, the intervening period is treated is leave without pay and the appellant was reinstated in service. Copy of 1st appellate authority (RPO Kohat) and respondent No. 1 for annexure C & D.

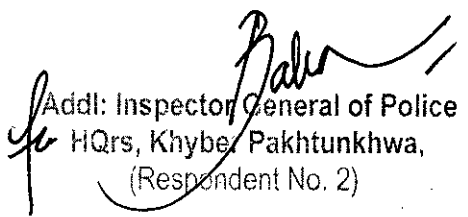
Grounds:-

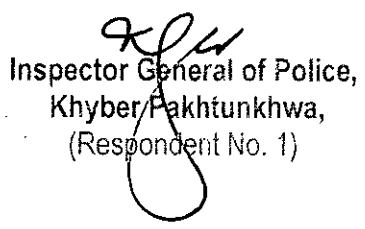
- A. Incorrect, the respondent No. 1 while disposing of revision petition of the appellant has taken a lenient view, reinstated in service the appellant and converted into a major punishment of dismissal from service in a minor punishment. The appellant remained out of service for his own act and on the principle of "No work no pay", the appellant is not entitled for any financial benefit during the intervening period.
- B. Incorrect, as replied above, the dismissal order from service is converted into minor punishment of forfeiture of his two years approved service and the appellant is re-instated in service. The appellant did not serve during the intervening period / remained out of service for his own act for which he is not entitled for any salary on the principle mentioned above.
- C. Incorrect, the relevant witnesses have been examined by the inquiry officer and Judicial Magistrate as well during the judicial inquiry.
- D. Incorrect, the appellant was associated with the inquiry proceedings, heard in person and afforded opportunity of defense, but the appellant failed to advance any plausible explanation to his misconduct, particularly violating of Police Rules and procedural law.

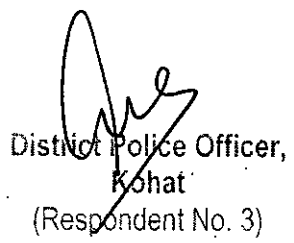
- E. Incorrect, reply is submitted in the above para.
- F. Incorrect, the appellant had violated relevant provision of Police Rules & procedural law during the arrest of deceased accused, body search and confinement in Police station.
- G. The appellant is dealt with departmentally under the relevant rules.
- H. Incorrect, departmental proceedings are carried out against the appellant, faire / transparent manners and no fundamental right of the appellant was violated.
- I. Irrelevant, hence no comments.
- J. Incorrect, detail reply is submitted in the above paras.
- K. Incorrect, the inquiry was conducted against the appellant in accordance with law & rules and all codal formalities were fulfilled.
- L. Incorrect, a speaking and legal order is passed by respondent No. 1.
- M. The respondents may also be allowed to advance other ground during the course of arguments.

Prayer -

In view of the above, it is prayed that the appeal contrary to facts, law & rules, devoid of merits may graciously be dismissed with costs.


 Addl: Inspector General of Police
 HQrs, Khyber Pakhtunkhwa,
 (Respondent No. 2)


 Inspector General of Police,
 Khyber Pakhtunkhwa,
 (Respondent No. 1)


 District Police Officer,
 Kohat
 (Respondent No. 3)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1418/2020
Mukhtair Hussain Ex-HC 672

..... Appellant

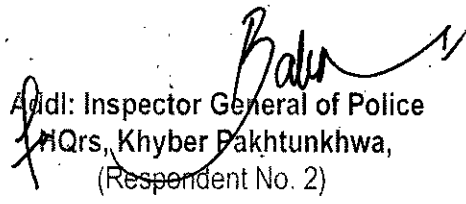
VERSUS

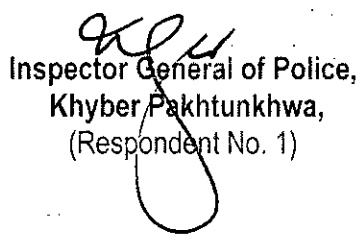
Inspector General of Police,
Khyber Pakhtunkhwa & others

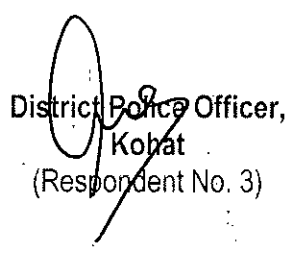
..... Respondents

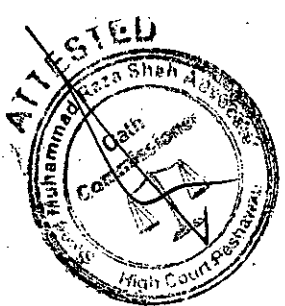
COUNTER AFFIDAVIT

We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.


Addl: Inspector General of Police
HQrs, Khyber Pakhtunkhwa,
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
(Respondent No. 1)


District Police Officer,
Kohat
(Respondent No. 3)







**OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT**

ORDER

This order is passed on the departmental enquiry against HC Mukhtiar Hussain No. 672 (hereinafter called accused official) under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

Brief facts of the case are that on 24.08.2019, accused official alongwith PASI Muhammad Hanif (co accused official) apprehended Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat wanted in case FIR No. 1236 dated 24.08.2019 u/s 382 PPC PS MRS and brought to Police station MRS. He (accused official) alongwith above named official did not make proper body search of the accused and let him to sit inside room, where the accused allegedly committed suicide with arms in his custody / presence in Police station. Case vide FIR No. 1239 dated 24.08.2019 u/s 325 PPC PS MRS was registered against the deceased.

The incident created hype in social media, in general public as well and damaged the image of Police professionalism.

Therefore, departmental proceedings are initiated against the accused official under the relevant law. Charge sheet alongwith statement of allegations was issued to the accused official and SP Operations Kohat was appointed as enquiry officer to scrutinize the conduct of the accused official. The enquiry officer vide his detail report held the accused official guilty of charges as the deceased accused was not searched properly by the arresting officer.

In the light of report of enquiry officer and available record, Final Show Cause Notice was served upon him. Reply received and found unsatisfactory.

Therefore, the accused official was called in Orderly Room, held on 16.09.2019 and heard in person, but he failed to submit any plausible explanation to his gross misconduct.

In view of above, and available record, I reached to the conclusion that the accused official alongwith other official had arrested the alleged accused of FIR No. 1236/2019, brought to Police station and let him to sit inside room instead of lockup. Further, the accused official did not make proper search of the accused / deceased person and he committed suicide in the jurisdiction of Police station. This speaks of inefficiency, non-professionalism, willful negligence on the part of accused official. Therefore, the charges leveled against the accused official have been established beyond any shadow of doubt. Therefore, in exercise of powers conferred upon me a major punishment of **Dismissal** from service is imposed on accused official HC Mukhtiar Hussain No. 672 with immediate effect.

Announced
16.09.2019

CAPT. @ WAHID MEHMOOD (PSP)
DISTRICT POLICE OFFICER,
KOHAT 16/9.

OB No. 1127
Date 17-9-2019

No 20096-99 PA dated Kohat the 17-9-2019.
Copy of above is submitted for favour of information to the:-

1. Regional Police Officer, Kohat please.
2. District Account Officer, Kohat
3. Reader/Pay officer/SRC and OHC for necessary action

CAPT. @ WAHID MEHMOOD (PSP)
DISTRICT POLICE OFFICER,
KOHAT 16/9.

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Judicial Inquiry
Annexure (C)

JUDICIAL INQUIRY REPORT

Title: Muhammad Asim Amin (deceased)

Factual Backgrounds:

Brief but relevant facts of the instant judicial inquiry are that allegedly Mr. Muhammad Asim Amin s/o Amin Gul r/o Naseer Khel, Kamal Khel District Kohat had committed suicide with pistol in a room of Police Station MRS Kohat during police custody, in respect of which FIR No.1239 dated 24-08-2019 u/s 325 PPC was registered by Rasool ur Rahman ASI. That Mr. Asim Amin was charged as accused in case FIR No.1236 dated 24.08.2019 u/s 381/34 PPC PS MRS Kohat, who was arrested from Babadarkot Kohat by Mukhtiar Hussain IHC and Muhammad Hanif ASI on 24.08.2019. They brought the arrested accused Asim Amin to police station MRS in a rickshaw owned and driven by the arrested accused. The complainant Rasool ur Rahman ASI reported vide FIR No. 1239, that due to rush and shortage of space in Moharrar room, the accused Muhammad Asim Amin was kept in a separate room situated in front of Moharrar room by Mukhtiar Hussain IHC and Muhammad Hanif ASI. In the meanwhile they heard a fire shot from the room, where accused Asim Amin was kept. When he entered in the said room, found accused Muhammad Asim Amin lying on the floor in injured condition by committing suicide with pistol. Thus the complainant Rasool ur Rahman ASI lodged FIR No.1239 dated 24-08-2019 u/s 325 PPC, wherein mentioning the time of suicide as 10:15 hours, time of report as 10:20 hours, and time of FIR as 10:30 hours. Injured Muhammad Asim Amin was shifted to KDA hospital, where he was declared dead, and his postmortem was conducted by doctor Syed Atif Gillani DHQ Hospital Kohat.

The DPO Kohat addressed a letter No.13076/PA dated 24-08-2019 to worthy District & Sessions Judge, Kohat for judicial inquiry within the meaning of section 176Cr.PC. The Worthy District and Sessions Judge Kohat vide letter No. 1672-73 dated 06-09-2019 deputed Mr. Rehan Samad learned Judicial Magistrate-I Kohat as inquiry officer. The inquiry officer Mr. Rehan Samad learned Judicial Magistrate-I, Kohat, recorded the statements of below persons/witnesses.

1. Aysa Ullah Sub-Inspector/S.H.O police station MRS Kohat
2. Muhammad Hanif ASI police station MRS Kohat
3. Syed Muhammad Qasim Khan Moharrar staff police station MRS Kohat
4. Atif Khan L.I.C police station MRS Kohat

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- 5. Mushahid Ali Bangash ASI police station MRS Kohat
- 6. Aftab Ahmad IHC Moharrar police station M.R.S Kohat
- 7. Rasool-ur-Rehman A.S.I police station M.R.S Kohat
- 8. Mukhtiyar Hussain IHC police station MRS Kohat
- 9. Amin Gul s/o Hazrat Gul r/o Kamal Khel Kohat
- 10. Syed Atif Gillani Medical Officer D.H.Q hospital Kohat
- 11. Noor Rehman s/o Meer Hussain Shah r/o Hayat Shaheed Colony Kohat
- 12. Welayat Shah s/o Wakeel Shah r/o Bahadar Kot Kohat
- 13. Sher Afzal s/o Mukhtiyar Khan Bahadar Kot Kohat

After completion of inquiry, the inquiry officer Mr. Rehan Samad learned Judicial Magistrate-I, Kohat submitted his report dated 25-09-2019, which is reproduced as under:

"Pursuant to the directions of Hon'ble District & Sessions Judge, Kohat, inquest was conducted in the light of provisions of section 176-(i) and 174 Cr.PC. Evidence was gathered in the shape of statements and medical reports. Juxtaposition of the assertions made by either side coupled with medical report transpires that death of Muhammad Asim Amin s/o Amin Gul occurred in police custody. Cause of death, as evident from medical report, is fire arm injury. Now, whether the death is result of suicide or otherwise, as alleged by the complainant (father of the deceased) can be thrashed out as per law relating to the allegation or commission of a cognizable offence. The law, in this regard, as envisaged u/s 154 Cr.PC is crystal clear. The police can investigate the matter when there is a counter version and submit challan for trial or final report by thrashing every bit of the allegation leveled by the complainant party as veracity of these charges can only be determined after proper investigation".

The worthy District and Sessions Judge Kohat found the report inconclusive of inquiry officer Mr. Rehan Samad learned Judicial Magistrate-I, Kohat. Therefore entrusted the inquiry to the undersigned vide order dated 30.09.2019 and framed the following questions:

- 1. Whether the death of Mr. Muhammad Asim Amin is the result of suicide. If the answer is in positive, the further relevant question arises what prompted the accused to commit suicide and how he managed and made it possible within the PS?

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 Senior Civil Judge
 Judicial Magistrate-I Kohat
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2. Whether the deceased had any previous history in connection with an attempt to commit suicide?
3. If it was a murder what was the immediate cause which prompted the police official/officials to commit his murder in the Police Station.
4. Whether after the occurrence, the police official/officials have been proceeded departmentally, if so, its effect and relevancy with the incident.

Proceeding conducted by the undersigned during inquiry :

When the inquiry was entrusted to me, I visited police station MRS Kohat, inspected the crime scene, and prepared site plan of the room where the alleged suicide was committed by Muhammad Asim Amin. I also prepared the detail sketch of police station MRS.

The below mentioned witnesses, whose statements were previously recorded by the predecessor inquiry officer, were re-summoned by me regarding some queries/cross-examination. They appeared and replied to the queries/cross-examination of the inquiry officer.

1. Ayat Ullah Khan SHO PS MRS
2. Muhammad Hanif ASI PS MRS
3. Mukhtiar Hussain IHC PS MRS
4. Rasool ur Rahman ASI PS MRS
5. Noor Rehman s/o Meer Hussain Shah r/o Hayat Shaheed Colony Kohat

I deemed appropriate to record the statements of some other witnesses, who were found necessary to be examined in the instant inquiry. Therefore I also summoned and examined the below mentioned witnesses.

1. Obaid Ullah s/o Qadir Khan r/o Qaum Mamozai Tapa Mir Kalam Khel Minar Garhi, PO Ghaljo Sama Mamozai, Tehsil Upper district Orakzai presently r/o Jarra District Kohat
2. Ikram Ud Din s/o Muhammad Saeed r/o Qaum Mamozai Tapa Mir Kalam Khel Buland Nawasi, Sama Mamozai, PO Ghaljo Tehsil Upper District Orakzai presently r/o Miangan Colony Kohat.
3. Tafceq Ahmad s/o Muhammad Yousaf r/o Mohallah Faqeer Abad Pindi Road Kohat.
4. Meraaj Ahmad s/o Muhammad Ghani r/o Qaum Mamozai Tapa Kalam Khel Buland Nawasi PO Ghaljo Sama Mamozai Tehsil Upper District Orakzai

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- 5. Muhammad Rahman s/o Raza Khan r/o Nai Abadi Bahadur Kohat
- 6. Muhammad Hussain s/o Iqbal Hussain r/o Barh presently r/o Muslim Abadi Tehsil & District Kohat

During inspection of police station MRS, I have observed that DVR system with screen were available in the Room of Moharrar. I have also observed that multiple CCTV cameras were installed on different points inside and outside police station MRS. I addressed letter to DPO Kohat to provide the video recording data of police station MRS Kohat and CDR/GPRS data of below mentioned cell numbers of the witnesses, who recorded their statements in the instant inquiry, and admitted that at the relevant time their mobiles were in their use. The DPO Kohat vide letter No.45002/PA dated 14.11.2019 replied that the CCTV cameras installed in police station MRS are damaged and not in working condition, while the CDR data of the below mentioned cell numbers of the relevant witnesses was provided by the DPO Kohat, however the GPRS data of the mentioned mobile numbers was not provided by the DPO, Kohat. Similarly the CDR/GPRS data of below mentioned cell numbers was also separately requisitioned from the Telenor and Ufone Companies Kohat, but they provided only the CDR data and the GPRS data was not provided on the ground that they have no access to the GPRS data of the mentioned mobiles numbers.

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- 01. Cell # 03459811138 owned and used by Ayat Ullah S.H.O police station MRS.
- 02. Cell # 0334-8264430 owned and used by Muhammad Hanif ASI police station MRS.
- 03. Cell # 0333-9623652 owned and used by Mukhtiyar Hussain IHC police station MRS.
- 04. Cell # 0334-9388249 owned and used by Noor Rehman s/o Meer Hassan Shuh.
- 05. Cell # 0332-9175966 owned and used by Obaid Ullah s/o Qadir Khan.
- 06. Cell # 0331-8831077 owned and used by Ikram-ud-Deen s/o Muhammad Saeed.

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 Senior Civil Judge
 Judicial Magistrate Kohat

Findings:

IFIR No. 1239 Dated 24.8.2019 u/s 325/PPC PS MRS Kohat was registered by Rasool ur Rahman ASI at 10:30 am, wherein he reported that at 10:15

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am the arrested accused Asim Amin has committed suicide with pistol in a room at police station MRS where he was kept alone. Thus it is essential to examine evidence and reasons on the basis of which Rasool Rehman ASI has suddenly reached to the conclusion that the occurrence is one of suicide and not homicide. The FIR is perused with his Zimni No.1 dated 24.8.19 written between 10:35 to 16:30 hours and Zimni No. 2 dated 25.08.2019 written between 9:00 to 15:00 hours, it would be established that no eye witness of the alleged suicide was mentioned but indeed all the relevant witnesses in their statements recorded during investigation as well as in the instant judicial inquiry, have admitted that the suicider was left alone in the room by Mukhtiar Hussain IHC and Muhammad Hamid ASI. In the meanwhile they heard fire shot from the room where the suicider was left alone, upon which they rushed to the said room and found Asim Amin lying on the ground in injured condition with 30 bore pistol. During instant judicial inquiry when Rasool Rehman ASI was asked about the evidence on the basis of which he at first instance declared the occurrence as suicide, he failed to forward any reason or evidence. At that time when no evidence was available with Rasool Rehman ASI, then he was duty bound to have kept the case open for future fair investigation instead of declaring it as suicide under section 325 PPC. The local police were supposed to have waited for postmortem report, FSI report and any other direct or circumstantial evidence, and thereafter would have formed an opinion of suicide or otherwise. Moreover when I visit to PS MRS to inspect the crime scene, I watched live footage of four cameras on the screen installed on the table of Aftab Muharrar in his office. When I demanded the camera video recording of the day of occurrence in USB, he replied that recording was not available for the reason that DVR was out of order and not preserving the recording, and that the cameras and screen are kept open only to check the moments and activities in the police station. Thereafter I wrote letter to DPO Kohat to provide the video recording of police station MRS, who replied that camera system of police station MRS not functional and video recording not available. In my view incorrect stance was taken by the local police for the reason that if DVR system was not in workable condition then why the cameras and screen were kept open on the table of Aftab Muharrar. Not providing the video recording and above discussed hasty conduct of Rasool Rehman ASI suggesting that from the very beginning it was intended to avoid fair investigation and to conceal the real facts. Therefore it is concluded that the FIR registered by Rasool Rehman ASI about

ATTESTED

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the suicide of Asim Amin was not only without evidence but also based on dishonesty.

As discussed above there was no evidence of suicide with the local police at the time of occurrence and lodging the FIR. However according to Zimni No. 02 dated 25-08-2019 of the investigation officer Rasool-ur-Rehman ASI a young person namely Noor Rehman appeared in police station on the next day of the occurrence and stated that on the day of occurrence 24-08-2019, he came to police station MRS with Ikram-ud-Din and Obaidullah for some work. That when he was getting out from the room of the Moharrar, he saw a person standing in the opposite room with a pistol in his hand, who fired on his head. That the said occurrence was personally seen by him. That thereafter he went to his home and at evening time he came to know through social media that the legal heirs of that person have arranged protest in Kachehri Chock Kohat against the police with allegation that the police has murdered that person in PS MRS, whose name reveals upon him as Asim Amin. That he voluntarily came to police station to give evidence. Keeping in view the above assertion of the so called alleged eye witness Noor Rehman, the whole case depends on his testimony. Noor Rehman recorded his statement u/s 161 Cr.PC before the investigation officer Rasool-ur-Rehman ASI on 25-08-2019 as well as before the court of learned Judicial Magistrate-1, Kohat u/s 164 Cr.PC on 30-08-2019, while his statement was also recorded in the instant Judicial Inquiry, who remained stuck to his stance that he was the true eyewitness of the suicide of deceased Asim Amin committed in police station MRS on 24-08-2019. Therefore it is necessary to discuss and scrutinize minutely the evidence of Noor Rehman for the purpose of its reliability or otherwise. If the statements of Noor Rehman and his two companions Ikram ud Din and Obaidullah recorded in the instant Judicial Inquiry are perused in light of their statements recorded u/s 161 Cr.PC, it would be established that soon after the occurrence they were directed by the police to leave the police station MRS upon which they went back to their homes. However the Zimni No.01 dated 24-08-2019 of Rasool ur Rehman ASI, suggesting otherwise that between 10:30 to 16:30 hours he recorded the statements of Ikram-ud-Din and Obaidullah u/s 161 Cr.PC in PS MRS on 24-08-2019. Strangely on 24-08-2019 the alleged sole eyewitness of the occurrence failed to record his statement before Rasool-ur-Rehman ASI. The said

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Senior Civil Judge
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eyewitness Noor Rehman failed to explain why he not given evidence on the day of occurrence to the local police or Rasool-ur-Rehman ASI like his two other companions Ikram-ud-Din and Obaidullah and later on what circumstances

WITNESSED

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compelled him to voluntarily give evidence on the second day of occurrence 24-08-2019. The alleged eyewitness Noor Rehman subsequently also recorded statement u/s 164 Cr.PC before the learned Court of Judicial Magistrate-I on 24-08-2019. This delay about recording of statement u/s 161 and 164 Cr.PC not plausible explained. The statements of the alleged eyewitness Noor Rehman and his two companions Ikram-ud-Din and Obaidullah recorded in the instant Judicial Inquiry were also found contradictory with the proceeding summarized in Zimni No.01 dated 24-08-2019 by Rasool ur Rehman ASI, to the extent that they in their statements of the judicial inquiry have admitted that soon after the occurrence they on the direction of the local police have left the police station MRS and went to their homes. Then the question would arise that how the statements u/s 161 Cr.PC of Ikram-ud-Din and Obaidullah were recorded by Rasool-ur-Rehman ASI on the same day of the occurrence. If it is admitted as correct that after the occurrence Ikram-ud-Din and

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Obaidullah have not left the police station on 24-08-2019, then second question would arise that why the sole eyewitness Noor Rehman statement u/s 161 Cr.PC was not recorded on 24-08-2019. These facts suggesting that on 24-08-2019 either Noor Rehman concealed his evidence or he was not the eyewitness but later on won over to give favorable statement on 25-08-2019. Moreover if the site plan prepared by Rasool-ur-Rehman ASI on 24-08-2019 is perused, it would reveal that no point was given to Ikram-ud-Din and Obaidullah in the site plan. However on 25-08-2019 additional footnote was written by Rasool ur Rehman ASI on the site plan by giving point No. 10 to the alleged eyewitness Noor Rehman. If on 24-08-2019 the statements of Ikram-ud-Din and Obaidullah were actually recorded u/s 161 Cr.PC by the Rasool ur Rehman ASI then he would have given specific point to them in the site plan like given to the other witnesses. The reason of visit of the alleged eyewitness Noor Rehman and his two companions Ikram-ud-Din and Obaidullah to PS/MRS on 24-08-2019 has not been proved from the record of police station MRS. According to their version on 24-08-2019 at about 10:00 am they jointly went inside police station MRS to inquire about the application/complaint of Ikram-ud-Din in respect of the issue of his mobile but when the Moharrar of police station MRS namely Khan Wada ASI was examined as witness in the instant Judicial Inquiry he stated that he checked the whole record but application of Ikram-ud-Din was not found and in this regard no entry exist in the Roznamcha register of police station MRS. Thus from the available evidence and record it is proved that the purpose of visit of the above named the witnesses to police station MRS on 24-08-2019 at 10:00 am remained

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unproved from the record of police station MRS. The requisitioned copy is available on instant inquiry file also suggesting that on 24-08-2019 till 10:30 AM Noor Rehman was in the locality of Mujeeb Abad and not PS MRS. From the above discussed facts and evidence I reached to the conclusion, that the evidence of the alleged sole eyewitness Noor Rehman is not trustworthy and believable. He was not found a true chance cyewitness of the occurrence.

The precise story presented by the real players Mukhtiar Hussain IHC and Muhammad Hanif ASI, is that initially Mukhtiar Hussain IHC was the inquiry officer of the snatching of the gold case, reported by one Miraj Ahmad s/o Muhammad Ghani, which was later on converted into FIR NO. 1236 dated 24.8.2019 w/s 382 PPC police station MRS. After registration of the said FIR, the investigation was entrusted to Rizwan Khan ASI and thereafter Mukhtiar Hussain IHC was not the investigation officer of the said FIR. According to the statement of Mukhtiar Hussain IHC on 24.8.2019 at 9.30 am he along with Muhammad Hanif ASI were on patrolling duty outside police station MRS. That he received telephonic spy information on his cell phone that the nominated accused Asim Amin of the said FIR is present in Bahadarkot Kohat, thus without informing the investigation officer of the FIR Rizwan ASI or his high-ups or taking any precautionary police additional escort and assistance, both of them rushed to Bahadarkot in a private rickshaw. There they arrested accused Asim Amin who was standing with his rickshaw. Mukhtiar Hussain IHC conducted body search of the arrested accused Asim Amin on the spot, then they boarded with the arrested accused in his rickshaw, which was driven by the arrested accused and reached to police station MRS. Both of them seated the arrested accused on a chair in a room situated opposite to the room of Muharrar of police station MRS, and they left the arrested accused alone in the said room without any watch. Both of them went to the Muharrar room to inform him to shift the arrested accused to lock up but in the meanwhile they heard a fire shot, upon which they rushed to the room, where arrested accused Asim Amin was left alone, and found him in injured condition on the ground.

Admittedly Mukhtiar Hussain IHC and Muhammad Hanif ASI were not the investigation officers of the FIR no. 1236, and they have not followed police rules during arrest and shifting of the nominated accused. Mukhtiar Hussain IHC in his statement disclosed that he has interrogated the arrested accused Asim Amin in the room where he was stationed, and during interrogation the accused Asim Amin confessed before him that the snatched gold is available in his house. What happened

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Judicial Magistrate Kohat
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during this unauthorized interrogation would be in better knowledge of Hussain IHC and Muhammad Hanif ASI but these facts establish their keeping in the said case. They also admitted in their statements that detail body search of Asim Amin was carried out at the time of arrest, but nothing incriminating was recovered from him. The question arise that how pistol came in the hands of the arrested accused Asim Amin and that too inside PS MRS. They as well as Rasool Rehman ASI badly failed to plausibly explain and resolve this riddle. Their argument is illogical and not believable that when they reached to police station MRS and parked the rickshaw of Asim Amin and walked to enter the office but in the way they have allowed Asim Amin to go back alone to his rickshaw to lock his belongings and probably from the rickshaw he might have secretly taken his Pistol to commit suicide. If he had intended to commit suicide then the best available moment was when he had got the pistol in the rickshaw, and he would have never opted to carry the pistol inside the police station in their presence, knowing the fact that he is arrested accused and the pistol can be seized any time and will be booked in another

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case of keeping the arm. According to the recovery memo dated 24.8.2019 prepared by Rasool Rehman ASI the suicide was committed by Asim Amin with a 0 bore pistol which has been shown recovered from the place of suicide. He also mentioned that three live rounds of 30 bore have been recovered from the pistol. That one 0 bore empty shell and a used pellet (sira) were also recovered from the crime scene. The pellet/sira was not sent to FSE for analysis to determine its kind. Likewise no finger print has been taken from pistol used in the commission of offence. It is not only illogical to presume that after the occurrence the local police must have thoroughly checked the locker rickshaw of the deceased Asim Amin in the police station, however no license copy, extra charger or bullets, bandolier etc shown recovered. So it is found highly doubtful that a person like Asim Amin a rickshaw driver will keep a pistol with single charger and four bullets only for safety or otherwise. It was also admitted by the two police personals that when they were coming from Bahadur to police station MRS in the rickshaw of Asim Amin he was cool and calm at the time of driving and had made an attempt to escape or make a run although he was in better position to do so. In light of the above facts and evidences and non-resistance attitude of Asim Amin, it is safely concluded that he never planned or thought to commit suicide.

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Judicial Magistrate, Kotla

According to postmortem report in the statement of doctor Syed Atiq Gillani he examined the dead body of Asim Amin aged about 25-30 years old and

ATTESTED

31

height 5 feet 7 inches, and observed single fire arm entry wound 01-inch on the temporal region 2cm above the right ear, charring marks present, and a bullet wound present on left temporal region 4 cm above the left ear. That in his opinion the fire was shot from very close range. However he observed no blackening mark though happened in suicide case with fire arm. Moreover the place of occurrence is the room of police station MRS, and 07 feet high bullet mark exists on the wall from the ground. If the same is compare with the height of Asim Amin, and the occurrence is presumed to have been committed in standing position, then it became impossible and doubtful that the bullet would hit the wall 07 feet high from the ground especially in the circumstances when he was sit down in a chair and left alone in the room as per statement of Mukhtiar Hussain IHC, then in such situation it was more easier to fire in sitting position instead of standing posture. Therefor the medical evidence and circumstances of the case not corresponding with each other, and also not supporting the police story that the occurrence was suicidal.

If the time of occurrence 10:15 hours mentioned in the FIR is compared with the requisitioned CDR data of the witnesses, it would be established that on 24.8.2019 from 10:35 to 10:50 hours the location of Mukhtiar Hussain IHC is Togh and Bahadarkot and till 10:50 hours he was not in police station MRS. Likewise the CDR data of the mobile of the sole eyewitness Noor Rehman reflecting that till 10:35 hours he was in Mujeeb Abad and not in police station MRS. From the CDR data of Mukhtiar Hussain IHC and Noor Rehman it has been proved without any doubt that they were not present in police station MRS at the time of occurrence and time of report as mentioned in the FIR. This technology based evidence has not only negated and shattered the whole story of police but also destroyed the evidence of Rasool ur Rehman ASI, Mukhtiar Hussain IHC, Muhammad Hanif ASI and specially the eyewitness Noor Rehman.

From the above discussed evidence and facts, I came to the conclusion that on 24.8.2019 the arrested accused Asim Amin s/o Amin Gul was armless and he has not committed suicide in the room of police station MRS Kohat as reported in FIR No.1239 dated 24-08-2019 u/s 325 PPC but in fact he was murdered in police captivity.

It is also pertinent to answer the questions formulated by Honorable District & Sessions Judge Kohat in his order sheet dated 30.09.2019, which are as under:

ATTESTED

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7.3.20
 Senior Civil Judge
 Judicial Magistrate Kohat

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Q.No.1: Whether the death of Mr. Muhammad Asim Amin is the result of suicide. If the answer is in positive, the further relevant question is what prompted the accused to commit suicide and how he managed to make it possible within the PS?

Answer: No, the death Mr. Asim Amin was not the result of suicide.

Q.No.2: Whether the deceased had any previous history in connection with an attempt to commit suicide?

Answer: Yes, once deceased Asim Amin was booked in FIR No.120 dated 26.03.2015 u/s 325 PPC/15AA PS Billitang. The past history and tendency of Asim Amin is irrelevant to the present case of his murder for the reason that a human not always live in one and same state of mind and life style.

166

Q.No.3: If it was a murder what was the immediate cause which prompted the police official/officials to commit his murder in the Police Station.

Answer: Yes, the death of the Asim Amin was a murder during police custody in PS MRS Kohat on 24.08.2019. However the immediate cause of his murder is a mystery, which will be dug out and unearth during interrogation and investigation by the police, as till this moment no one has been charged as accused for the murder of Asim Amin.

Q.No.4: Whether after the occurrence, the police official/officials have been proceeded departmentally, if so its effect and relevancy with the incident.

Answer: Yes, in the case of deceased Asim Amin, the police officials Mr. Mukhtiar Hussain IHC and Muhammad Hanif ASI were dismissed from service on the ground of violation of the police rules and regulations by the DPO Kohat vide his office order dated 17.09.2019, but they were not dismissed from service on the ground that they have murdered Asim Amin. Therefore their dismissal has no relevancy with the murder of Asim Amin.

Dated: 07.03.2020

Tariq Abbas
Senior Civil Judge (adm)/Judicial Inquiry Officer,
Kohat

Senior Civil Judge
Judicial Magistrate Kohat

ATTESTED

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P-17
Annea-C

POLICE DEPTT:

KOHAT REGION

ORDER.

This order will dispose of a departmental appeal, moved by Ex-HC Mukhtiar Hussain No. 672 of Operation Staff Kohat against the punishment order, passed by DPO Kohat vide OB No. 1127, dated 17.09.2019 whereby he was awarded major punishment of dismissal from service on the allegations of negligence in discharge of official duty and not properly searching the accused which resulted in his suicide inside the Police Station.

He preferred an appeal to the undersigned upon which comments were obtained from DPO Kohat and his service documents were perused. He was also heard in person in Orderly Room, held on 25.06.2020. During hearing, he did not advance any plausible explanation in his defense to prove his innocence.

I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved beyond any shadow of doubt and the same has also been established by the E.O in his findings. Therefore, his appeal being devoid of merits is hereby rejected.

Order Announced
25.06.2020

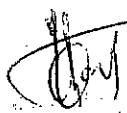
3462
8/7/2020


(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.

No. 1895 /EC, dated Kohat the 6/7 /2020.

Copy to DPO/Kohat for information w/r to his office Letter No. 21261/LB, dated 02.12.2019. His Service Roll & Fauji Missal / Enquiry File is returned herewith.

SRC/CHC
Per 27-Action


27/9/20


(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

P-18
Annex-D

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101

4231

No. S/

/20, dated Peshawar the 29/10/2020.

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-HC Mukhtiar Hussain No. 672. The petitioner was dismissed from service by District Police Officer, Kohat vide OB No. 1127, dated 17.09.2019 on the allegation that on 24.08.2019, the above named ex-official alongwith PASI Muhammad Hanif (co-accused official) apprehended Muhammad Asim Ameen s/o Ameen Gul wanted in case FIR No. 1236 dated 24.08.2019 u/s 382 PPC Police Station MRS and brought to Police Station MRS. He alongwith above named official did not make proper body search of the accused and let him to sit inside room, where the accused allegedly committed suicide with arms in his custody/presence in Police Station. A case vide FIR No. 1239, dated 24.08.2019 u/s 325 PPC PS MRS was registered against the deceased. His appeal was rejected by Regional Police Officer, Kohat vide order Endst: No. 6895/EC, dated 06.07.2020.

Meeting of Appellate Board was held on 06.10.2020 wherein petitioner was heard in person. During hearing, petitioner contended that the accused was properly searched out but he rushed to the Rikshaw parked in Police Station and recovered his pistol and lastly attempted suicide.

The petitioner has long service of 20 years, 05 months & 12 days at his credit. The Board is of the opinion that the penalty imposed on petitioner is harsh and decided that the petitioner is hereby re-instated in service and his penalty of dismissal from service is converted into minor penalty of forfeiture of two years approved service, however, the intervening period to be treated as leave without pay.

This order is issued with the approval by the Competent Authority.

6553
4/11/20

Sd/-

DR. ISHTIAQ AHMED, PSP/PPM
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/

4232-40
/20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat. One Service Roll and one Fauji Missal/Enquiry file of the above named Ex-HC received vide your Office Memo: No. 9558/EC, dated 03.09.2020 is returned herewith for your office record.
2. District Police Officer, Kohat.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

Handwritten notes and signatures in the bottom left corner, including dates like 20/10/20 and 29/10/20, and various initials.

(ZAHOOR BABAR AFRIDI) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

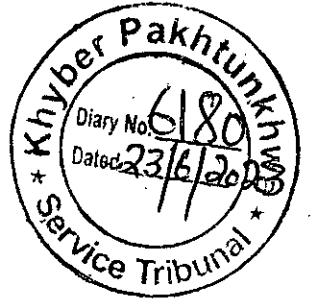
**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

Restoration Appli. no. 418/23

C.M No. _____/2023

In

Service Appeal No. 1418/21



Mukhtiar Hussain S/O Said Rahman **Appellant**

Ex-HC No.672, District Police, Kohat.

Versus

1. Inspector General of Police, Khyber Pakhtunkhwa Headquarter Peshawar.
2. Additional Inspector General of Police, Khyber Pakhtunkhwa, Headquarter Peshawar.
3. District Police Officer, Kohat.

..... **Respondents**

**APPLICATION FOR RESTORATION OF THE
ABOVE APPEAL WHICH WAS DISMISSED IN
DEFAULT FOR NON-PROSECUTION VIDE
ORDER DATED 05.01.2023**

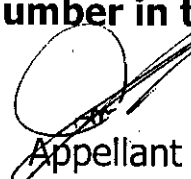
Respectfully Sheweth:

1. That the above tilted appeal was fixed on 05.01.2023 and was dismissed for non prosecution the same date.
2. That the previous counsel informed the appellant the date of hearing is fixed for 19.06.2023 and when the appellant approach/appear before the Honourable Services Tribunal Court on 19.06.2023 he was informed by the by reader of the court that is case has been dismissed in default on last date of hearing i.e. on 05.01.2023. (Copy of the order dated 05.01.2023 is attached).

That the act of the counsel shall not prejudice the case of the appellant and due to the negligent of the counsel the case of the appellant was dismissed for non prosecution.

4. That no notice of the court was served upon the appellant regarding the fixation of date.
5. That valuable right of the appellant is involved in the case in question. Moreover their plethora of guideline of the Honourable Supreme Court of Pakistan on the ground that a case should be decided on merits rather than dismissal on technical grounds.
6. That the law otherwise favour the decision of cases on merit rather on technicalities.
7. That there is no legal bar on acceptance of the instant Application.
8. That any other ground will be raised at the time of arguments with prior permission of this Hon'ble Court.

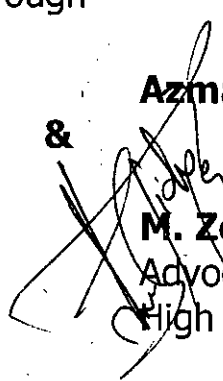
It is, therefore, requested that by accepting this application, the captioned service appeal may kindly be restored to its original number in the interest of justice.


Appellant

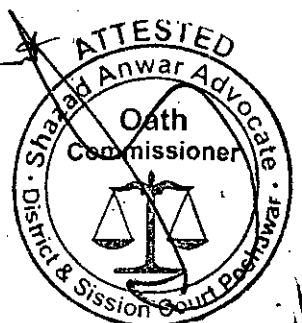
Through


Azmat Ullah Afridi

&


M. Zeeshan Shinwari
Advocates,
High Court Peshawar

Dated 23.06.2023



AFFIDAVIT

It is solemnly affirmed on oath that contents of this application are true and correct


DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M No. _____/2023

In

Service Appeal No. 1418/21

Mukhtiar Hussain S/O Said Rahman**Appellant**

Ex-HC No.672, District Police, Kohat.

Versus

1. Inspector General of Police, Khyber Pakhtunkhwa Headquarter Peshawar.
2. Additional Inspector General of Police, Khyber Pakhtunkhwa, Headquarter Peshawar.
3. District Police Officer, Kohat.

.....**Respondents**

APPLICATION FOR CONDONATION OF DELAY

Respectfully Sheweth:

1. That the above tilted appeal was fixed on 05.01.2023 and was dismissed for non prosecution the same date.
2. That the previous counsel informed the appellant the date of hearing is fixed for 19.06.2023 and when the appellant approach/appear before the Honourable Services Tribunal Court on 19.06.2023 he was informed by the by reader of the court that is case has been dismissed in default on last date of hearing i.e. on 05.01.2023. (Copy of the order dated 05.01.2023 is attached).
3. That the act of the counsel shall not prejudice the case of the appellant and due to the negligent of the counsel the case of the appellant was dismissed for non prosecution.

- That no notice of the court was served upon the appellant regarding the fixation of date.
5. That the appellant informed regarding the dismissal of his appeal on 19.06.2023, therefore his present application for condition of delay is well within time and the delay of filing of the restoration application is not intentionally due to the above mentioned reason
 6. That valuable right of the appellant is involved in the case in question. Moreover their plethora of guideline of the Honourable Supreme Court of Pakistan on the ground that a case should be decided on merits rather than dismissal on technical grounds.
 7. That the law otherwise favour the decision of cases on merit rather on technicalities.
 8. That there is no legal bar on acceptance of the instant Application.

It is, therefore, requested that by accepting this application, the delay if any in filing of the application for restoration may kindly be condoned in the best interest of justice.

Appellant

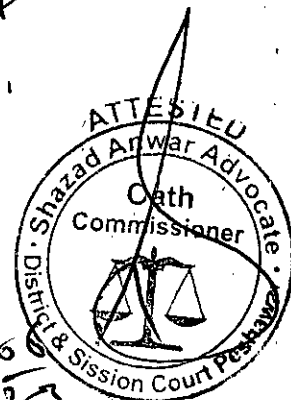
Through

Azmat Ullah Afridi

&

Mr Zeeshan Shinwari
Advocates,
High Court Peshawar

Dated 23.06.2023



23/06/23

AFFIDAVIT:

It is Solemnly affirm on Oath that no such like application has been filed earlier & the contents of this application are true & correct

D.E.P.O.N.E.N.T



**BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR**

Service Appeal No. 1418 /2020

Khyber Pakhtunkhwa
Service Tribunal
Case No. 1415
Date 07/12/2020

Mukhtiar Hussain S/o Said Rehman
Ex-HC No.672, District Police, Kohat. APPELLANT

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa, Headquarter, Peshawar.
2. Additional Inspector General of Police, Khyber Pakhtunkhwa, Headquarter, Peshawar.
3. District Police Officer, Kohat. RESPONDENTS

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS ACT, 1974
AGAINST THE ORDER/ JUDGMENT DATED
29.10.2020, WHEREBY THE APPELLANT'S
SERVICE WAS FORFEITED OF TWO YEARS
AND 14 MONTHS SALARY DETACHED
DURING INTERVENING PERIOD.**

Filed to-day

Registrar,
07/12/2020

PRAYER:

On acceptance of this appeal, the order dated 29.10.2020 may kindly be set aside alongwith all back benefits.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
19/12/20

Appeal No. 1418/2021
MUKHTIAR HUSSAIN VS GOVT



08.11.2022

Counsel for the appellant present.

Muhammad Adeel Butt learned Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Adjourned. To come up for arguments on 05.01.2023 before D.B.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)

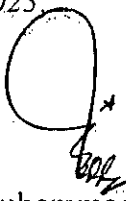

(Rozina Rehman)
Member (J)


5th Jan, 2023

1. Nobody is present on behalf of the appellant. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

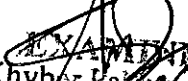
2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant appeal is dismissed in default. Consign.

3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 5th day of January, 2023.


(Mian Muhammad)
Member(E)


(Kalim Arshad Khan)
Chairman

Certified to be true copy


19/6/2023
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 19/6/2023
Number of Words page 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyiest Shahzad
Date of Completion of Copy 19/6/23
Date of Delivery of Copy 19/6/23

50	693	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
ایڈویکٹ: <i>[Signature]</i>	PESHAWAR BAR ASSOCIATION	SCANNED KPST Peshawar
بار کونسل ایسوسی ایشن نمبر: Bc/12-3677	<i>[Logo]</i>	
رابطہ نمبر: 0333-9228336	<i>[Logo]</i>	

Before the Hon'ble Judge Senior Tribunal *[Signature]*

مخائب: Appellant	دعویٰ: Appeal
Mukhtar Ali	علت نمبر: /
بنام Inspector General of Police & Sles	مورخہ: /
	جرم: /
	تھانہ: /

بابت تحریر آئکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 آن مقام *[Signature]* کیلئے *[Signature]* کے لئے *[Signature]* کے لئے *[Signature]* کے لئے *[Signature]* کے لئے
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کال اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقریر ثالثت و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری تک طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور *[Signature]* کا ساختہ پر *[Signature]* منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جائزہ التوائے مقدمہ کے سبب سے ہوگا یا کوئی تازہ خرچہ *[Signature]* دہرہ بلاحد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا کال نامہ لکھ دیا تاکہ مندرجہ
 المرقوم: 23/06/2023
 PESHAWAR BAR ASSOCIATION
 HYBER PAKHTOON
 واہ شد العبد
 مقام *[Signature]* کے لیے منظور ہے۔

عینا دیکھیں و پورے اہتمام سے
 Ex-HC No 672, District Peshawar Kohat

M. Hanif vs Govt / Police Deptt.

03rd May, 2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. Learned counsel for the appellant seeks adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 11.07.2023 before the D.B. Parcha Peshi is given to the parties.

SCANNED
KPST
Peshawar

(Salah-ud-Din)
Member (J)

(Kalim Arshad Khan)
Chairman

Nasim Amin

Service Appeal No.444/2022

ORDER

- 11th July, 2023
1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.
 2. The only grievance of the appellant is that, while reinstating him, the revisional authority has not passed any order regarding payment of salaries of the intervening period. Therefore, he would be satisfied, as also District Attorney, if a direction is given to the respondents to make an appropriate order regarding salaries/benefits for the intervening period. Order accordingly. Consign.
 3. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 11th day of July, 2023.*

(Fareeha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman

Mutazem Shah


be true copy
17/7/23
Service Tribunal
Peshawar

Date of Presentation of Application 17/12/13
Number of Pages Page 1
Copying Fee 10/15/13
Urgent 10/15/13
Total 10/15/13
Name of Applicant Dr. [unclear]
Date of Completion 17/12/13
Date of Delivery of Copy 17/12/13

08.06.2022

Junior to counsel for the appellant present.

Lawyers are on general strike, therefore, case is adjourned. To come up for preliminary hearing on 26.07.2022 before S.B.



(Rozina Rehman)
Member (J)

The appeal of Mr. Muhammad Hanif, PASI, Operation Staff Kohat received today i.e. on 16.03.2022 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

1. Checklist is not attached with the appeal.
2. Annexures of the appeal may be attested.
3. Affidavit attached with the appeal is not attested by the Oath Commissioner.
4. Copy of first departmental appeal against order dated 17-09-2019 is not attached with the appeal which may be placed on it.
5. Copy of Annexure D attached with the appeal is illegible which may be replaced by legible/better one.

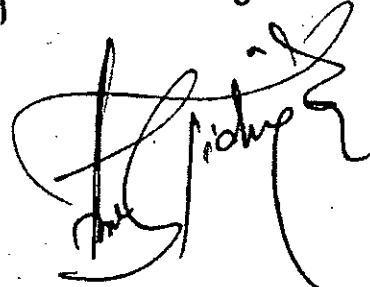
No. 685 /S.T.

Dt. 17-3- /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Azmat Ullah Afridi Adv. Pesh.

*Re-Submitted after necessary
Completion.*



28/3/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 444 /2022

Muhammad Hanif.....Appellant

V E R S U S

The Inspector General of Police Khyber Pakhtunkhwa
Peshawar & others.....Respondents

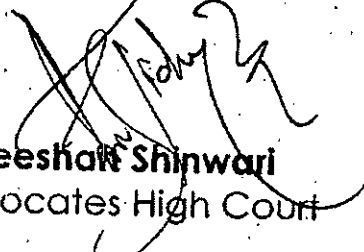
I N D E X

S#	Description of Documents	Annex	Pages
1.	Service Appeal with affability		1-9
2.	Application for condonation of delay Affidavit		10-12
3.	Addresses of parties		13
4.	Copy of the FIR	"A"	14
5.	Copy of order of the DPO & Appeal	"B", "B1"	15, 18
6.	Copy of the order of RPO	"C"	19
7.	Copy of Departmental Appeal & Order (Better copy of Departmental Appeal)	"D", "E"	20 - 24
8.	Copy of Applications	"F", "Fr"	25 - 26
9.	Wakalatnama		27

Through Appellant


Azmat Ullah Afridi

&


M Zeeshan Shinwari
Advocates High Court

Dated 10.03.2022

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 444 /2022

Muhammad Hanif, PASI
Operation Staff Kohat.....**Appellant**

V E R S U S

1. The Inspector General of Police Khyber Pakhtunkhwa Peshawar
2. District Police Officer, Kohat
3. Regional Office Officer, Kohat Region/PSP
4. Additional Inspector General of Police, Headquarter Khyber Peshawar PSP/PPM
5. Deputy Inspector General of Police, Kohat Headquarter Khyber Peshawar**Respondents**

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT
1974 IMPUGNING THEREIN THE ORDER DATED
22.01.2021 TO THE EXTENT (I) WHEREIN STOPPAGE
OF ONE INCREMENT FOR TWO YEARS IS IMPOSED
UPON THE APPELLANT, CONTRARY TO THE LAW
AND JURISPRUDENCE. (II) WHEREIN ALSO,
THOUGH THE APPELLANT IS REINSTATED BUT UNTIL
NOW THE PREVIOUS SALARIES W.E.F. 17.09.2019
HAS NOT BEEN GIVEN TO THE APPELLANT AND
EVERY FRESH MONTHS GIVES RECURRING CAUSE
OF ACTION TO THE APPELLANT, HENCE THE**

RESPONDENTS MAY KINDLY BE DIRECTED TO PAY THE PREVIOUS SALARIES W.E.F. 17.09.2019 TO THE APPELLANT AND IMPUGNED ORDER DATED 22.01.2021 ALLOWING IMPOSITION OF STOPPAGE OF ONE INCREMENT FOR TWO YEARS UPON THE APPELLANT MAY PLEASE BE SET-AT-NAUGHT; BEING UNCALLED FOR; AGAINST JURISPRUDENCE

Respectfully Sheweth:

1. That appellant proud to be a part of esteemed department of KPK Police, on strength to appoint as PASI, on the score of replacement of his real brother officer named Roshan Ali, who was brutally met to martyrdom, while serving his parent department of police, in the year of 2000.
2. That the worthy police department being care taker of the aggrieved family of martyred Roshan Ali, while replaced his services, by devoting the PASI Service to the appellant and since appointment being PASI, the appellant remained unblemished record of his services, while performing his duties and successfully hold the inherited post of his beloved martyred brother.
3. That on 24.08.2019 the diseased "Muhammad Asim Amin Son of Amin Gul nominated accused in the FIR No.1236 dated 22.08.2019 under section 30/34 PPC

Police station MRS Kohat, was apprehended and proceeded to concerned police station of MRS Kohat
(Copy of the FIR is attached as annexure "A")

4. That it is unfortunate to say that the said arrested nominated accused had committed suicide in the premises of the MRS police station; appellant along with other police officials held responsible for the above mentioned suicide of the accused negligence consequently dismiss from the services.
5. That the worthy authority of DPO Kohat when passed dismissal order of the appellant employment on 17.09.2019 the valuable core auspicious corners of the case, did not thoroughly perused and considered and in the respect a per method and such practice of order of dismissal, has also not been required adopt. **(Copy of order of the DPO is also attached as annexure "B")**.
6. That appellant against the order passed by worthy DPO Kohat, preferred his departmental appeal to the worthy RPO Kohat region but the same is unfortunately also stand rejected by the RPO Kohat vide order dated 07.05.2020. **(Copy of the order of RPO is attached as annexure "C")**
7. That the very extra ordinary astonished case of the reinstatement of the employment of appellant, clearly well evidence beside the corroborative evidences

4

available on the face of the record, according to which sight, it has very much clear that appellant is absolutely innocent in the above allegation of negligence, which caused death of the accused in the premises of police station MRS, Kohat.

8. That consistent with the above para, it is important to mention here to skip your authoritative intention towards the most auspicious core of fact that there is a allegation that it was the duty of the appellant to properly well search body of the deceased accuse, when he was arrested and proceeded to the police station but neither worthy DPO nor worthy RPO deceased accuse did not commit suicide while he was retain in his seat in the police station but it is well established that he had nothing weapon in his possession, when the was proceeded to Police Station but right at the time he rushed to his already parked Rikshaw vehicle with in the building of Police Station an brought his pistol from the deviation of the case fact not realize by the competent both authorities hence obviously reached to wrong collusion.

9. That appellant cannot even think about to blame his own martyr real brother police official, by committing such negligence it is however otherwise required to keep under consideration that the said deceased accused was psycho patient, as he already committed such suicide attempt earlier on and in this respect a

separate FIR No.120 dated 26.03.2015 Under section 325/15AA is lying on the face of the record against the said deceased, according to which it can be easily determined that all histone in the case of the appellatant, not contained appealing as responsible so the finding of the lower fora is totally result of misunderstanding actual facts of the case.

10. That appellatant preferred a departmental appeal against the impugned order of regional Police Officer, Kohat region dated 25.06.2020 according to which the order of dismissal from service of the appeal is maintained before the Hon'ble Inspector General of police KPK Peshawar. The Inspector General of Police accepted the departmental appeal and the appellatant has been reinstate into service and the only punishment which was given is stoppage of one increment for two years. **(Copy of Departmental Appeal & Order is attached as annexure "D" & "E")**.
11. That the appellatant has been reinstated and has not been mentioned that he has been reinstated from 22.01.2021; hence it has to be presumed that the appellatant has been reinstated from the date of dismissal i.e. 17.09.2019.
12. That every month the appellatant expecting that the respondent would give his due share in shape of monthly salary w.e.f 17.09.2021 in this regard the

appellant also filed Applications but were left unattended till date. (Copy of Applications are attached as annexure "F" & "G")

13. That feeling aggrieved the appellant approached esteemed office of IGP through application
14. That aggrieved the appellant now approached this Hon'ble Tribunal for impugning order dated 22.01.2021 to the extent of directing the respondents to pay the previous salaries w.e.f 17.09.2019 along with the current salaries on the following grounds inter alia.

G R O U N D S :-

- A. That the impugned order dated 22.01.2021 to the extent of uncalled for; contrary to law and well-settled jurisprudence.
- B. That the impugned order is issued without taking into consideration the relevant record unblemished service career of the petitioner; malafide floating on the surface as such the edifice built is liable to crumble down on that score alone.
- C. That the impugned order is in sheer violation of general rule of restitution of employee/reinstate in service; an employee whose wrongful dismissal or removal has been set aside goes back to his service as he was never dismissed or removed from service, as such the restitution of employee, in this context, means that there



has been no discontinuance in his service and for all purpose he had never left his post hence entitled to arrears of pay for the period he was kept out of service.

- D. That treatment in dissonance with law/rules and jurisprudence smacks malice and ill will on the part of respondents
- E. That carte-blanche exercise of power abdicates well entrenched principle of "structured discretion".
- F. That palpable omissions stands in violation of the law laid down by the Hon'ble the Supreme Court of Pakistan in Qaiser Iqbal case, was held that "Rule of law meant supremacy of law as opposed to arbitrary authority of the government; said supremacy guaranteed three concepts first, the absence of arbitrary power; second, equality before law and third the rights of a citizen.
- G. That it is cardinal principle of law and justice that what cannot be done directly cannot be done indirectly.
- H. That "expressio unis Est. Exclusio Alterius" commanding that when law requires a thing to be done in a particular manner as anything done in conflict of the command of law shall be unlawful being prohibited.
- I. That any other ground will be raised at the time of arguments with the prior permission of this Hon'ble Court,


It is therefore most humbly prayed that on acceptance of this Service Appeal, the impugned order dated 22.01.2021 to the extent (i) wherein stoppage of one increment for two years is imposed upon the appellant, contrary to the law and jurisprudence. (ii) wherein also, though the appellant is reinstated but until now the previous salaries w.e.f. 17.09.2019 has not been given to the appellant and every fresh month gives recurring cause of action to the appellant, hence the respondents may kindly be directed to pay the previous salaries w.e.f. 17.09.2019 to the appellant and impugned order dated 22.01.2021 allowing imposition of stoppage of one increment for two years upon the appellant may please be set-aside; being uncalled for; against jurisprudence.

Any other relief which has not been asked for in the circumstances of the case may also be passed in favour appellant.

Through


Appellant

Azmat Ullah Afridi

&


M Zeeshan Shinwari
Advocates High Court

Dated 10.03.2022

9

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. _____/2022

Muhammad Hanif.....**Appellant**

VERSUS

The Inspector General of Police Khyber Pakhtunkhwa
Peshawar & others.....**Respondents**

AFFIDAVIT

I, Muhammad Hanif, PASI Operation Staff Kohat, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.


DEPONENT

(10)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2022

Muhammad Hanif.....**Appellant**

V E R S U S

The Inspector General of Police Khyber Pakhtunkhwa
Peshawar & others.....**Respondents**

**APPLICATION FOR CONDONATION OF
DELAY IN FILING THE CAPTIONED
SERVICE APPEAL**

Respectfully Sheweth:

1. That the instant service appeal is being filed before this Hon'ble Tribunal which is yet to be fixed for its hearing.
2. That the grounds of the accompanying appeal may be read as integral part of this appeal.
3. That the delay, if any, in filing of instant appeal, is neither intentional nor deliberate but due to the reason the appellant was expecting order in respect of Application earlier filed by the appellant to the commanding authorities which until now is pending adjudication.

- 4. That financial matter/monitory benefit are involved also on every month the appellant accrued fresh cause of action as the matter is one of recurrent cause of action
- 5. That the law favours adjudication on merit rather non-suiting the litigant on technicalities.
- 6. That it is just, fair and in the large interest of justice that the delay in filing instant appeal be condone.

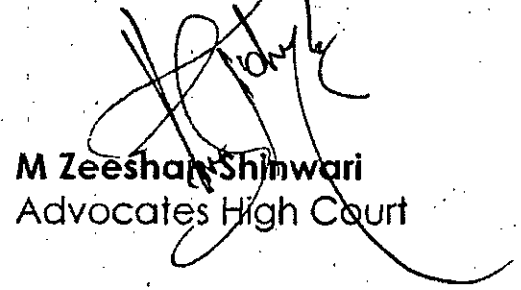
It is, therefore, most humbly prayed that by accepting this application, the delay in filing the instant service appeal may please be condoned.


Appellant

Through


Azmat Ullah Afridi

&


M Zeeshan Shinwari
Advocates High Court

Dated 10.03.2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2022

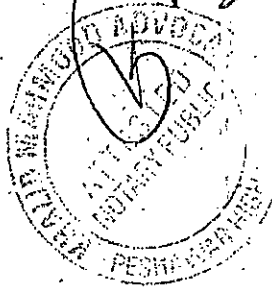
Muhammad Hanif.....Appellant

VERSUS

The Inspector General of Police Khyber Pakhtunkhwa
Peshawar & others.....Respondents

AFFIDAVIT

I, Muhammad Hanif, PASI Operation Staff Kohat, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application for condonation of delay** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



[Handwritten Signature]
DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2022

Muhammad Hanif.....Appellant

V E R S U S

The Inspector General of Police Khyber Pakhtunkhwa
Peshawar & others.....Respondents

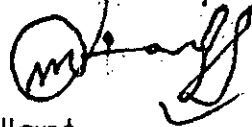

ADDRESSES OF PARTIES

A P P E L L A N T:

Muhammad Hanif, PASI
Operation Staff Kohat

R E S P O N D E N T S


1. The Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. District Police Officer, Kohat
3. Regional Office Officer, Kohat Region/PSP
4. Additional Inspector General of Police, Headquarter Khyber Peshawar PSP/PPM
5. Deputy Inspector General of Police, Kohat Headquarter Khyber Peshawar.


 Appellant


Through

Azmat Ullah Afridi

&


M Zeeshan Shinwari
 Advocate High Court

Dated 10.03.2022

pe Ammenture B

(15)



OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT.

~~Ameen A~~
~~P T~~

ORDER

This order is passed on the departmental enquiry against PASI Muhammad Hanif under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

Brief facts of the case are that on 24.08.2019, accused official alongwith HC Mukhtiar Hussain No. 672 (co accused official) apprehended Muhammad Asim Ameen s/o Ameen Gul r/o Kamal Khel Kohat wanted in case FIR No: 1236 dated 24.08.2019 u/a 302 PPC PS MRS and brought to Police station MRS. He (accused official) alongwith above named official did not make proper body search of the accused and let him to sit inside room, where the accused allegedly committed suicide with arms in his custody / presence in Police station. Case vide FIR No. 1239 dated 24.08.2019 u/s 325 PPC PS MRS was registered against the deceased.

The incident created hype in social media, in general public as well and damaged the image of Police professionalism.

Therefore, departmental proceedings are initiated against the accused official under the relevant law. Charge sheet alongwith statement of allegations was issued to the accused official and SP Operations Kohat was appointed as enquiry officer to scrutinize the conduct of the accused official. The enquiry officer vide his detail report held the accused official guilty of charges as the deceased accused was not search properly by the arresting officer.

In the light of report of enquiry officer and available record, Final Show Cause Notice was served upon him. Reply was received and found unsatisfactory.

Therefore, the accused official was called in Orderly Room, held on 16.09.2019 and heard in person, but he failed to submit any plausible explanation to his gross misconduct.

In view of above, and available record, I reached to the conclusion that the accused official alongwith other official had arrested the alleged accused of FIR No. 1236/2019, brought to Police station and let him to sit inside room instead of lockup. Further, the accused official did not make proper search of the accused / deceased person and he committed suicide in the jurisdiction of Police station. This speaks of inefficiency, non-professionalism, willful negligence on the part of accused official. Therefore, the charges leveled against the accused official have been established beyond any shadow of doubt. Therefore, in exercise of powers conferred upon me a major punishment of Dismissal from service is imposed on accused official PASI Muhammad Hanif with immediate effect.

Announced
16.09.2019

CAPT. @ WAHID MEHMOOD (PSP)
DISTRICT POLICE OFFICER,
KOHAT 21/16/19

OB No. 126
Date 17-9-2019

No 20091-95 /PA dated Kohat the 17-9-2019.

Copy of above is submitted for favour of information to the:-

1. Regional Police Officer, Kohat please.
2. District Account Officer, Kohat
3. Reader/Pay officer/SRC and OHC for necessary action

Attest
[Signature]

CAPT. @ WAHID MEHMOOD (PSP)
DISTRICT POLICE OFFICER,
KOHAT 21/16/19

To: The Regional Police Officer,
Kohat Region.

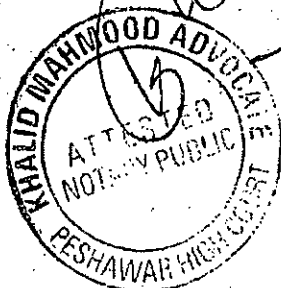
Subject: DEPARTMENTAL APPEAL

Respected Sir,

With profound regards and great veneration, appellant submits departmental appeal against the order of learned District Police Officer Kohat dated 16 05 2019 bearing OB No. 1126 vide which appellant was dismissal from service.

FACTS

- 1 That appellant was directly inducted as Assistant Sub Inspector in Khyber Pakhtunkhwa Police against Shuhada quota, successfully qualified the basic training and is undergoing probation courses.
- 2 That appellant was posted in police station Mohamnad Riaz Shaheed district Kohat. On 22 08 2019, station clerk recorded the report of one Miraj Ahmad in Daily Diary vide Serial No. 64. According to the report complainant was forcibly deprived of two (02) "Tola" gold by three unknown accused and then fled away from the scene of the occurrence in Rickshaw.
- 3 That the station clerk marked the report recorded in daily diary to Mukhtiar Hussain HC for verifying the truth of the occurrence. During course of enquiry it came to light that one Mohammad Asim Amin and others were involved in the occurrence. Therefore that Station House Officer registered proper case vide FIR 1236 dated 24 08 2019 under section 382, 34 PPC PS MRS.
- 4 That on 24 08 2019, Mukhtiar Hussain HC had reportedly received spy information about the presence of Rickshaw driver involved in the occurrence in the premises of "Moza" Bahadar Kot. Appellant accompanied by Mukhtiar Hussain HC rushed to the spot for the recovery of Rickshaw and arrested of accused.
- 5 That on reaching the spot, Rickshaw and driver namely Mohammad Asim Amin were found. The driver did not resist his arrest and he was thoroughly searched with a view to safe driving of Rickshaw to Police Station. The driver was not handcuffed and accordingly he alongwith Rickshaw was shifted to Police Station under proper escort.
- 6 That on reaching the Police Station, the Rickshaw was parked. The accused driver was debanded from Rickshaw and while proceeding towards the office of the Police Station, the accused Rickshaw driver placed request for properly locking the accessories of the Rickshaw. He was allowed and then he was shifted to office under proper escort.
- 7 That the accused driver was seated inside the record Room situated opposite to the office of station clerk. The station clerk was busy in interaction with private persons and he was asked to admit the accused to lock up.
- 8 That in the meanwhile, a report of fire shot coming from Record Room side was heard the police officers and the private persons rushed to the record Room and found accused Rickshaw driver in injured condition alongwith 30 bore pistol. The injured was shifted to Hospital under proper escort. Criminal case on charges of



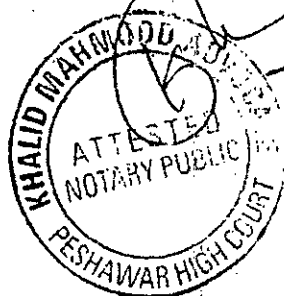
(17)

commission of attempt of suicide was registered against the accused vide FIR No 1239 under section 325 PPC in PS MHS.

- 9) That later on, the accused driver succumbed to his injuries and the social Media highlighted the occurrence. Learned District Police Officer Kohat in order to defuse the situation, issued suspension order of the appellant and other followed by issuance of charge sheet based on allegations of commission of negligence in his duty and showing in efficiency by not conducting proper body search of the accused driver which led to commission of attempt of suicide inside the Police Station.
- 10) That appellant submitted detailed and plausible reply in response to the charge sheet. Enquiry officer conducted ex parte proceedings and the departmental proceedings initiated against appellant which culminated in passing the impugned order, hence this departmental appeal is submitted on the following grounds.

GROUND:

- a. That the impugned order has been passed without application of mind to factual and legal aspects of the proceedings. Appellant accompanied by Mukhtar HC, while acting upon a tip of information quickly responded to the call of duty and ensured safe arrest of accused and recovered the case property Rickshaw. The lower authority did not take into account the above good performance, professionalism and efficiency of appellant while passing the impugned order.
- b. That this is on the record that the charges levelled against appellant were the outcome of pressure developed by social Media about the occurrence of commission of attempt of suicide inside the Police Station as the lower authority has categorically observed in the impugned order that the incident created hype in social media. Therefore the impugned order was not sustainable as it has been passed under influence of the side winds emanating from social media.
- c. That the findings of guilt recorded against appellant were not based on any evidence. The impugned order explains the story of the occurrence and no evidence has been referred to in support of the charges of commission of negligence in his duty and displaying in efficiency. The only reference to the find-up report of enquiry officer is not tenable because the findings were not supplied to the appellant despite submission of application for grant of copy of findings.
- d. That the enquiry officer as well as the lower authority has not considered the plausible defence advanced by appellant in shape of reply in response to the charge sheet. The principle of natural justice requires provision of proper opportunity of defence to the accused officer were ignored. The enquiry officer did not associate the appellant in the enquiry proceedings. No witness was examined in the presence of appellant. No opportunity of cross-examination of witnesses was provided to appellant. Therefore the superstructure of the impugned order based on proceedings conducted in violation of law and rules is worth set aside.

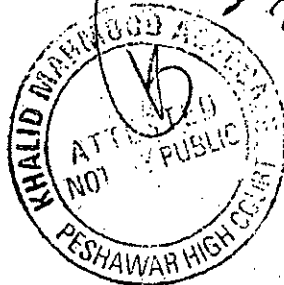


- e. That the lower authority and the enquiry officer have not explained the alleged negligence in duty committed by appellant. Accused driver of the Rickshaw was properly searched and he was not in hand cuffed to enable him for driving the case property Rickshaw. He was safely shifted to police station. He reportedly picked up pistol from the hidden cavity of the Rickshaw inside the police station. Appellant displayed efficiency by making arrested of the accused and recovery of case property Rickshaw. Therefore, none of the charge was proved against appellant.
- f. That the lower authority has wrongly assessed the facts and evidence on record. Offences against person are inevitable and are beyond the control of human being control on crimes against property is the main criteria for judging the efficiency and professionalism of a police officer. Appellant quickly responded to the call of duty. Arrested the accused wanted in Robbery case and recovered the case property Rickshaw.
- g. Harsh penalty of dismissal from service was imposed on appellant on charges of commission of offence of attempt of suicide by accused arrested in Robbery case. Therefore the impugned order has been passed in violation of principles of natural justice.
- h. That the whole departmental file has been prepared in violation of disciplinary rules. Appellant was not associated in the enquiry proceedings officer finding were not supplied to the appellant. The defence advanced by appellant was not considered. Therefore, the impugned order is worth set aside.
- i. That the authority did not consider the unblemished record of service of appellant. Harsh penalty of dismissal from service was imposed on appellant on the basis of trivial charges of negligence in duty.
- j. That award of penalty of dismissal from service amounts to award of punishment to all the members of the finding of police officer.

It is therefore, requested that the impugned order may be set aside with all back and consequentially benefits, please.

Dated

09/10/2019



Yours obediently,

Muhammad Hanif
Ex-PASI
District Police Kohat

"Annexure C"

POLICE DEPTT:

18

KOHAT REGION

ORDER.

This order will dispose of a departmental appeal, moved by Ex-PASI Muhammad Hanif of Operation Staff Kohat against the punishment order, passed by DPO Kohat vide OB No. 1126, dated 17.09.2019 whereby he was awarded major punishment of dismissal from service on the allegations of negligence in discharge of official duty and not properly searching the accused which resulted in his suicide inside the Police Station.

He preferred an appeal to the undersigned upon which comments were obtained from DPO Kohat and his service documents were perused. He was also heard in person in Orderly Room, held on 25.06.2020. During hearing, he did not advance any plausible explanation in his defense to prove his innocence.

I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved beyond any shadow of doubt and the same has also been established by the E.O in his findings. Therefore, his appeal being devoid of merits is hereby rejected.

Order Announced
25.06.2020

(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.

No. 7020 /EC, dated Kohat the 7/7 /2020.

Copy to DPO/Kohat for information w/r to his office Letter No. 21262/LB, dated 02.12.2019. His Service Record containing 02 Service Books, Service Roll & Fauji Missal / Enquiry File is returned herewith.

PROCESSED
for 7/7/2020

(TAYYAB HAFEEZ) PSP
Region Police Officer,
Kohat Region.

5

Signature D

(Signature)

Most Respected,
Inspector General of Police,
Khyber Pakhtunkhwa
Peshawar.

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER OF
WORTHY REGIONAL OFFICER KOHAT REGION DAED-25.06.2020,
ACCORDING TO WHICH THE ORDER OF DISMISAL FROM SERVICE OF
THE APPLICANT IS MAINTAINED, HENCE REQUIRED ITS SET ASIDE BY
REINSTATING THE APPLICANT ON SERVICE.

Sir,
I humbly submitting as under :

That applicant proud to be a part of esteemed department of KPK Police, on
the strength to appoint as PASI, on the score of replacement of his real
brother Police officer named Roshan Ali, who was brutally met to
martyrdom, while serving his parent department of police, in the year of
2010.

That worthy police department being care taker of the aggrieved family of
martyred Roshan Ali, while replaced his services, by devoting the PASI
services to the applicant and since appointment being PASI, the applicant
maintained unblemished record of his services; while performing his duties
to successfully hold the inherited post of his beloved martyred brother.

That on 24/08/2019 the diseased "Muhammad Asim Amin" S/o Amin Gul
was nominated accused in the FIR No 1236 dated 22/08/2019 under section
302 PPC Police station MRS Kohat, was apprehended and proceeded to
MRS Kohat police station of MRS Kohat. (Copy of the FIR is enclosed herewith
for reference)

That it is unfortunate to say that the said arrested nominated accuse have
committed suicide in the premises of the MRS police station, against which
the appellant along with other police officials held responsible for the
above suicide of the accuse and consequently dismiss from the services.

That the worthy authority of DPO Kohat when passed dismissal order of the
applicant employment on 17/09/2019 the valuable core auspicious corners
of the case, did not thoroughly perused and considered and in the respect a
proper method and such practice of order of dismissal, has also not been
followed. Copy of order of the DPO is also attached herewith.

That appellant against the order passed by worthy DPO Kohat, preferred
departmental appeal to the worthy RPO Kohat region but the same is
unfortunately also stand rejected by the RPO Kohat vide order dated
25/09/2019. (copy of the order of RPO is also appended herewith)

(21)

It is a very extraordinary astonished case of reinstatement of the employment of appellant, clearly well evident beside the corroborative evidence available on the face of the record, according to which sight, it has been clear that appellant is absolutely innocent in the above allegation of negligence, which caused death of accuse in the premises of police station in MRS Kohat.

Contrary to the above Para, it is important to mention here to skip your authority's attention towards the most auspicious core of the fact that there is a allegation that it was the duty of the appellant to properly well search the body of the deceased accuse, when he was arrested and proceeded to the police station but neither worthy DPO nor worthy RPO taken into fact of the matter under their kind consideration that the deceased accuse did not commit suicide while he was retain in his seat in the police station but it is well established that he had nothing weapon in his possession, when he was proceeded to police station but right at the time he returned to his already parked Rikshaw vehicle with in the building of police station and brought his pistol from the secret cavity and finally he met his death. However this worth turn and deviation of the case fact not really a competent both authorities hence obviously reached to wrong conclusion.

That appellant cannot even think about to blame his own martyr real brother a police official, by committing such negligence it is however others are required to keep under consideration that the said deceased accused is a psycho patient, as he has already committed such suicide attempt earlier on and in this respect a separate FIR bearing No 120 dated 25/1/2017 under section 325/15AA, is lying on the face of the record against the said deceased, according to which it can be easily determined that the negligence in the case of the appellant, not contained appellant as responsible to the finding of the lower fora is totally result of misreading and finding the actual facts of the case.

That the grounds of earlier filed departmental appeals to DPO and RPO are to be read as an integral part of this departmental appeal.

It is further the family prayed that in the light of above facts, elaborated in the subject matter, the appeal in hand may graciously please be accepted and the service of the appellant may be restored.

Yours Obediently

(Signature)

EX-PAST Muhammad Hanif
Police Kohat

To,

Most Respected,
Inspector General of Police,
Khyber Pakhtunkhwa
Peshawar

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER OF WORTHY REGIONAL OFFICER KOHAT REGION DATED 25.06.2020, ACCORDING TO WHICH THE ORDER OF DISMISSAL FROM SERVICE OF THE APPLICANT IS MAINTAINED, HENCE REQUIRED ITS SET ASIDE BY REINSTATING THE APPLICANT ON SERVICE.

Respected Sir,

It is most humbly submitting as under:

1. That the Applicant proud to be a part of esteemed department of KPK Police, on the strength to appoint as PASI, on the score of replacement of his real brother Police Officer names Roshan Ali, who was brutally met to martyrdom, while serving his parent department of police, in the year of 2000.
2. That worthy Police Department being care taker of the aggrieved family of martyred Roshan Ali, while replaced his services by devoting the PASI services to the Applicant and since appointment being PASI, the Applicant remained unblemished record of his services, while performing his duties and successfully hold the inherited post of his beloved martyred brother.
3. That on 24.08.2019 the diseased "Muhammad Asim Amin" S/o Amin Gul nominated Accused in the FIR No. 1236 dated 22.08.2019 under Section 382/34 PPC police station MRD Kohat, was apprehended and proceeded to concern police station of MRS Kohat. (copy of the FIR is enclosed herewith this Appeal)
4. That it is unfortunate to say that the said arrested nominated Accused have committed suicide in the premises of the MRS Police Station, against which the Appellant along with other police officials held responsible for the above suicide of the accuse and consequently dismiss from the services.
5. That the worthy authority of DPO Kohat when passed dismissal order of the Applicant employment on 17.09.2019 the valuable core auspicious corners of the case, did not thoroughly perused and considered and in the respect a proper method and such practice of order of dismissal has also not been required adopt. (Copy of order of the DPO is also attached herewith)
6. That Appellant against the order passed by worthy DPO Kohat, preferred his departmental Appeal to the worthy RPO Kohat region but the same is unfortunately also stand rejected by the RPO Kohat vide order dated 25.6.2020. (Copy of the Order of RPO is appended herewith)

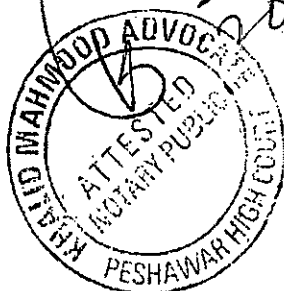


7. That it is very extra ordinary astonished case of reinstatement of the employment of Appellant, clearly well evident beside the corroborative evidences available on the face of the record, according to which slight, it has very much clear that Appellant is absolutely innocent in the above allegation of negligence, which caused death of accuse in the premises of police station MRS Kohat.
8. Consistent with the above para, it is important to mention here to skip your authoritative intention towards the most auspicious core of the fact that there is a allegation that it was the duty of the Appellant to properly well search body of the deceased accuse, when he was arrested and proceeded to the police station but neither worthy DPPO nor worthy RPO taken this fact of the matter under their kind consideration that the deceased accuse did not commit suicide while he was retain in his seat in the police station but it is well established that he had nothing weapon in his possession, when he was proceeded to police station but right at the time he rushed to his already parked Rikshaw vehicle with in the building of police station and brought his pistol from the secret cavity and finally he met to death. However this worth turn and deviation of the case fact not realize by the competent both authorities hence obviously reached to wrong conclusion.
9. That Appellant cannot even think about to blame his own martyr real brother police official, by committing such negligence it is however otherwise required to keep under consideration that the said deceased accuse was a psycho patient, as he has already committed such suicide attempt earlier on and in this respect a separate FIR bearing No 120 dated 26.03.2015 under Section 325/15-AA is lying on the fact of the record against the deceased, according to which it can be easily determined that all his done in the case of the Appellant, not contained Appellant as responsible so the finding of the lower for a is totally result of misunderstanding the actual facts of the case.
10. That facts and grounds of earlier filed departmental appeals to DPO and RPO, may be read as integral part of this departmental Appeal.

It is, therefore, most humbly prayed that in the light of above facts, elaborated in the subsequent stanzas, the Appeal in hand may graciously please be accepted and the services of the Appellant may be restored.

Yours obediently

Ex-PASI Muhammad Hanif
District Police Kohat
27.07.2020





24

"Annexure E"

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

No. SI/ 240 /21, dated Peshawar the 22/9/2021.

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-PASI Muhammad Hanif. The petitioner was dismissed from service by District Police Officer, Kohat vide OB No. 1126, dated 17.09.2019 on the allegations that on 24.08.2019, he alongwith HC Mukhtiar Hussain No. 672 apprehended Muhammad Asim Ameen s/o Ameen Gul wanted in case FIR No. 1236 dated 24.08.2020 w/s 302 PPC Police Station MRS and brought to Police Station MRS. He alongwith above named official did not make proper body search of the accused and let him to sit inside room, where the accused allegedly committed suicide with arms in his custody/presence in Police Station. A case vide FIR No. 1230, dated 24.08.2019 w/s 325 PPC Police Station MRS was registered against the deceased. His appeal was rejected by Regional Police Officer, Kohat vide order Endst: No. 7020/EC, dated 07.07.2020.

Meeting of the Appellate Board was held on 24.12.2020, wherein the petitioner was present and heard in detail.

His co-accused Mukhtar was treated leniently in his appeal, by the previous authority. As per the principle of consistency and considering the punishment being harsher than the delinquency, therefore, the Board decided that he is hereby re-instated into service and his punishment is converted to stoppage of one increment for two (02) years.

Sd/-

DR. ISHTIAQ AHMED, PSP/PPM
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. SI/ 241-48 /21.

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat. Two Service Books, one Service Roll and one Fauji Missal/enquiry file of the above named PASI received vide your office Memo: No. 9557/EC, dated 03.09.2020 is returned herewith for your office record.
2. District Police Officer, Kohat.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-III, CPO Peshawar.
8. Officer concerned.

(RAI BABAR SAEED) PSP
Deputy Inspector General of Police, HQrs:
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Amnata f
(29)

جناب عالی!

درخواست براد عالی مراعات ملازمت

گزارش کی جاتی ہے کہ سائل محکمہ پولیس ضلع کوہاٹ میں بطور PASI سال 2016 کو بھرتی ہوا اور دوران سروس آپ نے فرمائش میں بھی نہایت خوش اسلوبی سے سرانجام دیے۔

سائل کو بحال آڈر 240/21 مورخہ 22.01.2021 کو دفتر صوبائی پولیس سربراہ نے ملازمت سے برطرف فرما دیا ہے آپ نے بعد سے پروردہ بارہ بحال (Re-instated) کیا ہے تاہم سائل کو اگلی تک (Back benefits) نہیں ملی ہیں کیونکہ بحالی حکم نامہ میں Re-instated کی اصل تاریخ کی صحیح وضاحت موجود نہیں ہے۔

بذریعہ درخواست استدعا ہے کہ سائل کی بحالی کی آڈر (Re-instated) میں اصل تاریخ کی وضاحت کی جائے تاکہ سائل کو سابقہ تمام مراعات (Back benefits) مل سکیں۔ سائل دعا گو ہے۔
(آڈر نمبر 240/21 مورخہ 22.01.2021 مراعات ہے)

عین نوازش ہوگی

تحریر 05.08.2021

العارض

ایک ایف پاسی شریف شہید کارکن ریٹائرمنٹ

(29)

178/2019-6

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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

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 PASI Muhammad Hanif. The petitioner was dismissed from service by DPO Kohat vide OB No. 1126, dated 17.09.2023 on the allegations that on 24.08.2019, he alongwith HC Mukhtiar Hussain No. 672 apprehended Muhammad Asim Ameen s/o Ameen Gul wanted in case FIR No. 1236 dated 24.08.2020 u/s 302 PPC Police Station MRS and brought to Police Station MRS. He alongwith above named official did not make proper body search of the accused and let him to sit inside room, where the accused allegedly committed suicide with arms in his custody/presence in Police Station. A case vide FIR No. 1230, dated 24.08.2019 u/s 325 PPC PS MRS was registered against the deceased.

The Appellate Authority i.e. RPO DI Khan rejected his Appeal vide 2583/ES, dated 18.07.2018.

He preferred an appeal to worthy Inspector General of Police Khyber Pakhtunkhwa. In the Appellate Board meeting held on 24.12.2020 he was reinstated into service and his punishment was converted into stoppage of one increment for two years.

The Appellant filed Service Appeal with the prayers to grant him salaries w.e.f 17.09.2019 to 22.01.2021. The Honorable Khyber Pakhtunkhwa Service Tribunal accepted the subject Service Appeal vide judgment dated 11.07.2023.

Meeting of the Appellate Board was held on 20.10.2023, wherein the petitioner was present and heard in detail.

In light of the decision of the Honorable KP Service Tribunal, the Board decided that his pay for the intervening period w.e.f 17.09.2019 to 22.01.2021 is restored.

Sd/-

AWAL KHAN, PSP

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

No. SI/2757-62/23, dated Peshawar, the 22-11-2023




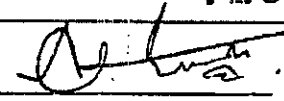
Copy of the above is forwarded to the:

1. Regional Police Officer Kohat.
2. District Police Officer Kohat.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PAs to Addl: IGP/HQrs: & DIG/HQrs Khyber Pakhtunkhwa, Peshawar.
5. Office Supdt: E-III, CPO Peshawar.
6. Officer concerned.


Attested

Regional Police Officer
City Circle Kohat

(DIG/ESTABLISHMENT) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

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ایڈوکیٹ: 				
بار کونسل ایسوسی ایشن نمبر: BC 12-3677		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
رابطہ نمبر: 03365656555				

بعد الت جناب: حیدر پختونخواہ کسٹومرز ٹریبونل پشاور

مخاب: <u>Appellant</u>	دعویٰ: <u>Service Appeal</u>
	علت نمبر: <u>1</u>
	مورخہ: <u>1</u>
	جرم: <u>1</u>
	تھانہ: <u>1</u>

بامشاور آگے

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

آن مقام سید ارمینہ شاہ اپیل انجیل کو وکیل مقرر محمد علی

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر نمائت و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا طرفہ یا اپیل کی ہرزہ کی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے اختیار کے تحت تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور ان کے ساتھ پر واضحہ منظور و قبول ہوگا دوران مقدمہ میں جو کچھ ہر جانب اتوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیش مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کرے، لہذا وکالت نامہ لکھ کر تاکہ سند رہے

الرقوم: 3/2/2020

M. Hanif S/o Inam Ali
R/o Kohat City

کے لیے منظور ہے۔