

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No.1241/2024.

Haroon Jadoon.....Appellant.

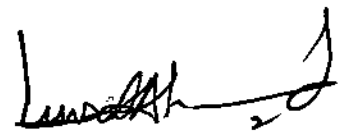
VERSUS

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar..... Respondent.

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DEPONENT



SP/ Courts & Litigation,
CPO, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

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Haroon Jadoon.....Appellant.

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Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar..... Respondent.

PARA-WISE COMMENTS BY RESPONDENTS NO. 1 & 2

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 16279
Dated 02-10-24

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has not come to Hon'ble Tribunal with clean hands.
4. That the appellant has no cause of action and locus standi to file instant appeal.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from this Hon'ble Tribunal.
7. That the appeal is not maintainable being devoid of merits.

REPLY ON FACTS:-

1. Para to the extent of appellant status as employee in Police Department is correct while rest of the para regarding performance of duty with full devotion and to the entire satisfaction of high ups is not plausible because every Police officer is under obligation to perform duty with full devotion and honesty anywhere he posted because in this department no room lies for lethargy official.
2. Correct to the extent of registration of FIR against the appellant and along with others as the appellant was found involved in replacing and embezzling the case property vide FIR No. 1100 dated 12.12.2023 u/s 9DCNSA/15-AA/419/420 PPC PS Gulberg (Annexure-A) wherein, a huge quantity of contraband was replaced/ embezzled.
3. Correct to the extent that a fact finding enquiry was conducted into the matter wherein, the appellant along with others were found involved in replacing/ embezzling a huge quantity of contraband which was taken into possession vide case FIR No. 1100 dated 12.12.2023 u/s 9DCNSA/15-AA/419/420 PPC PS Gulberg. Resultantly, the appellant was suspended vide order No. CPO/E-I/Transfer/Posting/351 dated 02.02.2024 (Annexure-B).
4. Correct to the extent that on the basis of his involvement in replacing/ embezzling a huge quantity of contraband which was seized and taken into possession vide case FIR No. 1100 dated 12.12.2023, a Fact Finding Enquiry into the matter was conducted through SSP/ Investigation wherein the appellant along with others were held responsible for replacing/ embezzling. Hence, in light of the same, Charge Sheet along with Statement of Allegations were issued to the appellant (Annexure 'C' & 'D'). Deputy Inspector General of Police, Information & Technology was appointed as enquiry officer to scrutinize the conduct of the

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appellant in accordance with law/ rules. The enquiry officer after fulfillment of all legal and codal formalities coupled with providing opportunities of self defense to the appellant, submitted his report (**Annexure-E**), wherein the appellant was found guilty of gross misconduct as allegations against him were proved to the hilt. Therefore, he was recommended for major punishment. After receipt of the enquiry findings, Final Show Cause Notice was issued to the appellant (**Annexure-F**) but he did not bother to submit reply of the same as he had nothing to offer in his defense. Hence, after fulfillment of the legal and codal formalities, the appellant was awarded major punishment of dismissal from service vide Order No. S/760-72/2024 dated 05.04.2024 which does commensurate with the gravity of misconduct of the appellant.

5. Incorrect. Plea taken by the appellant is not plausible rather bereft of any substance because it is worth mentioning here that criminal proceedings and departmental proceedings are distinct in nature and both can run side by side, one cannot affect the other. In this regard, reliance is placed on Civil Petition No.516-K of 2022 Mumtaz Uddin Shaikh wherein the Hon'ble Supreme Court of Pakistan has settled the issue in question in a categorical manner, the relevant contents are reproduced as under;

"This controversy has been resolved by this Court in various cases, reference may be made to the case of Khaliq Dad v. Inspector General of Police and others, wherein it was held that:-

After having gone through the entire record and perusing the judgment impugned we are not at all impressed by the above mentioned contentions which appear to be meritless and fallacious. The initiation of disciplinary action and criminal proceedings are not interdependent which could have been initiated simultaneously and brought to their logical end separately with different conclusions. The acquittal in a criminal case would have no bearing on disciplinary action which was initiated on account of inefficiency and grave misconduct by invoking the provisions as contemplated in rule 3(a) and (b) of the Punjab Police (E&D) Rules, 1975. The learned Advocate Supreme Court when asked as to whether the petitioner could have been absolved from charges of "misconduct and inefficiency" as a result of acquittal in the criminal case, no satisfactory answer could be given. This is well entrenched legal position that criminal proceeding does not constitute a bar for initiation of disciplinary proceedings under the relevant (E&D) Rules..."

Moreover, in the case of Muhammad Ashraf Khan v. Director Food, Punjab Lahore and another, it was ruled that:-

" It is well-settled by now that "objects of prosecution on criminal charge and departmental proceedings are entirely different; one relates to the enforcement of criminal liability and the other is concerned with service discipline. Acquittal on criminal charge had no bearing on disciplinary proceedings. This Court in the case of, Inspector-General of Police Punjab, Lahore and others v. Muhammad Tariq 2001 SCMR 789 has held that acquittal in criminal case is no bar for imposing any penalty in departmental proceedings under Government Servants (Efficiency and Discipline) Rules, 1973."

6. As already explained above that the appellant was found involved in replacing and embezzling of case property vide FIR No. 1100 dated 12.12.2023. Fact Finding Enquiry into the matter was conducted through SSP/ Investigation wherein the appellant along with others

were held responsible for replacing/ embezzled a huge quantity of contraband. Hence, he was issued Charge sheet along with Statement of Allegations and enquiry was entrusted to the Deputy Inspector General of Police, Information & Technology to scrutinize the conduct of the appellant in accordance with law/ rules. The enquiry officer after fulfillment of all legal and codal formalities submitted his findings, wherein the appellant was found guilty of gross misconduct as allegations against the appellant were proved beyond any shadow of doubt. Therefore, the appellant was recommended for major punishment. After receipt of the enquiry findings, Final Show Cause Notice was issued to the appellant but he did not bother to submit reply of the same as he had nothing to defend himself through cogent evidence/ reasons rather bitterly failed to produce even a single iota of evidence. In light of recommendations of the enquiry officer as well as his failure to submit reply to the Final Show Cause Notice it was clearly depicted that the appellant had failed to justify his innocence. Resultantly, he was awarded major punishment of dismissal from service vide order No. S/760-72/2024 dated 05.04.2024 (**Annexure-G**). Besides plea of the appellant regarding his discharge from criminal case is also bereft of any substance because as explained in detail in the preceding para the outcome of criminal case will have no binding effects on the fate of departmental proceedings.

7. Correct to the extent that the appellant filed Review Petition before the Reviewing Authority wherein the Review Board meeting was held on 23.07.2024 and the appellant was heard in person in detail by the Board *ibid*. After proper hearing and perusing the materials available on record, the Board took lenient view of the misconduct of the appellant and partially accepted revision petition whereby major punishment of dismissal from service was converted into major punishment of reduction in rank i.e. from substantive rank of DSP to substantive rank of Inspector and the appellant was reinstated in service with immediate effect vide Order No. S/2105-11/24 dated 19.08.2024 (**Annexure-H**).
8. The instant Service Appeal is barred under law/ rules and not maintainable hence, liable to be dismissed on the following grounds amongst the others.

REPLY ON GROUNDS

- A. Incorrect. Plea taken by the appellant is totally bereft of any substance as the orders dated 05.04.2024 and 19.08.2024 are passed in accordance with law/ rules, facts as well as in accordance with natural justice.
- B. Incorrect, the appellant has been treated in accordance with law/ rules. No violation of any article of Constitution exists on part of respondents as the respondent department has no ill will or grudges against the appellant.
- C. Incorrect. As already explained above, the Board took lenient view of the misconduct of the appellant and partially accepted revision petition whereby major punishment of dismissal from service was converted into major punishment of reduction in rank i.e. from substantive rank of DSP to substantive rank of Inspector and the appellant was reinstated in service with immediate effect vide Order No. S/2105-11/24 dated 19.08.2024. Hence, the appellant is not

entitled to get further relief in light of his gross misconduct which did bring bad name for the entire Police force rather his conduct is such which has severely stigmatize the prestige of entire Police force. As the appellant being a Police Officer was under obligation to curb the menace of crimes but instead he himself has indulged in the criminal activities.

D. Incorrect as already explained above that each and every aspect of departmental proceedings has been adopted by the respondent department in instant case.

E. Incorrect and misleading. The appellant is concealing real facts from this Hon'ble Tribunal as the appellant was appeared before the Enquiry officer and recorded his statement which is evident from findings of the enquiry officer besides, he was duly issued Final Show Cause Notice but he did not bother to submit reply of the same as he had nothing to defend himself through cogent evidence/ reasons rather bitterly failed to produce even a single iota of evidence. In light of recommendations of the enquiry officer as well as his failure to submit reply to the Final Show Cause Notice it was clearly depicted that the appellant had failed to justify his innocence.

F. Incorrect and misleading. As already explained above that that criminal case proceedings and departmental proceedings are distinct in nature and both can run side by side one cannot affect other. Furthermore, the Board took lenient view of the misconduct of the appellant and partially accepted revision petition whereby major punishment of dismissal from service was converted into major punishment of reduction in rank i.e. from substantive rank of DSP to substantive rank of Inspector and the appellant was reinstated in service with immediate effect vide Order No. S/2105-11/24 dated 19.08.2024. Hence, the appellant is not entitled to get further relief in light of his gross misconduct which did bring bad name for the entire Police force rather his conduct is such which has severely stigmatize the prestige of entire Police force. As the appellant being a Police Officer was under obligation to curb the menace of crimes but instead he himself has indulged in the criminal activities.

G. Incorrect and misleading. The appellant is concealing real facts from this Hon'ble Tribunal full-fledged enquiry into the matter was conducted by the respondent department and a detailed reply has already been given in the preceding paras.

H. Incorrect and misleading. The stance taken by the appellant is bereft of any substance. The appellant was supervisory officer and he was under obligation to fulfill his job obligation but he badly failed to fulfill the same, he was in active connivance by replacing and embezzling of case property.

I. Incorrect. Plea taken by the appellant is totally bereft of any substance.

J. The respondents also seek permission from this Honorable Tribunal to adduce additional grounds at the time of arguments.

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PRAYERS:-

It is therefore most humbly prayed that in light of above facts and submissions, the appeal of the appellant being devoid of merit and legal footing, may kindly be dismissed with cost please.

Awal Khan

Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa,
Peshawar.
Respondent No. 2
(AWAL KHAN) PSP
Incumbent

[Signature]

DIG/ Legal, CPO
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
Respondent No. 1
(DR. MUHAMMAD AKHTAR ABBAS) PSP
Incumbent
[Signature]

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

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AFFIDAVIT

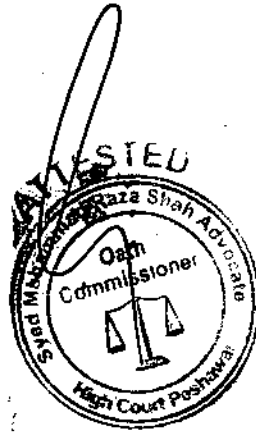
I, Awal Khan, Addl: IGP/ HQrs: Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm on oath that the contents of Para-wise Comments are correct to the best of my knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

It is further stated on oath that in this Service Appeal, the answering respondents have neither been placed ex-parte nor their defense is struck off

Awal Khan

Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa,
Peshawar.
Respondent No. 2
(AWAL KHAN) PSP
Incumbent

02 OCT 2024



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Service Appeal No.1241/2024.

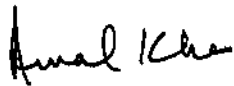
Haroon Jadoon.....Appellant.

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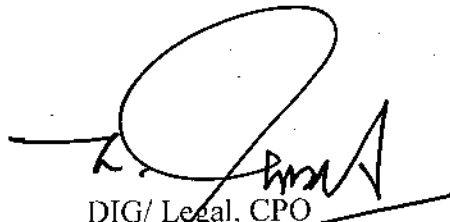
Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar..... Respondent.

AUTHORITY LETTER

Mr. Wisal Ahmad SP/ Courts & Litigation, CPO, Peshawar is authorized to submit Para-wise comments/ reply in the instant Service Appeal in the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar and also to defend instant case on behalf of respondents.



Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa,
Peshawar.
Respondent No. 2
(AWAL KHAN) PSP
Incumbent



DIG/ Legal, CPO
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
Respondent No. 1
(DR. MUHAMMAD AKHTAR ABBAS) PSP
Incumbent

(B)

(10)



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA

Date Peshawar: 02/02/2024

"C"
-11-

NOTIFICATION

No. CPO/E-I/Transfer/Posting: 351 In exercise of the powers conferred upon the Provincial Police Officer, Khyber Pakhtunkhwa under sub-section (4) of Section 17 of the Khyber Pakhtunkhwa Police Act, 2017, the following transfer/posting is hereby ordered in the public interest with immediate effect:-

Name & Rank: Mir-Farooq Khan
(DSP (SS-17)) From: CPO Peshawar To: Suspended and closed to CPO Peshawar on disciplinary grounds

Sd/-
(AKHTAR HAYAT KHAN) P.S.O
PROVINCIAL POLICE OFFICER
KHYBER PAKHTUNKHWA

No. & date even.

Copy forwarded to the -

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Aadi. Inspector General of Police, HQrs: Khyber Pakhtunkhwa
3. Deputy Inspector General of Police HQrs: & IAS Khyber Pakhtunkhwa.
4. Capital City Police Officer, Peshawar.
5. Director (Elections-II), Election Commission of Pakistan Islamabad
6. PSO to IGP Khyber Pakhtunkhwa.
7. Registrar CPO Peshawar.
8. Officer concerned.
9. Supdt: Secret CPO Peshawar with the direction to initiate departmental enquiry as per directions.
10. U.O.P File.

(Signature)
RIZWAN MANZOR
D/G-Headquarters
For Inspector General of Police
Khyber Pakhtunkhwa

Attested
(Signature)



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar
Phone: 091-9210927 Email: secretbranchcpo9@gmail.com

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CHARGE SHEET

I, **Awal Khan**, Additional Inspector General of Police, Headquarters Khyber Pakhtunkhwa as Competent Authority, under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) and the powers delegated vide Notification No. CPO/I-I/Delegation of Power 257, dated 31.01.2020 hereby charge you, **Mr. Haroon Jadoon DSP**, the then SDPO Cantt: now closed to CPO Peshawar vide Notification No. CPO/E-I/Transfer/Posting/351 as follows:-

- i. While You were posted as SDPO Cantt, a huge quantity of Narcotics was recovered and case FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA/I-5AA-419-420 PPC PS Gulberg, Peshawar was registered. Moreover, the seized stuff was sealed in parcels in your presence nevertheless you failed to ensure its safe transportation to PS Malkhana and subsequently to Police Malkhana at District Courts (PM Malkhana) within stipulated period i.e. 72 hours.
- ii. SOP vide No. 4638/R, dated 28.09.2023 was issued, which enunciates the criteria of dealing case property but seized stuff was still lying in Police Station after lapse of more than one month hence blatant violation of SOP Ibid.
- iii. Perusal of the former & later FSI report revealed that the original case property has been replaced with fake one with sufficient reduction in quantity as well which shows your direct involvement in pilfering and replacing huge amount of contrabands with fake ones.
- iv. It has been ascertained that the Charas has been sold on Rs. 28000/- per kg, Opium on Rs. 80,000/- per kg and Heroin on 5 lacs per kg.

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Rules.

You are, therefore, directed to submit your written defense within seven (07) days 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 in that case *ex-parte* action shall be taken against you.

You are directed to intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

Awal Khan

(AWAL KHAN) PSP
Additional Inspector General of Police,
Headquarters, Khyber-Pakhtunkhwa

Alleged
[Signature]



(D) (12)

"E" - 08 - 14 -

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar
Phone: 091-9210927 Email: secretbranchcpo91@gmail.com

No. S/179/24 dt. 7²/₀₂₄

DISCIPLINARY ACTION

I, Awal Khan, Additional Inspector General of Police, Headquarters Khyber Pakhtunkhwa being Competent Authority, am of the opinion that Mr. Haroon Jadoon DSP, the then SDPO ~~Cantt now closed~~ to CPO Peshawar vide Notification No. CPO/E-I/Transfer/Posting/351 has rendered himself liable to be proceeded against, as he has committed the following acts of omissions/commissions within the meaning of the Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014).

STATEMENT OF ALLEGATIONS

- i. While he was posted as SDPO Cantt, a huge quantity of Narcotics was recovered and case FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA/15AA-419-420-PPC-PS Gulberg, Peshawar was registered. Moreover, the seized stuff was sealed in parcels in your presence nevertheless you failed to ensure its safe transportation to PS Malkhana and subsequently to Police Malkhana at District Courts (PM Malkhana) within stipulated period i.e. 72 hours.
- ii. SOP vide No. 4638/R, dated 28.09.2023 was issued, which enunciates the criteria of dealing case property but seized stuff was still lying in Police Station after lapse of more than one month hence blatant violation of SOP Ibid.
- iii. Perusal of the former & later FSI report revealed that the original case property has been replaced with fake one with sufficient reduction in quantity as well which shows his direct involvement in pilfering and replacing huge amount of contrabands with fake ones.
- iv. It has been ascertained that the Charas has been sold on Rs. 28000/- per kg, Opium on Rs. 80,000/- per kg and Heroin on 5 lacs per kg.

The said act of negligence depicts inefficiency, disobedience, indiscipline and lack of professionalism which amounts to grave misconduct on his part warranting stern disciplinary action against him.

For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, an Enquiry Committee of following officer (s) of Khyber Pakhtunkhwa is hereby constituted under Police Rules, 1975 (amended 2014):-

- i. Mr. Irfan Tariq PSP, Deputy Inspector General of Police IT.

The Inquiry Committee/officer (s) shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused officer, record and submit its finding within 25 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

Awal Khan
(Awal Khan), PSP
Additional Inspector General of Police,
Headquarters, Khyber Pakhtunkhwa.

(E)

3-

"H" (13)

Subject: DEPARTMENTAL ENQUIRY AGAINST MR. HAROON JADOON, SDPO CANTT PESHAWAR

➤ It is submitted that Mr. Haroon Jadoon, SDPO Cantt Peshawar was charge sheeted on the basis of the following allegations, under the Khyber Pakhtunkhwa Police Rules 1975 (amended 2014).

1. While you were posted as SDPO Cantt, a huge quantity of Narcotics was recovered and case FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA/15-AA/419/420 PPC Police Station Gulberg, Peshawar was registered. Moreover, the seized stuff was sealed in parcels in your presence nevertheless you failed to ensure its safe transportation to Police Station Malkhana and subsequently to Police Malkhana at District Courts (PM Malkhana) within stipulated period i.e 72 hours.
2. SOP vide No. 4638/R dated 28.09.2023 was issued, which enunciate the criteria of dealing case property but seized stuff was still lying in Police Station after lapse of more than one month hence blatant violation of SOP Ibid.
3. Perusal of the former & letter of FSL report revealed that the original case property has been replaced with fake one with sufficient reduction in quantity which shows your direct involvement in pilfering and replacing huge amount of contrabands with fake ones.
4. It has been ascertained that the Charas has been sold on Rs. 28000/- per Kg, Opium on Rs. 80,000/- Per Kg and Heroin on 05 lacs per Kg.

➤ Charge sheet and Summary of Allegations was served upon the delinquent officer. He submitted his reply to the charge sheet within the stipulated period.

Brief of Reply of Mr. Haroon Jadoon, DSP Cantt, CCP, Peshawar

He stated that the allegations levelled against him in the Charge Sheet are not based on facts. On 12.12.2023 he was informed by Mr. Abdul Aziz, SHO Police Station Gulberg through Mobile Phone regarding recovery of huge quantity of contrabands from vehicle REVO. He brought the matter into the notice of high-ups and

Alleged

registered at PS Gulberg and entrusted to investigation staff for investigation. Video recording of place

- 24 - (14)

rushed to the place of occurrence where HC Azmat (Reader to SP Cantt) and SHO Police Station Gulberg alongwith other Police Party were present. In his presence SHO Police Station Gulberg recovered Charas, Opium, Heroin and Weapons from the said vehicle. He alongwith SHO Police Station Gulberg and Reader to SP Cantt made videos and took pictures of the recovered contrabands and shared with high-ups which is part of record. He called Mushtaq Moharrar Police Station East Cantt for legal and lawful assistance with SHO Police Station Gulberg and after his assistance in registration of case FIR No. 1100 dated 12.12.2023 u/s 9-D CNSA/419/420 PPC/15-AA Police Station Gulberg, SHO Police Station Gulberg shifted the case property to Police Station and handed over to Moharrar. Later-on, SSP/Investigation conducted enquiry into the matter and it came to light that the said case property was replaced and a contradiction was noticed in the former report of FSL. After enquiry, case FIR No. 50 dated 29.01.2024 u/s 409/419/420/118-C-D Police Act was registered against him, SHO and Moharrars Police Station Gulberg in Police Station Gulberg, in which he offered his arrest and after interrogation of SIT obtained Police custody. After Police custody he was sent to Judicial lock-up from where he was released on the basis of Post Arrest Bail. He further stated that:-

1. Being SDPO, he performed his duty according to law and on the same day he sealed the case property in parcels with the help of concerned officials. He took pictures in the presence of SHO for Press Release and SHO alongwith Moharrar staff was strictly directed to keep the case property in Malkhana. In the light of recent directions of the honourable court, he alongwith recovery officer made video recording for prosecution case so that someone cannot change the case property.
2. As long as violation of SOP is concerned, according to the SOP it is the responsibilities of SHO and Moharrar to keep the case property in safe custody, and SDPO has nothing to do with SOP and Malkhanas.
3. Samples of the case property sent to FSL during initial investigation were received as Positive. Samples took during Fact Finding Enquiry is clear violation of KPK CNSA 2019. Enquiry Officer (SSP/Investigation) has exercised the powers of a self-styled Special Court, which has no legal status. Moreover, FSL Peshawar also did not raise any legal objection to the re-analysis of samples from earlier in a case, rather the prosecution's case has been spoiled.

4. The Enquiry Officer expressed his opinion on the basis of hypothesis regarding the sale of drugs, which has nothing to do with him as SDPO, nor during the investigation of the case registered against him. No evidence is produced by the Enquiry Officer (who is Head of Investigation), to prove that he as SDPO has sold the case property for his personal gains.

He further stated that being SDPO, there were three Police Station under his supervision while the office of SDPO is situated in Police Station East Cantt and the office of SP/Cantt is situated in Police Station Gulberg. My office and PS Gullerg are located at a considerable distance from each other. If there was any incident of changing of case property, it would first come to the notice of SP/Cantt as his office is located in the same Police Station. Besides, a few days after the incident, as per the order of the high-ups, he was deputed for duty around the honourable Peshawar High Court premises, which continued for several days from morning to late night. In this connection proper contingency plan was issued which is available on record. Unfortunately, due to lack of time and long duty, he could not go to Gulberg Police Station during this time. Charges levelled against him in the charge sheet has not been proved but a self-made story has been created to damage his reputation, the proof of which is that even during the investigation of the case registered against him, despite 03 days of custody, the crime was not proved and the allegations made are baseless and that he is completely innocent. He requested to file the Charge Sheet.

To dig out the real facts, the following concerned were summoned, heard in person and their statements were recorded:-

1. Mr. Abdul Aziz, the then SHO Police Station Gulberg.
2. Mr. Aziz-ur-Rehman, the then MASI PS Gulberg.
3. Mr. Mushtaq Ahmad, Moharrar PS East Cantt.
4. Mr. Rashid Hussain, Additional Moharrar PS Gulberg.
5. Mr. Javed Khan, OII/CO PS East Cantt.
6. IHC Shafi Ullah No. 250 PS Gulberg.
7. LHC Hidayat No.4145 PS Gulberg.
8. SI Mudassir Iqbal, Incharge PP Nothia.
9. HC Azmat Ali No. 5722, Reader to SP/Cantt.

Attested

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Statement of Mr. Abdul Aziz, the then SHO PS Gulberg

He stated that he is performing duty as SHO Gulberg since 05 month. On 12.12.2023 at 11 AM, he received information on his mobile phone that vehicle Revo of Black colour is parked near Asif Baghi Park since last night, he along with other officials rushed to place of occurrence and found that information was correct. Meanwhile, during that he informed Mr. Waqas Rafiq SP Cantt and Mr. Haroon Jadoon SDPO Cantt. Later on, he made photos and video recording of the said vehicle and sent the same via whatsapp to SP Cantt and also sent location of place of occurrence. Thereafter, he stated that SP Cantt sent his Reader Azmat to the place of occurrence; meanwhile SDPO and BDU staff also arrived. Upon clearance by BDU staff, in the presence of SDPO Cantt and Reader to SP Cantt, contrabands i.e chars; opium and heroin were recovered, and weighted them on the spot through digital scale. Subsequently, under the supervision of SDPO Cantt and Reader SP Cantt shipment of contrabands and vehicle were shifted to PS Gulberg and sealed them in parcels. Thereafter, he stated the whole procedure of sealing of contrabands took place in his presence along with SDPO Cantt and Reader SP Cantt. In connection of above Addl: Moharrir Rashid was directed to lock case property in malkhana and further directed him ensure entry of recovered articles into Register No. 19, after handling of case property Moharrir staff was strictly directed to strictly supervise/monitor the case property articles. He further stated that newly posted Moharrir ASI Abdul Aziz during taking charge of PS Gulberg was directed to deposit case property in the PM malkhana. On 17.01.2024, it has been ascertained that case property is being charged as told by (SSP Inv:) that case property is not original. Video and photos of contrabands and vehicle have been sent via whatsapp to DSP Inv: Khalid Khan and the same can be produced when needed. as SDPO Cantt and Reader to SP Cantt are the witness.

Statement of Mr. Aziz-ur-Rehman, the then MASI PS Gulberg

He stated that on 25.12.2023, took the charge as Moharrir PS Gulberg and case FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA-15AA-419-420 PPC was registered at PS Gulberg before his posting. He further stated that the case property was under the custody of Addl: Moharrir Rashid. Thereafter, on 02.01.2024, Addl: Moharrir Rashid Khan has handed over the case property of the said in Daily Diary but

his receiving signature is not present on the same parcels which are present in malkhana as it is. - 27-

Statement of Mr. Mushtaq Ahmad, Moharrar PS East Cantt

He stated that he is serving as Moharrar PS East Cantt. On 12.12.2023 SDPO Cantt Haroon Jadoon informed him telephonically to come PS Gulberg, as the SHO PS Gulberg has recovered contrabands and directed him to assist them in preparation of murasila and recovery memo. In compliance with; he assisted them and then returned to PS East Cantt. After lapse of 15/20 days SDPO directed him telephonically to handover the monogram of PS East Cantt to Moharrar PS Gulberg and the same was handed over to MM PS Gulberg. Further he shared ignorance regarding the matter.

Statement of Mr. Rashid Hussain, Additional Moharrar PS Gulberg

He stated that on 04.10.2023 he was posted as Additional Moharrar Police Station Gulberg. On 22.11.2023 Moharrar Irfan MASI was suspended and closed to Police Lines by SP Cantt Peshawar and he was posted as Moharrar Police Station Gulberg. On 12.12.2023 case FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA/419/412 PPC/15-AA Police Station Gulberg was registered at that time he was on station leave. He was informed by Moharrar Staff to come to Police Station and later-on SHO also contacted him to come to Police Station. At night time at about 08:40 PM he reached to Police Station, 16 Nos, Sacks were lying in the SHO's office but there is no stamp was available on it. SHO concerned handed over him 16 Bags of case properties having no stamp and the said bags have been properly submitted at Malkhana. SHO handed over him Charas, Opium and Heroin for parcel No.01. Later-on, samples for examination were sent to FSL vide receipt No. 585/21 and entry of the parcels were entered into Register No.19. FSL report was received as **POSITIVE**. On 19.12.2023 Aziz-ur-Rehman reported to Police Station as Moharrar vide DD No: 06 dated 19.12.2023. He told to Aziz he has different case properties and on 02.01.2024 he handed over all the case properties to MASI Aziz-ur-Rehman according to register No. 09 and after verification MASI Aziz-ur-Rehman signed the detailed list and entered into Daily Diary vide DDNo. 10 dated 02.01.2024.

Attested
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Statement of Mr. Javed Khan, OII/CO PS East Cantt.

He stated that case FIR No. 50 dated 409/419/420/118CD Police Act. 2017 was registered against Haroon Jadoon, the then SDPO Cantt, Abdul Aziz, the then SHO PS Gulberg, Aziz-ur-Rehman, the then Moharrar and Rashid Hussain, the then AMHC Police Station Gulberg. In this case earlier enquiry was conducted. Samples were taken from the case properties and sent to FSL which was received as **NEGITIVE**. Statement of Rashid Hussain AMHC was recorded who stated that 16 bags of case properties were handed over to him having no stamp and on the arrival of Aziz-ur-Rehman as Moharrar, the said 16 bags were handed over to him. Statement of Mushtaq Moharrar PS East Cantt, who stated that on the directions of DSP, he went to Police Station Gulberg for preparation of recovery memo and Murasila. After lapse of 15/20 days, on the directions of DSP Monogram (EC) of Police Station East Cantt was sent to Police Station Gulberg. Police officials were arrested in the said case and their Police custody were obtained. Statement of Shafi Ullah Additional Moharrar was recorded who stated that on 02.01.2024 and 03.01.2024 after evening time, Moharrar Aziz-ur-Rehman sent him behind Noor Muhammad Haji (his mobile No. 0331-9199225). Rashid Hussain AMHC told that he handed over the said case property on 02.01.2024 but Aziz-ur-Rehman Moharrar is disowned from the signature on Charge Report. Sample of Moharrar Aziz-ur-Rehman was taken in the front of Court but Aziz-ur-Rehman told that he did not have the original charge report while AMHC Rashid Hussain stated that original Charge Report is with Aziz-ur-Rehman. On receipt of the original charge report, the sample will be sent to FSL, so that they can be compared with their counterparts. Four Police official are on bail and challan is submitted to court.

Statement of IHC Shafi Ullah No. 250 PS Gulberg

He stated that he was posted as Additional Moharrar PS Gulberg and in the said case only murasila was written by him and on 17.01.2024 on the directions of Moharrar PS Gulberg. He proceeded to PM Malakhana in Police Mobile Pick-up alongwith case property but the incharge did not received it and told that he will be informed. He returned back to Police Station and handed over the case property to Moharrar Aziz-ur-Rehman. After this, he is unaware.

Attested

Investigation: Video recording of place of

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Statement of SI/OII Saleem Khan, PS Gulberg

He stated that Abdul Aziz, SHO Police Station Gulberg recovered contrabands i.e Charas, Opium, Heroin and 03 Nos. Pistols 30 bore from the vehicle REVO and FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA/419/420 PPC/15-AA. Police Station Gulberg was registered against the unknown persons and investigation was handed over to him. He visited to the spot and prepared the site plan and statements of witnesses u/s 161 Cr.PC were recorded. Due to unknown accused, Excise department was approached for the ownership of the vehicle which was found register on the name of Khaliq Yar. His CNIC was obtained and searched his mobile number through CKC. He was contacted who told that he is the resident of Landi Kotal and presently residing in Karachi. He has transport business and his vehicle is under the use of his uncle namely Nadeem, who run rent a Car in Islamabad. Mr. Nadeem was contacted, who appeared in Police Station Gulberg and produced documents regarding vehicle in question alongwith 06 other REVO vehicles which were given on rent to one Sheheryar r/o District Manshehra and on other stamp paper 07 No. REVO vehicles were given to Choudhry Shahzeb Shameem r/o Islamabad on rent. Both the stamp papers were discussed with the high-ups and on their directions both the stamp papers were verified from Islamabad which were found correct. The matter was discussed with SSP/Investigation, Peshawar and opinion was obtained from DPP, statement u/s 164 Cr.PC of Nadeem was recorded. For more information Mr. Sheheryar and Choudhry Shahzeb Shameem were contacted. Choudhry Shahzeb Shameem produced a stamp paper regarding REVO No. KZ-8893 which was handed over to one Muhammad Bilal s/o Javid Iqbal but their Mobile numbers were switched off and proceedings u/s 512 Cr.PC was initiated against him. Report of FSL was received as **POSITIVE** and placed on file.

Statement of LHC Hidayat No. 4145 PS Gulberg

He stated that he is performing his duty as Additional Moharrar in Police Station Gulberg. He was on leave when the case FIR no. 1100 was registered. After 15/20 days he was busy in routine work in Police Station; Moharrar directed him to bring the stamp from Moharrar Mushtaq Police Station East Cantt. When he went to Police Station East Cantt, Moharrar Mushtaq was not present, he told to Roznamcha Staff and on the direction of Muhstaq Muharrar, the Stamp was handed over to him. He

Attested
[Signature]

Investigation staff for investigation. Video recording of place of seizure. Other goods were seized. 2023 u/s 9D-CNSA-15AA-419-420 PPC

handed over the Stamp to Moharrar MASI Aziz and then busy in his work. He does not know anything further.

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Statement of SI Mudassir Iqbal, Incharge Police Post Nothia

He stated that he was on patrolling, SHO contacted him to reach Asif Baghi Park, when he reached to the spot, DSP, SHO and Reader SP/Cantt were present. Where one unknown REVO vehicle black color was parked. SHO informed the BDU staff, who cleared the vehicle and then the vehicle was checked under the supervision of SDPO Cantt, from which Charas and Opium were recovered. From where vehicle alongwith Charas and Opium were shifted to Police Station. All the necessary legal proceedings were completed and the case property was kept in Malkhana under the supervision of DSP in accurate condition.

Statement of HC Azmat Ali No. 5722, Reader to SP/Cantt

He stated that on 12.12.2023 at 12:01 PM, SP/Cantt, Peshawar contacted him through Whats-App call and told that he was in meeting with SSP/Operations Peshawar and sent location that SHO Police Station Gulberg seized drugs in huge quantity and directed him to immediately rush to the spot and keep surveillance on the case property. He immediately rushed to Asif Baghi Park, where REVO vehicle was parked and SHO PS Gulberg was present. The vehicle was parked in the street, so pushed it out and took it to a free place. DSP Cantt also came there. After clearance of BDS, one sack present in the vehicle was opened in the presence of DSP Cantt. After this, the vehicle in question was to chain with Police Pick-up and shifted to Police Station. All the sacks were opened and checked. Video recording from the spot to Police Station is available with him as evidence and also sent it to SP/Cantt. At 06:00 PM all the sacks were closed and he went to house. Till this time, the contrabands were available in original condition.

Standard Operation Procedure (SOP) for lawful handling of narcotics cases and ancillary matters vide his office letter No.321/reader, dated 01.06.2022 issued by CCPO, Peshawar.

The Capital City Police Officer Peshawar has issued Standard Operation Procedure (SOP) for lawful handling of narcotics cases and ancillary matters vide his office letter No.321/reader, dated 01.06.2022. The relevant para of the SOP are reproduced as under:-

1. All Station House officers (SHO's) and Police officer of the rank of Sub-inspector have been declared authorized officer within the meaning of section 2 (e) of the Khyber Pakhtunkhwa Control of Narcotics Act, 2019(hereinafter only referred to the Act) vide order No. PA/Khyber Pakhtunkhwa/Bills-48/2019/6179, dated Peshawar, the 4th September, 2019. Therefore Police officers below the rank of Sub-inspector shall in no case exercise powers under the Act. The unauthorized officer will manage services of authorized officer for action under the Act. In case the officers below the rank of Sub-inspector is unable to manage the services of authorized officer than he will proceed under prohibition Order 1979

2. Tests purchase shall be made through responsible Police Officer or reliable and trust worthy person. Though proceedings under the Act are exempted from compliance with 103 Cr.PC yet the authorized officer will record reason for not associating independent witnesses in search process under this Act.

3. The authorized officer will record all the details of recovery, seizure, arrest and search to ensure transparency and fairness of the proceedings.

4. The authorized officer, Naib court and prosecutor shall be directly bound to produce the case property for exhibition during evidence of the prosecution witnesses non-production of the case property for exhibition destroy the very foundation of the prosecution case.

5. Safe custody of case property is must for proving the charge. The authorized officer will be duty bound to enter proper report in the Daily Dairy about responsibility of safe custody of the case property. The name of custodian of property will be included in the list of witnesses and he will depose that the property was in his safe custody.

6. The dispatch of sample to FSL for analysis shall in no case be delayed beyond 72 hours. The name of officer who transmit the sample to FSL shall be cited as witness.

7. The authorized officer shall ensure possession of scale and scaling materials. He will lead evidence to the effect that the balance scale was available.

8. The authorized officer shall brief the witnesses to be examined in the case under Section 161 Cr.P.C and will direct them to keep diary/chart of memory

Attested

Investigation staff for investigation. Vidco recording of place of vehicle, other goods were taken 12.2023 u/s 9D-CNSA-15AA-419-420 PPCA

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of the proceedings. In the same vein Naib court will confront the witness with his statement outside the court before examination of the witness.

9. The authorized officer will obtain signature/thumb impression of the accused on recovery memo and site plan. He will record the association of the accused in preparation of memo, samples and site plan and the entire investigation process.

10. SSP Investigation shall ensure training and briefing of the authorized officer on scaling and preparation of sample process.

11. Misuse of case property vehicles and misappropriation of seized Narcotics and other materials is an offence under Section 409 PPC read with 5(2) of prevention of Corruption Act, 1947 in addition to disciplinary action.

12. Destruction of the case property shall be made on the direction of Trial Court, Pre-Trial destruction of case property shall be made in presence of Magistrate. He will issue a proper certificate to this effect and will also prepare samples. Prosecution must ensure, that such Magistrates are mentioned as witnesses for trial/challan.

FINDINGS:

After going through the statements of the delinquent officers, circumstances and perusal of available record, it came to surface:-

1. On 12.12.2023 SHO Police Station Gulberg recovered huge quantity of contrabands and informed SP/Cantt and SDPO Cantt, Peshawar.
2. Mr. Haroon Jadoon, the then SDPO, Cantt Peshawar approached to the spot while due to engagement in meeting with SSP/Operations, SP/Cantt directed his Reader HC Azmat Ali to go to the place of occurrence.
3. Under supervision of Haroon Jadoon, all the necessary legal formalities were adopted and the case property was shifted to Police Station Gulberg in original condition for further necessary action.
4. A case FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA/15-AA/419/420 PPC was registered in Police Station Gulberg wherein contrabands i.e. 468.75 kg charas, 152.400 kg opium and 1.3 kg heroin have been recovered while upon re-weighting by the Enquiry Officer during preliminary enquiry, total 436.33 kg charas, 143.485 kg opium and 1315

grams heroin found in PS Malkhana in which total difference was recorded i.e. 32.42 kg charas 8.915 kg opium & 15 gram exceed in heroin.

5. The previous FSL opinion vide letter No.265/FSL, dated 04.01.2024 in case FIR No. 1100 dated 12.12.2023 u/s 9D-CSSA/15AA/419/420 PPC PS Gulberg reveals that:-

The samples in question were subjected to physical and chemical test/analysis revealed that the sample is:-

- It was charas in parcel No. 01 to 30, 32 to 61, 63 to 92, 94 to 123, 125 to 154, 156 to 185, 187 to 222, 224 to 258, 260 to 294, 296 to 345, 374 to 386.
- It was opium in parcel No.388 to 424, 426 to 455, 457 to 476, 478 to 497, 499 to 518.
- It was heroin in parcel No. 520.

During preliminary enquiry, samples of the said case property was sent to FSL for re-examination, upon which FSL opined vide No.132/FSL, dated 22.01.2024 in said case revealed:-

- The 128 exhibits were found negative for charas and opium while one parcel was found positive for the presence of methamphetamine (ICE) and heroin traces.
- Stuff of the contents of all the above samples were physically found different from the samples earlier submitted by the I.O of the case FIR No. 1100.

6. The SOP vide No. 321/Reader, dated 01.06.2022 issued from the office of Capital City Police Officer, Peshawar doesn't explain that the recovered contraband should be deposited in PM Malkhana within stipulated period i.e. 72 hours, however in SOP vide No4638/Reader, dated 28.09.2023 issued by SSP/Investigation, Peshawar that SHO and Moharrar are responsible to submit all contrabands in PM Malkhana within 72 hours.

7. Mr. Haroon Jadoon, being SDPO was supervisory officer and all the recovered contrabands were sealed in his presence.

Alfred

dated 12.12.2023 u/s 9D-CNSA-15A
to investigation staff for investigation

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CONCLUSION

Keeping in view the afore mentioned explain position, circumstances and perusal of available record, it transpired that a huge amount of contrabands i.e. 468.75 kg charas, 152.400 kg opium and 1.3 kg heroin were recovered by SHO Police Station Gulberg but upon re-weighing by the Enquiry Officer, during preliminary enquiry, total 436.33 kg charas, 143.485 kg opium and 1315 grams heroin found in PS Malkhana and a reduction was recorded i.e. 32.42 kg charas 8.915 kg opium & 15 gram excess in heroin. Thus, the original case property was replaced with a forged one with sufficient reduction in quantity as well. Custody of all contrabands was under the direct responsibility of Moharrar and SHO, (being custodian of the Police Station). But being supervisory Officer, DSP Haroon Jadoon was required to keep surveillance on the affairs of Police Stations under his command, but he showed negligence and lack of interest toward his responsibilities, which clearly indicated his involvement in embezzling and replacing of huge amount of the contrabands.

Recommendations:-

Allegations levelled in the charge sheet are based on facts. Therefore, it is recommended that Mr. Haroon jadoon the then SDPO Cantt may be awarded Major Punishment, under Police Rules 1975(amended in 2014).

(Signature)
25/03/24.
(IRFAN TARIO)^{PSP}
Deputy Inspector General of Police,
Information Technology,
Khyber Pakhtunkhwa, Peshawar

Accepted

IX ✓ 1/2

into possession. In this regard case FIR No. 1100 dated 12.12.2023 v/s 9D-CNC
registered at PS Gulberg and entrusted to investigation staff for...

(F)

(28)



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. S/ 663 /24, Dated Peshawar the 25/03/2024.

(5)

FINAL SHOW CAUSE NOTICE

1. **WHEREAS**, you Mr. Haroon Jadoon DSP, while posted as SDPO Cantt: committed gross misconduct as defined in Rule 2 (iii) Khyber Pakhtunkhwa Police Rules 1975 (amended 2014), resultantly you were Charge Sheeted and served with the Statement of allegations and Enquiry Committee comprising DIG-IT CPO Khyber Pakhtunkhwa was constituted to conduct enquiry into the matter.

2. **WHEREAS**, the Enquiry Committee finalized the Enquiry proceedings, giving you full opportunities of defense i.e. cross examination of the witnesses besides audience of relevant record and personal hearing. Consequent upon the completion of Enquiry proceeding the charges against you were established beyond any shadow of doubt and you were recommended for punishment.

3. **AND WHEREAS**, on going through the finding and recommendation of Enquiry Officer, the material placed on record and other connected papers including your defense before the said Enquiry Committee, the undersigned is satisfied that you have committed gross misconduct within the meaning of Rules ibid and held guilty of the charges leveled against you as per statement of allegations conveyed to you vide No. S/180/24, dated 07.12.2024.

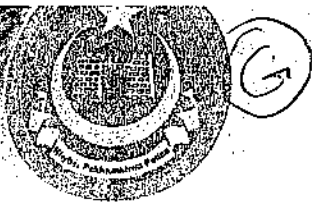
4. **NOW THEREFORE**, I, Awal Khan PSP, Additional Inspector General of Police- Headquarters, Khyber Pakhtunkhwa Peshawar, being Competent Authority have tentatively decided to impose upon you, any one or more penalties including the penalty of "Dismissal from Service" under the Rules ibid.

You are therefore, required to Show Cause within Seven (07) days of the receipt of this Notice, as to why the aforesaid penalty should not be imposed upon you, failing which it shall be presumed that you have no defense to offer and an *ex-parte* action shall be taken against you. Meanwhile also intimate whether you desire to be heard in person or otherwise.

آج ہودہ 28 مارچ 2024
تذکرہ دہی و حوالہ کیا گیا
و بیادار ایجنٹ آفیسر
و عطاءت حضرتہ ایجنٹ
آئی جی کئی ایس ڈی
Mr. Haroon Jadoon, DSP
The then SDPO
Now closed to CPO.

Awal Khan
(AWAL KHAN) PSP,
Additional Inspector General of Police,
Headquarters, Khyber Pakhtunkhwa

Attested



ORDER

This Order will dispose of the Departmental Enquiry initiated against Mr. Haroon Jadoon, DSP, the then SDPO Cantt, (hereinafter referred as an accused officer) who was charge sheeted with statement of allegations issued by the Competent Authority under Khyber Pakhtunkhwa Police Rules, 1975 (Amended 2014) vide No. S/180/24, dated 07.02.2024, on the following charges:-

- i. While he was posted as SDPO Cantt, a huge quantity of Narcotics was recovered and case FIR No. 1100 dated 12.12.2023 w/s 9D-CNSA/15AA-119-420 PPC PS Gulberg, Peshawar was registered. Moreover, the seized stuff was sealed in parcels in your presence nevertheless you failed to ensure its safe transportation to PS Malkhana and subsequently to Police Malkhana at District Courts (PM Malkhana) within stipulated period i.e. 72 hours.
- ii. SOP vide No. 4638/R, dated 28.09.2023 was issued, which enunciates the criteria of dealing case property but seized stuff was still lying in Police Station after lapse of more than one month hence blatant violation of SOP Ibid.
- iii. Perusal of the former & later PSL report revealed that the original case property has been replaced with fake one with sufficient reduction in quantity as well which shows his direct involvement in pilfering and replacing huge amount of contrabands with fake ones.
- iv. It has been ascertained that the Charas has been sold on Rs. 28000/- per kg. Opium on Rs. 80,000/- per kg and Heroin on 5 lacs per kg.

2. DIG-II CPO was appointed as enquiry officer and the accused officer was closed to CPO and was issued Charge Sheet alongwith Statement of Allegations. He was heard in person and was given full opportunity to defend himself but failed to show any plausible reason in his favor.

3. The Enquiry Officer submitted his findings which confirmed the allegations leveled against the accused officer beyond any iota of doubt and was recommended for major punishment. The accused officer was issued Final Show Cause Notice vide No. S/663/24, dated 25.03.2024 to which he did not reply.

4. In the light of finding of the Enquiry Officer, Mr. Haroon Jadoon DSP, the then SDPO Cantt (now close to CPO) is held guilty of the charges leveled against him.

5. Therefore, I Additional IGP HQs: Khyber Pakhtunkhwa, being Competent Authority, and in the light of recommendations of Enquiry Officer, is satisfied that the charges against him stand proved as such and in exercise of powers vested under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014), impose upon him major penalty of "Dismissal from Service" with immediate effect.

Order announced.

Awal Khan
(AWAL KHAN) PSP,
Additional Inspector General of Police,
Headquarters, Khyber Pakhtunkhwa.

No. S/ 180-12 /2024, dated Peshawar the 05 / 04 /2024.

Copy of above is forwarded for information and necessary action to the:-

1. Capital City Police Officer, Peshawar.
2. Deputy Inspector General of Police, Headquarters, CPO Peshawar.
3. Deputy Inspector General of Police, Internal Accountability Branch CPO.
4. Deputy Inspector General of Police, Information Technology, CPO Peshawar.
5. PSO to IGP/Khyber Pakhtunkhwa, Peshawar.
6. Registrar, CPO Peshawar.
7. Office Supdt: CP Branch CPO Peshawar.

Accepted
Dr

R

(2-7)

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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

ORDER

This order will dispose of the Review Petition preferred by **Ex-DSP Haroon Jadoon** (hereinafter referred as an accused officer) under Rule 11-A of Khyber Pakhtunkhwa Police Rules 1975 (amended 2014). The accused officer was dismissed from service vide Addl: IGP/Khyber Pakhtunkhwa order No. S/760-72/24, dated 05.04.2024 on the following allegations:

1. He was posted as SDPO Cantt, a huge quantity of Narcotics was recovered and case FIR No. 1100 dated 12.12.2023 u/s 9D-CNSA/15AA-419-420 PPC PS Gulberg, Peshawar was registered. Moreover, the seized stuff was sealed in parcels in his presence nevertheless you failed to ensure its safe transportation to PS Malkhana and subsequently to Police Malkhana at District Courts (PM Malkhana) within stipulated period i.e. 72 hours.
2. SOP vide No. 4638/R, dated 28.09.2023 was issued, which enunciates the criteria of dealing case property but seized stuff was still lying in Police Station after lapse of more than one month hence blatant violation of SOP Ibid.
3. Perusal of the former & later FSL report revealed that the original case property has been replaced with fake one with sufficient reduction in quantity as well which showed his direct involvement in pilfering and replacing huge amount of contrabands with fake ones.
4. It has been ascertained that the Charas has been sold on Rs. 28000/- per kg. Op.ium on Rs. 80,000/- per kg and Heroin on 5 lacs per kg.

Preliminary Enquiry was conducted by SSP Investigation CCP, Peshawar. He was issued Charge Sheet & Statement of Allegations. DIG-IT was nominated as Inquiry Officer. He was also issued Final Show Cause Notice. Consequently, he was dismissed from service.

His review petition was discussed in the Review Board held on 23.07.2024, wherein the accused officer was present and heard in detail nevertheless denied allegations leveled against him.


The Board by taking lenient view **accepted** his revision petition by **modifying** the major punishment of dismissal from service **into** major punishment of reduction in rank i.e. from his substantive rank of DSP to substantive rank of Inspector. He is **reinstated** into service with immediate effect. The out of service period is treated as leave without pay.

-Sd-
(AWAL KHAN) PSI
Addl: Inspector General of Police,
HQrs. Khyber Pakhtunkhwa, Peshawar.

No. S/2105-11/24, dated Peshawar, the 19-08-2024.

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar.
2. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
3. PAs to Addl: IGP/HQrs. DIG/HQrs. AIG/Establishment and AIG Legal CPO KP, Peshawar
4. Office Sudpts: I-1 and Secret Branch, CPO Peshawar.


(SONIA SHAMROZ KHAN)
PSP

AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Attested
