

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 864/2024
Sohail Shah
SI No. 204/K, District Kohat

..... Appellant

VERSUS

District Police Officer, Kohat & others

..... Respondents

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Deponent

P-1

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 864/2024
Sohail Shah
SI No. 204/K, District Kohat

..... Appellant

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16348

Dated 07-10-24

VERSUS

District Police Officer, Kohat & others

..... Respondents

PARAWISE COMMENTS BY RESPONDENTS.

Respectfully Sheweth:-

Preliminary Objections:-

- i. That the appellant has got no cause of action to file the instant appeal.
- ii. The appellant has got no locus standi to file the instant 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 not maintainable in its present form.
- vi. That the appeal is bad in law and limitation as well.

Facts:-

- a) Correct to the extent of issuance of charge sheet vide No. 2716-17/PA dated 26.05.2023 coupled with statement of allegations (Annexure-A & B) on the basis of preliminary enquiry conducted by SP/ Operations Kohat wherein it was alleged that the appellant while posted as SHO PS Jarma took illegal gratification from an arrested accused during search and strike operation in the area without taking any legal action. Therefore, SP/ Investigation, Kohat was appointed as enquiry officer with the directions to conduct proper departmental enquiry in accordance with prevailing law/ rules.
- b) Correct to the extent that the allegations leveled against the appellant was thoroughly probed into through an enquiry officer who during the course of enquiry fulfilled all legal and codal formalities and submitted his findings (Annexure-C) wherein the appellant was found guilty of taking illegal gratification therefore, he was recommended for major punishment. After receipt of enquiry findings, the Final Show Cause Notice (Annexure-D) was issued to the appellant. The appellant submitted his reply which was paid due consideration but found unsatisfactory. Besides, the appellant was also heard in person in orderly room held in the office of DPO/ Kohat on 16.08.2023 wherein he badly failed to advance any plausible defense in his favor. Therefore, after fulfillment of all codal formalities, a lenient view was taken by the competent authority of the misconduct of the appellant by awarding him minor punishment of forfeiture

of two years approved service vide Order No. 4838-40/PA dated 22.08.2023. As the misconduct of the appellant was such which does attract harsher punishment. (Annexure-E).

- c) Para is for the appellant to prove. Moreover, mere denial of allegations by the appellant is not sufficient to prove his innocence rather he was supposed to advance cogent justification in his defense. However, the appellant badly failed to advance any plausible defense in his favor. Beside this, he was also found guilty of gross misconduct in the enquiry conducted by SP/ Investigation, Kohat. Therefore, after fulfillment of all codal formalities, the appellant was awarded minor punishment of forfeiture of two years approved service vide Order No. 4838-40/PA dated 22.08.2023.
- d) Correct to the extent of filing of departmental appeal against order dated 22.08.2023. The appellate authority heard the appellant in person on 21.11.2023. During personal hearing, the appellant bitterly failed to advance any plausible explanation in his defense. Therefore, the departmental appeal of the appellant was rejected being devoid of merit vide order No. 12349/EC dated 23.11.2023 (Annexure-F).
- e) Incorrect, the appellant has been treated in accordance with law/ rules hence, he is not aggrieved. Furthermore, the instant Service Appeal being devoid of law/ rules is liable to be dismissed on the following Grounds amongst others.


Grounds:-

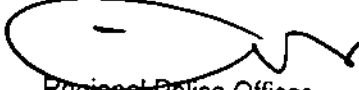
- a) Incorrect, orders passed by the respondents are quite in accordance with law/ rules hence, tenable in the eyes of law.
- b) Incorrect, orders passed by the respondents are in accordance with facts/ grounds hence, no need to be set aside.
- c) Incorrect, orders issued by the respondents are based on law, facts and materials available on record. Therefore, plea of the appellant regarding surmises and conjectures is totally bereft of any substance hence, liable to be set at naught.
- d) Incorrect and misleading, as already explained above that charge sheet vide No. 2716-17/PA dated 26.05.2023 coupled with statement of allegations on the basis of preliminary enquiry conducted by SP/Operations Kohat wherein it was alleged that the appellant while posted as SHO PS Jarma took illegal gratification from an arrested accused during search and strike operation in the area without taking any legal action. Therefore, SP/Investigation, Kohat was appointed as inquiry officer with the directions to conduct proper departmental inquiry in accordance with prevailing law/rules. The allegations leveled against the appellant were thoroughly probed into through an inquiry officer who during the course of inquiry fulfilled all legal and codal formalities and submitted his findings wherein he appellant was found guilty of taking illegal gratification therefore, he was recommended for major punishment. after receipt of inquiry findings the Final Show Cause Notice was issued to the appellant. The appellant

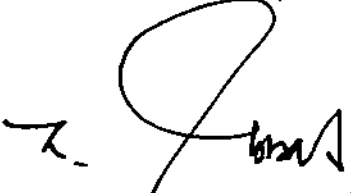
submitted his reply which was paid due consideration but found unsatisfactory. Besides, the appellant was also heard in person in orderly room held in the office of DPO/Kohat on 16.08.2023 wherein he badly failed to advance any plausible defense in his favour. Therefore, after fulfillment of all codal formalities, a lenient view was taken by the competent authority of the misconduct of the appellant by awarding him minor punishment of forfeiture of two years approved service vide order No. 4838-40/PA dated 22.08.2023. As the misconduct of the appellant was such which does attract harsher punishment.

- e) Incorrect, the inquiry conduct against the appellant by the respondent department was in accordance with KP Police Rules, 1975 (amended-2014).
- f) Incorrect, the appellant has been proceeded against departmentally on the basis of solid evidence.
- g) Incorrect, the respondents acted in accordance with law/rules.
- h) Incorrect, proper opportunities of personal hearing were awarded by competent as well as appellate authorities.
- i) Incorrect, departmental inquiry was conducted in accordance with KP Police Rules 1975 (Amended-2014).
- j) The orders passed by the authorities are quite in accordance with law/rules, hence, any service appeal against lawful orders is liable to be dismissed.
- k) The orders passed by the authorities are quite in accordance with law/rules. The appellant was awarded with minor punishment of forfeiture of two years approved service on account of his gross misconduct.
- l) The respondents seek additional permission of this Honorable Tribunal to advance other grounds at the hearing of instant service appeal.

In view of the above, it is humbly prayed that the appeal devoid of merits may graciously be dismissed with costs.


 District Police Officer,
 Kohat
 (Respondent No. 1)
 (MUHAMMAD OMER KHAN) PSP
 (Incumbent)


 Regional Police Officer,
 Kohat
 (Respondent No. 2)
 (SHER AKBAR) PSP, S.St
 (Incumbent)


 DIG- Legal, CPO
 For Inspector General of Police
 Khyber Pakhtunkhwa,
 (Respondent No. 3)
 (DR. MUHAMMAD AKHTAR ABBAS) PSP
 (Incumbent)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 864/2024
Sohail Shah
SI No. 204/K, District Kohat

..... Appellant.

VERSUS

District Police Officer, Kohat & others

..... Respondents

AFFIDAVIT

I, Muhammad Omer Khan, District Police Officer, Kohat Respondent No. 1 do hereby solemnly affirm and declare on oath that the contents of parawise comments are true and correct to the best of my knowledge and belief and nothing has been concealed from the Honorable Tribunal.

It is further stated on oath that in this appeal the answering respondents have neither been placed

*in-put
nor their
defense struck off/cast.*

Haq Nawaz Khattak
Oath Commissioner
Distt: Court Kohat

Muhammad Omer Khan
District Police Officer,
Kohat
(Respondent No. 1)
(MUHAMMAD OMER KHAN) PSP
(Incumbent)



No 2716-17/P.A

(B) 8-

Annex - A
P-5

Office of the
District Police Officer,
Kohat

Dated 26-5-2023

CHARGE SHEET

1. MR. FARHAN KHAN PSP, DISTRICT POLICE OFFICER, KOHAT, as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you SI Sohail Shah SHO PS Jarma rendered yourself liable to be proceeded against, as you have omitted the following act/omissions within the meaning of Rule 3 of the Police Rules 1975.

- i. As pre preliminary enquiry conducted by SP Operations Kohat vide enquiry report No. 120 / Reader dated 23.05.2023, you SI Sohail Shah while posted as SHO PS Jarma has taken illegal gratification / bribe from arrested accused in search strike Operations in your areas of Jurisdiction without taking any legal action.
- ii. Your above act shows in-efficiency & irresponsibility on your part.

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 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 ex-parte action shall be taken against you.

4. A statement of allegation is enclosed.

Attested
Kashif Hayat
Advocate
High Court
24/6/24

DISTRICT POLICE OFFICER,
KOHAT

Attested
[Signature]

Annex-B:
P-6

(B) 2-A



No 2716-17/PA

Office of the
District Police Officer,
Kohat

Dated 26-5-2023

DISCIPLINARY ACTION

1. **MR. FARHAN KHAN PSP, DISTRICT POLICE OFFICER, KOHAT** as competent authority, am of the opinion that you **SI Sohail Shah SHO PS Jarma** 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. As per preliminary enquiry conducted by SP Operations Kohat vide enquiry report No. 120 / Reader dated 23.05.2023, you SI Sohail Shah while posted as SHO PS Jarma has taken illegal gratification / bribe from arrested accused in search strike Operations in your areas of Jurisdiction without taking any legal action.
- ii. Your above act shows in-efficiency & irresponsibility on your part.

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations **SP Investigation 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 2716-17 / PA, dated 26-5- / 2023.

Copy of above to:-

1. **SP Investigation Kohat** :- The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.
2. The **Delinquent Officer**: - 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
Kashif Hayat
Advocate
High Court
24/5/23

Attested
Adil

D 10
D (109)
Annex-C
Page 1 of 3
P-07

ENQUIRY AGAINST SI SOHAIL SHAH

Charge sheet based on statement of allegation with other documents received from DPO Kohat vide No. 2716-17/PA dated 26.05.2023, wherein the following allegations were leveled against SI Sohail Shah. Contents of allegations are as under:-

1. As per preliminary enquiry conducted by SP Operation Kohat vide enquiry report No. 120/Reader dated 23.05.2023, you SI Sohail Shah while posted as SHO PS Jerma has taken illegal gratification/bribe from arrested accused in search & Strike operation in your areas of jurisdiction without taking any legal action.
2. Your above act shows inefficiency, irresponsibility and professional gross misconduct on your part.

The undersigned was appointed as enquiry officer therefore above quoted charge-sheet based on statement of allegation was served upon the above mentioned SI with the direction to submit his written statement before the undersigned on or before the target date.

Reply of the SI Sohail Shah was received, placed on file and found un-satisfactory. The statements of Police officers /official related to the instant matter were obtained which given below:-

1. **STATEMENT OF ACCUSED OFFICER SI SOHAIL SHAH**

He stated that on 19.05.2023 he brought accused Malak Jan into the Police Station but due to non-availability of cogent evidence except his picture, he released him and when investigating officer properly charged him on 25.05.2023 then he arrested him. He further stated that he raided upon the house of accused Kimya Gul but he didn't recognize the accused by face therefore he could not arrest him and took his nephew Muhammad Tariq to Police Station alongwith a 12 bore rifle. Thereafter the elders of his locality come to Police Station and convinced him (SHO Sohail Shah) that there is no relationship between Kimya Gul and accused Muhammad Tariq therefore due to a possible chance of Law & Order situation, he released the said accused with his 12 bore rifle. SHO Sohail Shah further reveals in his statement that SHO PS Bilitang Waqar Khan arrested the accused Muhammad Imran and Khalid Khan on 17.05.2023 and handed over to him for further proceeding on which he challaned accused Imran Khan while due to verification, he released accused Khalid Khan on surety which was thereafter arrested on 31.05.2023. Furthermore, he does not know about accused Roman Ullah s/o Islam ud Din and Saeed s/o Zangal Shah nor he arrested them. SI Sohail Shah further stated in his statement that being SHO it is his authority to released a person on "Machalka" in connection with his verification.

2. **STATEMENT OF LHC NAQASH MM PS, JERMA**

He stated that on 19.05.2023 SHO Sohail Shah arrested the accused Tariq s/o Alam Khan with a 12 bore rifle and brought him to Police Station by IHC Zahid Iqbal. Later on LHC Qadir No. 599 (Gunner of SHO Sohail Shah) come to Police and disclosed that SHO Sohail Shah instructed him to released the accused Muhammad Tariq on the surety of School Teacher Abdur Raziq with his 12 bore rifle therefore, he released the accused Muhammad Tariq alongwith his rifle 12 bore after confirmation from SHO concerned. (Statement of LHC Naqash is attached)

3. **STATEMENT OF LHC QADIR GUNNER OF SI SOHAIL SHAH**

His statement supported the version of LHC Naqash as he stated that during search & Strike operation SHO Sohail Shah arrested the accused Muhammad Tariq and sent to Police Station for further proceeding. Thereafter local elders of the area of accused was come to Police Station and warned SHO that he arrested the wrong person so they will take legal against himon which SHO told him (LHC Qadir) that told to Maharar for releasing the said accused. (Statement of LHC Qadir is attached)

Attested
Kashif Hayat
Advocate
High Court
24/6/24

Attested
[Signature]

STATEMENT OF IHC ZAHID IQBAL

He stated that on 19.05.2023 SHO Sohail Shah arrested many accused in which accused Malak Jan was one of them and brought him to Police Station but due to not nomination in the FIRs SHO Sohail Shah released him on the surety of Local elders. He further stated that during said search & Strike Operation a 12 bore rifle was also recovered from a house which was handed over to the Muharar Staff of PS Jerma by driver Imtiaz No. 849. Furthermore in the time of handing over the accused Imran & Muhammad Khalid by SHO PS Billitang he was not present at there nor in the time of arrested of accused Roman Ullah and Saeed (Statement of IHC Zahid Iqbal is attached)

5. STATEMENT OF DRIVER IMTIAZ ALI SHAH

He stated that on 19.05.2023 he was in search & Strike operation with SHO Sohail Shah. During a search in strike operation a rifle 12 bore was recovered from a house which he brought to Police Station and handed over to Muharar Staff of PS Jerma. He further stated that being a driver didn't know regarding further situation but it is fact that on the same day there are a huge crowd in the Police Station. (Statement of Driver Imtiaz Ali Shah is attached)

6. STATEMENT OF SHO WAQAR KHAN

He stated that according to the receiving list of the accused involved in the 9th & 10th May incident he arrested the accused Khalid Khan s/o Dad Khan r/o Dhoda and Imran Khan s/o Gul Haider r/o Billitang and handed over to Muharar Staff of PS Jerma for further proceeding. (Statement of SHO Waqar Khan is attached)

Finding

After careful study of available record/ examination of witnesses it was found that the entire matter is turned around the incidents of 9th & 10 May Riots and processions in which a mob of violent protesters attacked over the Government / private installations including educational establishment i.e Kohat Board and KUST etc. in this regard 05 cases have been registered at PS Jerma against the supporters of PTI as well as their Local leadership. After the registrations of the FIRs, arrests of the accused were started but here greed arose in the intention of the SI Sohail Shah and started bargaining with accused. This is the reason why the accused were released without any action. The entire statement of SHO Sohail Shah reflects his bargaining with the accused as given below:-

- i. SI Sohail Shah confessed that he arrested the accused Malak Jan but due to non availability of cogent evidence except his picture he released him. It is pertinent to mention here that the said picture of accused was taken during 9th & 10 May Riots and processions which was sent to NADRA authority for verification and after verification from NADRA authority said picture was forwarded to SI Sohail Shah for arrest of accused but strangely SHO Sohail Shah did not considered the said verified picture as a cogent evidence.
- ii. According to the statement of SI Sohail Shah, he didn't recognize accused Kimya Gul by his face but according to the records received from NADRA, the picture of accused Kimya Gul alongwith other information is clearly mentioned which was already shared with SI Sohail Shah.
- iii. He also confessed that due to the pressure of Local elders he released accused Muhammad Tariq alongwith his 12 bore rifle without any proceeding.
- iv. It is also proved from the statement of SI Sohail Shah that he released accused Khalid Khan s/o Dad Khan after handing over by SHO Waqar Khan.
- v. The Picture of accused Roman Ullah s/o Islam ud Din and Muhammad Saeed Afridi S/o Zangal Shah is clearly mentioned in the records received from NADRA authority.
- vi. He also confessed in his statement that nothing on the record regarding releasing of accused on surety (Machalka).

Attested
Kashif Hayati
Advocate
High Court
24/6/24

Attested
Nabeem

D. 10/20

P. 9

The above facts indicating towards the Mala-fide intention of SI Sohail Shah that many accused who involved in, ATA / Ordinary sections cases released by SI Sohail Shah without any legal action who thereafter arrested but here a question arises that why SI Sohail Shah released them despite the facts that they also involved in ATA cases. On the other hand SHO Waqar Khan handed over two accused namely Khalid Khan and Imran Khan but strangely SI Sohail Shah challaned only Imran Khan and released accused Khalid Khan without any legal proceeding nor he mentioned in Roznamcha etc. This behavior of the SI Sohail Shah clearly shows that the accused who accepted his demands was released and the one who did not accept was arrested. This act of SI Sohail Shah is also indicating that Preliminary enquiry conducted by SP Operation Kohat was on merit.

Conclusion

From the enquiry conducted so far, the undersigned has reached to the conclusion that the charges leveled against is fully established and found guilty on account of taking illegal gratification/bribe from arrested accused and is recommended for Minor Punishment.

Attested
Kashif Hayat
Advocate
High Court

24/6/24

Attested
Naeem



E (115)

Annex D

P-10

OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

Tel: 0922-920116 Fax 920125

No 4003 /PA dated Kohat the 24/6/2023

FINAL SHOW CAUSE NOTICE

1. I, **Mr. Farhan Khan PSP, District Police Officer, Kohat** as competent authority, under the Khyber Pakhtunkhwa Police Rules 1975, (amended 2014) is hereby serve you **SI Sohail Shah the then SHO PS Jarma** 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. 2716-17/PA dated 26.05.2023.
- ii. On going, through the finding 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.

- a. As pre preliminary enquiry conducted by SP Operations Kohat vide enquiry report No. 120 / Reader dated 23.05.2023, you SI Sohail Shah while posted as SHO PS Jarma has taken illegal gratification / bribe from arrested accused in search strike Operations in your areas of Jurisdiction without taking any legal action.
- b. Your above act shows in-efficiency & irresponsibility on your part.

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.

Attested
Kashif Hayat
Advocate
High Court
24/6/24

-Sd-
DISTRICT POLICE OFFICER,
KOHAT

Attested
Mubeen



(8)

12

Annex E
P-11

OFFICE OF THE
DISTRICT POLICE OFFICER,
KOHAT

ORDER

This order will dispose of departmental enquiry against SI Sohail Shah the then SHO PS Jarma of this district Police under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

Brief facts of the case are that as per preliminary enquiry conducted by SP Operations Kohat vide enquiry report No. 120 / Reader dated 23.05.2023, SI Sohail Shah while posted as SHO PS Jarma has taken illegal gratification / bribe from arrested accused in search strike Operations in his areas of Jurisdiction without taking any legal action.

The above acts shows in-efficiency & irresponsibility on his part.

He was served with charge sheet and statement of allegations. SF Investigation Kohat was appointed as enquiry officer to proceed against him departmentally. The enquiry officer submitted finding report, found him guilty of the charges leveled against him and recommended for minor punishment.

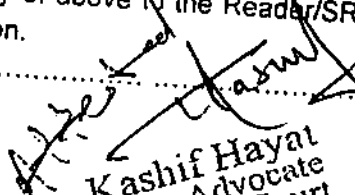
He was served with Final Show Cause Notice, reply received and found un-satisfactory. The accused official was called in O.R held in this office on 16.08.2023 and heard in person, he did not submit plausible explanation in his defense.

In view of above I, Farhan Khan, District Police Officer, Kohat in exercise of the powers conferred upon me, award him a minor punishment of "Forfeiture of two years approved service". Furthermore, he may not be posted as Incharge in field.


DISTRICT POLICE OFFICER,
KOHAT

OB No. 683
Dated 22-8-2023
No. 4838/40 IPA dated Kohat at the 22-8-2023.

Copy of above to the Reader/SRC/OHC/Pay officer for necessary action.


Kashif Hayat
Advocate
High Court
24/6/24

Attested


F 130

Annex-F
P-12

ORDER.

This Order will dispose of the departmental appeal preferred by Offg: SI Sohail Shah No. 204/K of district Kohat against the order of District Police Officer, Kohat whereby he was awarded minor penalty of forfeiture of 02-years approved service vide OB No. 683, dated 22.08.2023. Brief facts of the case are that the appellant while posted as SHO PS Jarma had taken illegal gratification / bribe from the accused arrested during search / strike operations in his area of jurisdiction without taking any legal action against him.

Proper departmental enquiry proceedings were initiated against him and SP / Operations Kohat was nominated as Enquiry Officer. The Enquiry Officer after fulfilment of codal formalities submitted his findings wherein the appellant was found guilty of the charges leveled against him. He was, therefore, recommended for penalty under the relevant rules.

Keeping in view the recommendations of the Enquiry Officer and the above cited circumstances, the delinquent officer was awarded minor punishment of forfeiture of 02-years approved service under the relevant rules by the District Police Officer, Kohat vide OB No. 683 dated 22.08.2023.

Feeling aggrieved from the order of District Police Officer, Kohat, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in the office of the undersigned on 21.11.2023. During personal hearing the appellant did not advance any plausible explanation in his defense.

Foregoing in view, I, Sher Akbar, PSP, S.St, Regional Police Officer, Kohat, being the appellate authority, am of the considered opinion that the charges leveled against him have been established beyond any shadow of doubt. The competent authority has already taken a lenient view while awarding him punishment. Hence, appeal of Offg: SI Sohail Shah No. 204/K is hereby rejected, being devoid of substance and merit.

Order Announced
24.10.2023

Regional Police Officer,
Kohat Region

No. 12348 /EC, Dated Kohat the 23/11/2023

Copy forwarded to District Police Officer, Kohat for information and necessary work to his office Memo: No. 7068/LB, dated 17.10.2023. Enquiry File is returned herewith.

SRE/otc
for necessary action

~~District Police Officer
Kohat 24/11~~



Attest
Kashif Hayat
Advocate
High Court
24/6/24

Attest
Sher Akbar

Ames-Gr

Order of
IGP
KPK

P-13



"G" (1450)

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule ... of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Offg: SI Sohail Shah No. 204/K (hereinafter referred to as petitioner).

The petitioner was awarded minor punishment of forfeiture of two (02) years approved service by District Police Officer Kohat vide OB No. 683, dated 22.03.2023 on the allegations that he while posted as SHO PS Jarina had taken illegal gratification/bribe from the accused arrested during search/strike operations in his area of jurisdiction without taking any legal action against him.

The Appellate Authority i.e. RPO Kohat rejected his appeal vide Order Endst: No. 12349/EC, dated 23.11.2023.

A meeting of Appellate Board was held on 10.05.2024 in CPO under the chairmanship of DIG Headquarters, Offg: SI Sohail Shah No. 204/K was present.

The petitioner was heard in person. He was given reasonable opportunity to defend himself against the charges; however he failed to advance any justification. The Board rejected his revision petition.

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

No. SI 1132-38/24, dated Peshawar, the 17-05-2024.

Copy of the above is forwarded to the.

1. Regional Police Officer, Kohat, Two Service Book, One Service Roll + Fauji Missal received vide letter No. 869/EC, dated 26.01.2024 is returned for your office record.
2. District Police Officer, Kohat.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt: E-III, CPO Peshawar.

Attested
Awal Khan

SAB
District Police Officer
Kohat



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

Attested
District Police Officer
Kohat
21/5/24

Attested
Kashif Hayat
Advocate
High Court
21/5/24

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

P-14

Service Appeal No. 864/2024
Sohail Shah
SI No. 204/K, District Kohat

..... Appellant

VERSUS

District Police Officer, Kohat & others

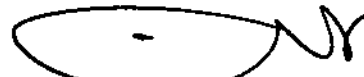
..... Respondents

AUTHORITY LETTER

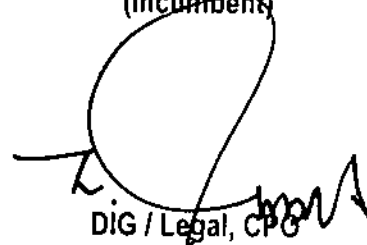
Mr. Usman Ali Khan, DSP Legal Kohat is hereby authorized to file the parawise comments and any other registered documents in the Honorable Tribunal on behalf of respondents / defendant and pursue the appeal as well.



District Police Officer,
Kohat
(Respondent No. 1)
(MUHAMMAD OMER KHAN) PSP
(Incumbent)



Regional Police Officer,
Kohat
(Respondent No. 2)
(SHER AKBAR) PSP, S.St
(Incumbent)



DiG / Legal, CPO
For Inspector General of Police
Khyber Pakhtunkhwa,
(Respondent No. 3)
(DR. MUHAMMAD AKHTAR ABBAS) PSP
(Incumbent)