

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**

Mr. Justice Qazi Faez Isa  
Mr. Justice Jamal Khan Mandokhail

**Civil Appeal No. 118-K of 2019**

(On appeal from the judgment dated 06.08.2018 of the Sindh Service Tribunal at Karachi passed in Appeal No. 869 of 2017)

*Qazi Muhammad Raheel.*

.... *Appellant*

**Versus**

*The Inspector General of Police,  
Sindh and others.*

... *Respondents*

For the Appellant:

Mr. Noor Muhammad Dayo, ASC.  
Mr. Ghulam Rasool Mangi, AOR (**absent**).

For the Respondents:

Mr. Saulat Rizvi,  
Additional Advocate General, Sindh.  
Ahmed Baig, Superintendent of Police  
Ali Zafar Baloch, PSP

Date of Hearing:

24.12.2021.

**ORDER**

**Qazi Faez Isa, J.** Through this appeal the judgment of the Sindh Service Tribunal at Karachi (**‘the Tribunal’**) dismissing the appellant’s Appeal No. 869 of 2017, through impugned judgment dated 6 August 2018, has been assailed.

2. The learned counsel for the appellant states that the reason which prevailed with the learned Chairperson and the learned Member of the Tribunal in dismissing the appellant’s appeal was that the appellant was involved in a criminal case, that is, FIR No. 857 of 2016, but, subsequently, the appellant secured his acquittal in that case through judgment dated 29 May 2019 passed in Sessions Case No. 515 of 2017. And, that this FIR was a counter-blast to FIR No. 384/2016, which the appellant had lodged. Therefore, the reason that the appellant is involved in a crime, and which resulted in the dismissal of the appellant’s appeal by the Tribunal no longer subsists and as such the impugned judgment should be set-aside.

3. On the other hand, the learned Additional Advocate General, Sindh states that merely having secured an acquittal is not sufficient as it may have been obtained on technical grounds and that the integrity of the police

force is undermined when a person involved in a serious crime is retained. He further states that in FIR No. 384 of 2016 the appellant had alleged that he had paid a *bribe* to secure a job for his brother, which in itself was a crime.

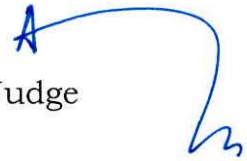
4. In the stated circumstances, it would be appropriate if the impugned judgment is set-aside and the matter is remanded to the Tribunal to re-hear Appeal No. 869 of 2017, after providing the appellant an opportunity to amend the appeal by placing the said judgment of acquittal and any other material on record, and, thereafter, if the Police Department wants to respond to provide it an opportunity to do so too. Both the parties may take all permissible grounds and the appeal should be decided in accordance with law.

5. Therefore, this appeal is allowed and the impugned judgment is set aside and the case is remanded back to the Tribunal in the aforesaid terms. Since the appeal is of the year 2017 it is expected that it will be decided at an early date.

Bench-I  
Karachi:  
24.12.2021  
(Amjad, PS)



Judge



Judge