

ORDER SHEET  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
(JUDICIAL DEPARTMENT)

**W.P no. 1368/ 2021**

Jehandad Ali Khan  
*Versus*  
The state, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	10.01.2022	Mr. Shams Iqbal Khattak, Advocate for the petitioner. Mr. Asad Ullah Taimoor, learned State counsel. Habib Dar- Inspector, Police Station Sector I-9. Rafee Ullah Sub-inspector, Police Station Kohsar. Muhammad Riaz Noon, Assistant Sub-Inspector, Police Station Abpara.

Learned counsel for the petitioner has shown to the Court an inquiry report dated 02.12.2019 conducted by Incharge, Internal Accountability Unit (IAU), which was forwarded vide letter no. 897-5A-IAU dated 03.12.2019 from the office of the I.G. Islamabad to D.I.G. operations, Islamabad “for further necessary action”. The said inquiry report goes into considerable detail of the versions and cross-versions relating to the underlying complaint of the petitioner under sections 22A/22B Cr.P.C alleging unlawful arrest and detention with injuries. It is surprising to find that the aforesaid inquiry report finds no mention in the impugned order dated 16.12.2020 passed by the learned Justice of Peace dismissing the petitioner’s complaint, that is to say, even one year later, the said inquiry report eludes the record in the case, and the learned Justice of Peace while conducting the proceedings under sections 22A/22B Cr.P.C. was not apprised of the said inquiry report despite it being a material and relevant item for the purposes of the said proceedings.

2        Learned State counsel states that he would look into this matter and would apprise this Court as to the reasons for the inquiry report not being placed on record before the learned Justice of Peace. He is also directed to inform the

Court as to whose responsibility it was to place the inquiry report before the learned Justice of Peace along with a reference to the provision of law whereby the said responsibility was meant to be discharged but it appears so far was not discharged.

3            Relist on **21.01.2022.**

**(SARDAR EJAZ ISHAQ KHAN)**  
**JUDGE**