

**KHYBER PAKHTUNKHWA RIGHT TO PUBLIC SERVICES
COMMISSION**

Case No. RTS-Online-469

Mr. Arshad Khan Vs Police Department

Date of Institution: 11/10/2024

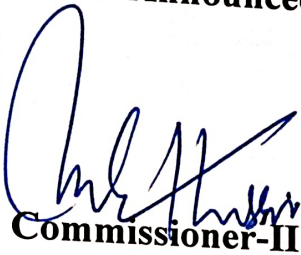
S.No	Date of Order	Order/Proceedings
1.	30-10-2024	<p>The complainant, Mr. Arshad Khan, resident of Peshawar, appeared and was heard online from the office of the DMO, Peshawar, regarding his request for the registration of an FIR. The registration of an FIR is a notified public service under the RTPS Act, 2014. He reported that on 22/09/2024, his son was attacked by a group of assailants who struck him on the head and forcibly took his mobile phone (iPhone). His son sustained serious injuries, requiring two stitches, and caused significant bleeding. Following this incident, he approached the SHO of Police Station Gulbahar to lodged an FIR. However, only an entry in the roznamcha was made, and no FIR has been registered till date.</p> <p>He presented the decision of the court dated 16/10/2024 (under Section 22A Cr. P.C) which is perused and the operative part is reproduced here under.</p> <p>“This Court is thus of the opinion that the allegations pertain to commission of cognizable offense and in such a case SHO concerned was bound to registered a case u/s 154 Cr. P.C. when a cognizable offence was reported to him. The comments furnished by SHO concerned are not satisfactory regarding non registration of case.”</p> <p>In the light of above, petitioner application was allowed and SHO concerned was directed to register a case against the real culprits under the relevant provision law.</p> <p>As it is established that a cognizable offense occurred, while the delay in FIR registration is unwarranted according to Section 154 of the Criminal Procedure Code, alongside the RTPS Act, and police is mandated to promptly register a case upon receiving information of a cognizable offense.</p>

In light of the above findings the Commission is of the opinion that since a court of competent jurisdiction has already decided the case, ordering registration of FIR. However, delay in registration of an FIR by the Designated Officer has also been established, hence SSP Operation must take disciplinary action against the SHO concerned Designated Officer under Section 11 of the RTPS Act, under intimation to this commission.

which is violation of RTPS Act Sec 3.

The case is disposed off accordingly.

Order Announced.


Commissioner-II


Commissioner-I