



Government of Jammu and Kashmir
Home Department

Notification

Srinagar, the 30th August, 2018

SRO 363 .- Whereas, on 16-04-2017 Police Station, Hajin received an application from the complainant namely Jameela W/o Abdul Rashid Parray @ Rashid Billa R/o Par Mohalla, Hajin that her husband usually used to remain out of his house and returned to his house before one day before the occurrence. On 16.04.2017 at about 2100 hours one person namely Parvaiz Ahmad Parray @ NATA came to house of the complainant and asked her that he has some personal work with her husband, upon which the complainant's husband and the said person went in a room to talk with each other. After about half an hour some knocking sound was heard from the main gate which was locked and the complainant asked who was there at the main gate where from one Arif Ahmad Parray @ NATA answered that it is their neighbor well known to the complainant and is also the brother of Parvaiz Ahmad @ Nata. The Complainant told her husband that Arif Ahmad @ NATA is knocking at the main gate and the complainant's husband along with Parvaiz Ahmad @ Nata told her to open the main gate. Accordingly, the complainant went to open the main gate and found Arif Ahmad Parray @ Nata alongwith two masked gunmen there who managed their entry into the house and went to the same room where her husband and Parvaiz Ahmad were sitting and talking to each other. The masked gunmen asked the complainant to remain in another room alongwith other family members. They all talked to her husband in that room for about ten minutes and after that some gun shots were heard from the room upon which the complainant along with other family members cried and shouted loudly. They went to that room and found her husband dead while all the accused managed to flee from the spot etc.; and

2. Whereas, in this connection, a case FIR No. 22/2017, U/S 302, 120-B RPC, 7/27 IA Act came to be registered in Police Station Hajin; and
3. Whereas, during the course of investigation, the Investigating Officer visited the scene of crime/place of occurrence, drafted the site plan,

took into possession the dead body of Abdul Rashid Parray for medico-legal formalities and also seized one bullet of AK-47 from the spot and drafted the seizure memos accordingly. The photography of the dead body which was present on the spot was also done; and

4. Whereas, after conducting the medico legal formalities, the dead body of the deceased was handed over to the legal heirs for last rites. Statements of thirteen (13) PWs were also recorded U/S 161 Cr. PC, whileas, statements of three (03) PWs were got recorded u/s 164-A Cr PC; and

5. Whereas, based on investigation of the case and evidence collected, accused persons namely 1. Parvaiz Ahmad Parray @ NATA, 2 Arif Ahmad Parray @ NATA sons of Ghulam Mohiuddin Parray R/o Paray Mohalla, Hajin, 3. Ayaz Ahmad Sofi S/o Ghulam Mohiuddin Sofi R/o Parray Mohalla Hajin and two active militants of LeT outfit namely 4. Mehmood Bhai and 5. Abu Qatal were found involved in the instant case. During investigation, the accused persons 01 and 02 were arrested on 04-06-2017, who confessed that after fleeing from the place of occurrence, accused No. 04. handed over one AK 47 Magazine along with ten (10) Live AK 47 Rounds to accused No. 3, whileas, the accused No. 03 was already given one Hand Grenade for his personal safety/security by the militants and upon the confession made by him, the above mentioned arms/ammunition was recovered from his house and necessary documents were prepared and placed on record. Accordingly sections 7/25 IA ACT 7/25 IA ACT, 15/16, 18 ULAP Act were added in the instant case; and

6. Whereas, investigation conducted has, prima-facie, established the commission of crime punishable u/s 302, 120-B RPC 7/27, 7/25 IA ACT, 15, 16, 18 ULAP ACT against all the above mentioned five accused persons out of whom accused No. 01 and 02 have been arrested and are presently under Judicial Custody lodged at Central Jail, Srinagar ,whileas, other three accused persons are still absconding against whom proceedings u/s 512 CrPC have been initiated; and

7. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the said accused persons for the commission of offences punishable under sections 15 , 16 & 18 of the Unlawful Activities (Prevention) Act, 1967; and

8. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the aforementioned accused persons for their prosecution under the aforesaid provision of law.

9. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the below mentioned accused persons for the commission of offences punishable under section 15, 16 and 18 of unlawful Activities (Prevention) ACT, arising out of FIR No. 22/2017 U/S 502, 120-B RPC, 7/27, 7/25 IA ACT, 15/16, 18 ULAP Act in Police Station, Hajin.

1. Arif Ahmad Parray @ NATA S/O Ghulam Mohiuddin Parray R/O Par Mohalla Hajin,
.....for the commission of offence punishable under sections 15, 16 & 18 of ULAP Act.
2. Parvaiz Ahmad Parray @ NATA, S/O Ghulam Mohiuddin Parray R/O Par Mohalla Hajin,
.....for the commission of offence punishable under section 18 of ULAP Act.
3. Ayaz Ahmad Sofi S/O Ghulam Mohiuddin Sofi R/o Parray Mohalla Hajin
.....for the commission of offence punishable under section 18 of ULAP Act
4. Mehmood Bhai
.....for the commission of offence punishable under sections 15, 16 & 18 of ULAP Act.
5. Abu Qatal.
.....for the commission of offence punishable under sections 15, 16 & 18 of ULAP Act.

By Order of the Government of Jammu and Kashmir.

Sd/-

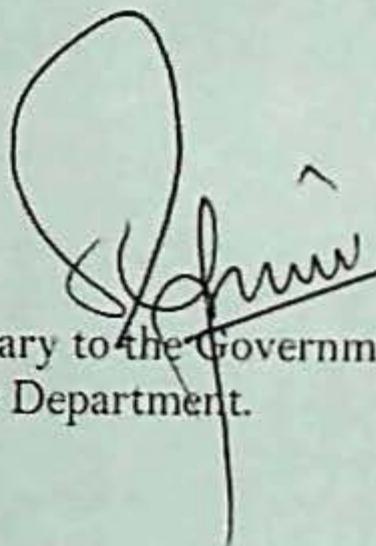
Principal Secretary to the Government
Home Department

No. Home/Pros/22/2017

Dated: 30.08.2018

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-36/S/2017/37614-15 dated 29/05/2018. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs. (w.7.s.c.)
3. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


Under Secretary to the Government
Home Department. 30.08.18