



Government of Jammu and Kashmir
Civil Secretariat Home Department
Srinagar/Jammu.

NOTIFICATION
Srinagar the 25th September, 2019

SRO;- 541 Whereas on 05-05-2018, Police Station, Hajin received a written report from one Ab. Rehman Dar S/o Ab. Jabbar Dar R/o Gulshan Mohalla Hajin to the effect that during the intervening night of 04/05-05-2018, some unknown terrorist barged into his residential house and kidnapped his son and brother namely Bashir Ahmad Dar and Gh. Hassan Dar @ Rassa and later both of them were killed and their dead bodies were left near local Mosque Gulshan Mohalla Shahgund etc;and

2. Whereas, a case FIR No. 26/2018 U/S 302,364,458 RPC, 7/27 A Act was registered at Police Station Hajin and investigation was taken up;and

3. Whereas, during the course of investigation, site plan was prepared and dead bodies of both the kidnapped persons namely Bashir Ahmad Dar and Gh. Hassan Dar were recovered and taken into possession. Necessary memos viz recovery memo, injury memo and identification memo, were also prepared. After conducting medico legal formalities the dead bodies were handed over to their legal heirs for last rites. During investigation, statement of witnesses were recorded under section 161 Cr.PC and placed on record. During further investigation statement of material witness was recorded under Sec. 164-CrPC who identified the accused persons as 01. Mohammad Saleem Parray S/O Gh. Mohammad R/o Kan Mohalla Hajin a local militant and three foreign terrorist viz 2. Ali @ Maaz, 3. Rizwan @ Jindal and 4. Fehdullah @ Abdullah @ zoong and revealed further that they are involved in kidnapping and later on killing of the two local persons. Based on the facts and circumstances that enumerated during investigation Sections 16,18,20,38 UAP Act were added in the case; and

4. Whereas, Cogent evidence prima facie establishes the involvement of accused militants namely 01. Mohammad Saleem Parray S/O Gh. Mohammad R/O Khan Mohalla Hajin and three Foreign terrorist viz. 2. Ali @ Maaz, 3. Rizwan @ Jindal and 4. Fehdullah @ Abdullah @ Zoong in the commission of crime punishable u/s 302,364,458-RPC, 16,18,20,38 ULA(P) Act and investigation concluded as proved against them. Among the four involved accused persons three foreign terrorists viz Ali @ Maaz, Rizwan @ Jindal and Fehdullah @ Abdullah @ Zoong have been killed during encounter at Par Mohalla Hajin on 30-08-2018 as per copy of FIR No. 46/2018 U/S 307, RPC r/w 7/27 A Act of P/S Hajin, which is placed on record. While accused 1. Mohammad Saleem Parray S/o Gh. Mohammad R/O Kan Mohalla Hajin is an active militant and against whom proceedings U/S 512 Cr.PC have been proposed; and

5. 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 person; and

6. 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 accused person for his prosecution under the aforesaid provisions of law.

7. 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 accused person namely Mohammad Saleem Parray S/o Ghulam Mohammad R/o Kan Mohalla Hajin for the commission of offences punishable U/S 16,18,20 and 38 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.26/2018 of Police Station Hajin.

By order of the Government of Jammu and Kashmir.

Sd/-

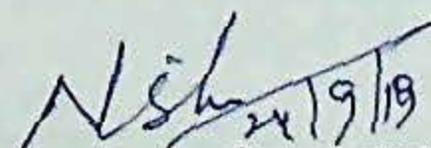
Principal Secretary to the Government
Home Department

Dated: 25.09.2019

No. Home/Pros/41/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-117/S/2018/7398-7400 dated 30/01/2019 and. 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