

Government of Jammu and Kashmir
Home Department,
Civil Secretariat, Jammu

NOTIFICATION

Jammu, the 11th January, 2020.

SO, 2/ -Whereas, on 27-03-2019 Police Station Saddar came to know that one Roman Rashid S/O Abdul Rashid Sofi R/O Kacharpora Baghat has, in suspicious circumstances, been found lying in injured condition at Rawathpora Bund. Upon this, a report was entered in daily diary and injured person was shifted to Hospital, it was learnt that some unknown persons have fired upon him with criminal intention, causing bullet injuries on his person, and

2. Whereas, a case FIR No. 55/2019 U/S 16 ULA(P) 1967, has been registered in P/S Saddar, Srinagar and investigation taken up in the case; and

3. Whereas, during the course of investigation, it was found that injured SPO Roman Rashid S/O Abdul Rashid Sofi R/O Kacharpora Baghat working as driver was fired upon by some unknown persons on 27-03-2019 in the evening who had gone to see one of his relatives residing at Takil Mohalla Chapora. He was seriously injured and the attackers had fled by taking advantage of darkness. It came to the knowledge of the investigating officer that (1) Asif Iqbal S/O Mohd Iqbal Dar R/O Kokerbagh Zonimar Soura, (2) Rashid Lateef Bhat S/O Mohammad Lateef Bhat R/O Baghat and (3) Shahid Hassan Dar S/O Ghulam Hassan Dar R/O Kookerbagh Zonimar Soura were involved in this firing incident and they were arrested on 21-07-2019 in connection with case registered in Police Station Saddar. They admitted their involvement in the crime and revealed about arms and ammunition including a hand grenade which came to be recovered at their

instance. Separate disclosure memo/seizure memo etc has been prepared. Statements of witnesses were recorded under section 161 and 164-A Cr.PC.

4. Whereas, during investigation accused Asif Iqbal disclosed that he was given a Pistol (weapon of offence) by one Junaid Ashraf Khan S/O Mohammad Ashraf Khan R/O Jahangir Colony Baghat, who has been an active terrorist of Hizbul-Mujahidin outfit and after commission of the terror act, the Pistol was returned to him. On the disclosure of accused Asif Iqbal ammunition AK-15 Rounds, Ammunition Pistol 02 Rounds, one Hand Grenade and one black flag was also recovered from Mehjoor nagar. The accused persons confessed that Junaid Ashraf Khan had assigned that task to them, and during the process they used a Motor cycle, taken away by them from one unknown person. However, FSL examination of the tip (Panda) which was recovered from the thigh of the injured could not be done due to non recovery of the Pistol (Weapon of offence) because accused possessing the weapon is an active absconding terrorist against whom a separate Case FIR No. 42/2018 U/S 13,18,20 Unlawful Activities (P) Act stands registered which is under investigation; and

5. Whereas, on the basis of statements of witnesses, seizure memos and other relevant data, the I/O has established a prima facie case against accused namely (1) Asif Iqbal S/O Mohd Iqbal Dar R/O Kokerbagh Zonimar Soura u/s 18 ULA (P) Act, (2) Rashid Lateef Bhat S/O Mohd Lateef Bhat R/O Baghat, (3) Shahid Hassan Dar S/O Ghulam Hassan Dar R/O Kokerbagh Zonimar Soura and (4) Junaid Ashraf Khan S/O Mohd Ashraf Khan R/O Jahangir Colony Baghat U/S 16 ULA (P) Act; and

6. Whereas, the Authority appointed by the Government of Jammu & Kashmir 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 conclusion that prima facie case is made out against the accused.

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

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above named accused persons under section 16 of Unlawful Activities (Prevention) Act, 1967.

By order of the Government of Jammu & Kashmir.

Sd/-

Principal Secretary to the Government
Home Department.

Dated:- 11 -01-2020

No:-Home/Pros/200/2019

Copy to:-

1. Director General of Police, J&K Jammu. This has reference to his letter No. Legal/Sanc-127/S/2019/4046-48 dated 10-12-2019. The CD file in original is returned for acknowledgement of receipt.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs (with 7 SC)
3. Private Secretary to principal Secretary to the Government, Home Department.
4. Stock file.

(Umesh Sharma)

Under Secretary to the Government
Home Department.