

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

**NOTIFICATION**

Jammu, the 22nd January, 2020.

**SO 31** :-Whereas on 28.09.2016 P/S Shopian received a DD extract from PP Keegam to the effect that a reliable information was received by the PP that constable Mohammad Abass No. 2465/S of Security Kashmir who was deployed as PSO with Ex-MLC, (CPIM), Ab Rahman Tukroo R/o Tukroo Shopian had left his service rifle AK-47 along with one Magazine and 30 live rounds unattended in the house of the said MLC, which was stolen by one of the relative of the MLC namely Waseem Ahmad Khanday S/o Ayoub Khanday R/o Takiabal Zrakan Keller District Shopian from the guard-cum bedroom with the criminal intention and the accused managed to steal the service weapon due to the negligence & carelessness of the said PSO; and

2. Whereas a case FIR No. 319/2016 U/S 380 RPC, 7/25 A. Act , 30 Police Act r/w 3 PEPO was registered in P/S Shopian and investigation of the case was taken up; and

3. Whereas, during investigation, it was found that accused namely Waseem Ahmad Khanday alongwith other active terrorists of LeT and JEM namely; Zahid Ahmad Mir, Irfan Abdullah, Irfan-ul-Haq Sheikh and Zeenatul Islam hatched criminal conspiracy and stole away the service weapon of accused Mohammad Abass Lone No.2465/S R/o Keegam Shopian from the guard-cum bed room of the residence of Ex-MLC namely Ab. Rahman Tukroo Shopian during night hours and the other guard personnel fired upon the accused namely; Waseem Ahmad Khanday while jumping out of the room but he managed to escape due to darkness and later on he joined the terrorists ranks. The accused managed to steal the weapon due to carelessness and negligence of Constable Mohammad Abass Lone No. 2465/S ;and

4. Whereas, the investigating officer on the basis of seizure memos and statement of witnesses recorded under relevant sections of law has established a prima-facie case against the accused persons namely Waseem Ahmad Khanday S/o Ayoub Khanday R/o Takiabal Zrakan Keller (Dead) 2. Zahid Ahmad Mir S/o Shameem Ahmad Mir R/o Ganowpora Shopian (Dead) 3. Irfan Abdullah S/o Mohammad Abdullah Ganie R/o Heff Shirmal Shopian

(Dead) 4. Irfan-ul-Haq Sheikh S/o Gh Mohammad Sheikh R/o Maldera Shopian (Dead) 5. Zeenat-ul-Islam S/o Gh Hassan Shah R/o Malnad Sujan Shopian (Dead) for the commission of offences punishable U/S 380,120-B RPC, 7/25 A. Act and against the accused Constable Mohammad Abass Lone No. 2465/S, S/o Ghulam Mohi-ud-din R/o Keegam Shopian for the commission of offences u/s 30 Police Act, 3 PEPO; and

5. Whereas, the Government of Jammu and Kashmir is of the view that there is sufficient material and evidence available against the accused police official for according sanction as required u/s 5 of the PEPO for his prosecution u/s 3 of PEPO and section 30 of Police Act; and

6. Whereas Government of Jammu and Kashmir after having examined the relevant records of the case is satisfied that prima facie a case u/s 30 of Police Act, 1983 read with 03 PEPO is made out against the aforementioned accused Police official on the basis of evidence collected during the course of investigation.

Now, therefore, in exercise of powers conferred by section 5 of the Police Enhanced Penalties ordinance, the Government of Jammu and Kashmir here by accords sanction for launching prosecution against the accused person namely; Mohammad Abass Lone No. 2465/S, S/o Ghulam Mohi-ud-din R/o Keegam Shopian for commission of offences punishable under section 30 of Police Act read with section 03 PEPO in FIR No 319/2016 of P/S Shopian.

By order of the Government of Jammu and Kashmir.

Sd/-

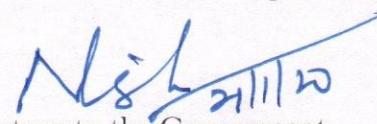
Principal Secretary to the Government  
Home Department

Dated: 29.01.2020

No. Home/Pros/114/2019

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanc-40/S/2019/44615-17 dated 23/07/2019. 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