



GOVERNMENT OF JAMMU AND KASHMIR  
**HOME DEPARTMENT**  
Civil Secretariat, Jammu/Srinagar

**Notification,**  
**Jammu, the 12<sup>th</sup>, 2018.**

SRO/65.-Whereas, on 12.02.2011, Incharge Police Post, Frisal conducted checking of guard deployed at Punjab National Bank Frisal Yaripora. During the perusal of guard book, a report vide DD No. 05 Dated 08.12.2011 about missing of SLR Gun bearing No. 16044591 issued to constable Feroz Ahmad No. 558/Kgm, was found entered in the said book. During the inspection/checking of arms and ammunition allotted to the said guards personnel, the weapon SLR was found missing and none of the guard personnel could justify the same; and

Whereas, a docket was submitted by Incharge Police Post Frisal to S.H.O Police Station, Yaripora regarding the loss of the weapon and for registration of case etc.; and

Whereas, on receipt of this information case FIR No. 10/2011 u/s 409 RPC, 30 Police Act 1983 read with 03 of Police enhanced Penalties Ordinance 2005 (PEPO) was registered in Police Station Yaripora and investigation was taken up; and

Whereas, during the course of investigation necessary documents viz site plan was prepared, guard book in question seized and statements of witnesses u/s 161 & 164-A CrPC were recorded. The record pertaining to the issuance of weapon in question was obtained from the issuing authority, which revealed that the weapon (SLR No. 16044591) was issued in favour of Constable Feroz Ahmad No. 558/Kgm posted in the said Bank. The investigation revealed that accused No. 1 had misappropriated the Government property (Weapon) issued to him which was later recovered on 07.09.2013 from a Nalla at Village Gunchall Dangiora and to this effect recovery memo was prepared. This is particularly so because had the weapon been lost or stolen, the senior formations would definitely have been informed about such loss or theft, but the fact that a missing report

was secretly entered in the guard book show the malafides on part of the accused; and

Whereas, the investigation further reveled that it was also the duty of the incharge guard Head Constable Abdul Majeed No. 81/Kgm, to inform his seniors well in time, regarding misappropriation of Government property who however, deliberately has not disclosed the same facts to his seniors and has entered a missing report in the guard book; and

Whereas, during the course of investigation, the involvement of accused persons Ab. Majeed Bhat S/O Gh. Mohammad Bhat R/o Nowgam Srinagar (HC) No. 81/Kgm and Feroz Ahmad Ahanger S/O Mohammad Usman Ahanger R/o Kralwari Chadoora Budgam (Ct. No. 558/Kgm) was established in the commission of crime and the case was finalized against the said accused persons u/s 409 RPC, 30 Police Act read with 03 PEPO of 2005; and

Whereas government 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 of 2005 is made out against the accused persons, mentioned above on the basis of evidence collected during the course of investigation;

Now, therefore, in the exercise of powers conferred by section 5 of the Police Enhanced Penalties ordinance, 2005, the Government hereby accords sanction for launching prosecution against the accused persons namely Ab. Majeed Bhat S/O Gh. Mohammad Bhat R/O Nowgam Srinagar (HC) No. 81/Kgm and Feroz Ahmad Ahanger S/O Mohammad Usman Ahanger R/o Kralwari Chadoora Budgam (Ct. No. 558/Kgm) for the commission of offences punishable under section 30 of Police Act read with section 03 PEPO, 2005 arising out of FIR No. 10/2011 of Police Station Yaripora.

By Order of the Government of Jammu and Kashmir.

**Sd/-**

Principal Secretary to the Government  
Home Department

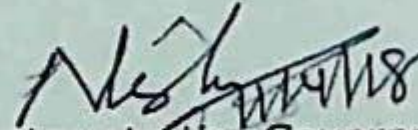
Dated: -/2 .04.2018

No. Home/Pros/38/2016

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1. Director General of Police, J&K, Srinagar. This has reference to his letter No. Legal/Sanc-12/S/2016/47973-74 dated 12.08.2016. 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. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

  
Under Secretary to the Government  
Home Department 