



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

NOTIFICATION

Jammu, the 8th, January, 2019

SRO 14 :- Whereas, Police Station. Zainpora came to know through reliable source that on, 08.07.2018 some unknown gunmen abducted Tariq Ahmad Mohand S/O Gh Hassan Mohand R/O Heff Shopian, who has been murdered after being tortured and the corpse is lying at Arwani etc. and

2. Whereas, FIR No.35/2018 u/s 364, 302 RPC 7/25 A Act was registered in Police Station Zainpora and investigation taken up; and

3. Whereas, during the course of investigation the dead body of the deceased was recovered and after medico legal formalities handed over to his legal heirs for last rites. The site plan of the scene of occurrence and the sketch of the site where from the dead body of the deceased was recovered were drafted and placed on record. Statement of witnesses acquainted with the facts of the case were recorded in terms of section 161 CrPC and 164-A CrPC. Accused persons namely Mohd Yousuf lone S/O Ab Ahad Lone and Shakir Ahmad Padder S/O Gh Mohi U Din R/O Heff Shopian were apprehended for questioning on the basis of statement of witnesses and during systematic questioning they confessed that on the fateful day they alongwith other accused persons came to the house of deceased in vehicles and abducted the deceased from his home and took him to Arwani where the deceased was killed after being tortured and accordingly confessional memos were prepared. On the instance of accused Mohd Yousuf Lone, a rope by which the deceased was tied to commit the crime was recovered from the vehicle Alto (car) bearing registration No. 3271/JK22 as a piece of evidence; and

4. Whereas, the circumstances as well as the evidence which came to fore, prima facie offences U/s 364, 302,120-B RPC 7/25 A Act 16 UAPA are established against accused persons namely Naveed Jatt @ Hanzlla R/O Pakistan.(A1); Azad Ahmad Malik(@ Dada (A2) S/O Nazir Ahmad Malik R/O Arwani & Sahir Ahmad Makroo (A3) S/O Mohd Akram Makroo R/O Arwani Bijbehara while as offence U/S 364, 120-B RPC,18 UAPA were established against accused Shakir Ahmad Paddar (A4) S/O Gh. Mohi-U Din Paddar, Suhail Ahmad Wani (A5) S/O Mohd Ahsan Wani & Majid Yousuf Malla (A6) S/O Mohd Yousuf Malla R/O Heff Shopian and offences U/S 364,120-B RPC 18,19 UAPA were established against the accused Mohd Yousuf Lone (A7) S/O Ab Ahad lone R/o Heff Shopian. During the course of investigation four accused persons (OGWs) were arrested in the case

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and are presently under judicial custody at District Jail Pulwama. Other three accused (militants) A1, A2 and A3 got killed in different encounters with security forces as detailed in the CD file. The vehicles used in the commission of crime were also seized and released in favour of their rightful owners in terms of the court orders; 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 sanction for launching prosecution against the accused persons; 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 persons for their 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 persons namely 1. Shakir Ahmad Paddar S/O Gh. Mohi-U Din Paddar, 2. Suhail Ahmad Wani S/O Mohd Ahsan Wani & 3. Majid Yousuf Malla S/O Mohd Yousuf Malla all residents of Heff Shopian, for the commission of offences u/s 18 ULAP and 4. Mohd Yousuf Lone S/O Ab Ahad Lone R/o Heff Shopian for the commission of offences punishable u/s 18 and 19 of ULAP Act arising out of FIR No.35/2018 of P/S Zainpora.

By order of the Government of Jammu and Kashmir.

Sd/-

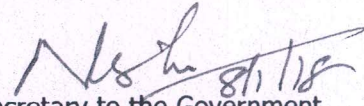
Principal Secretary to the Government
Home Department

Dated: 08 .01.2019

No. Home/Pros/104 /2018

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-84/S/2018/78131-33 dated 03.12.2018 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. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


Under Secretary to the Government
Home Department.