



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

NOTIFICATION
Srinagar, the 11th September, 2019

SRO:- 528 Whereas, on 25-05-2018, P/S Bus Stand, Jammu received a docket to the effect that while conducting patrolling at B.C Road, Jammu near Khalsa Petrol Pump some unknown miscreants lobbed a grenade like explosive substance towards the Police Patrolling Party with the intention to create fear among the general public as well as to kill the Police personnel, as a result of which Inspector Rajesh Jasortia, SHO P/S Bus Stand, Sgct Shah Israr, SPO Arjun Kumar and one civil person namely Jagdev Raj S/o Prem Chand R/o Billawar A/P Krishana Nagar, Jammu were injured and shifted to GMC Jammu for treatment. Besides some private vehicles also got damaged; and

2. Whereas, a case FIR No. 28/2018 U/S 307,527 RPC ¾ ES Act, 16 UAP Act 1967 was registered at P/S Bus Stand, Jammu and investigation of the case was taken up; and

3. Whereas, during the course of investigation, place of occurrence was inspected and during inspection some pieces of blast material and clay were recovered and seized on spot in presence of witnesses and seizure memo was prepared. Site plan of place of occurrence was also prepared and placed on record. Further vehicles TAVERA No. JK01R-2261 and INNOVA bearing No. JK01P-9471 which were damaged due to blast from the spot were also seized as piece of evidence in the case. The seized material was got resealed in presence of Executive Magistrate and sent to FSL Srinagar for expert opinion; and

4. Whereas, during the course of investigation various suspects were questioned and the statement of witnesses u/s 161 CrPC were recorded. Tower DUMP DATA of the day of occurrence from the local service providers were also obtained. Seized vehicles TAVERA No. JK01R-5561 and vehicle INNOVA No. JK01P-9471 were later released by the order of Hon'ble Court of Addl. Session Judge Jammu to drivers of the said vehicles on proper receipt; and

5. Whereas, during further course of investigation suspect namely Mohd Ashraf Khan S/o Ghulam John R/o Banasa Nallah Arnas Reasi Travel Agent of Karan Travel Agency A/P B.C Road, Jammu was called for questioning, who disclosed that on 24.05.2018 at about 2245 hours, he was present at B.C Road near Khalsa Petrol Pump when the grenade was lobbed on the Police party and he can identify the accused person if produced before him at any point of time; and

6. Whereas, on 07.07.2018, on the identification of the said Mohammad Ashraf two persons namely Ghulam Mohd Sheikh S/o Abdul Khaliq Sheikh R/o Charsoo Tehsil Awantipora District Pulwama and Azad Mushtaq Band S/o Mushtaq Ahmed Band R/o Baragam Tehsil Tral District Pulwama were apprehended from Bus Stand Jammu and thoroughly questioned. During questioning Azad Mushtaq Band disclosed that accused Ghulam Mohd Sheikh S/o Abdul Khaliq Sheikh R/o Charsoo Tehsil Awantipura District Pulwama lobbed the Grenade on Police Party resulting injuries to Police Personnel and damage to vehicles on spot. Accordingly the statement of said Ghulam Mohammad Sheikh was video graphed in presence of Executive Magistrate Ist class Jammu and forms part of the file. Identification parade of above said accused namely Ghulam Mohd Sheikh S/o Abdul Khaliq Sheikh R/O Charsoo Tehsil Awantipura District Pulwama through witness namely Mohd Ashraf in presence of Executive Magistrate Ist Class Jammu was got conducted and statement of Mohd Ashraf was recorded U/S 164-A Cr.PC before the Hon'ble court of law and placed on file. Investigation conducted prima facie established commission of offences punishable u/s 307,427 RPC $\frac{3}{4}$ ES Act, 16 UAP Act against accused Ghulam Mohd Sheikh S/o Abdul Khaliq Sheikh R/o Charsoo Tehsil Awantipura District Pulwama and investigation of case concluded as proved against him. It is further submitted that involvement of Azad Mushtaq Band, driver of the vehicle bearing registration No. JK03C/0564 could not be established in the instant case and benefit u/s 169 Cr.PC given to him;and

7. 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

8. 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.

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 Ghulam Mohammad Sheikh S/o Abdul Khaliq Sheikh R/o Charsoo Banupora Tehsil Awantipora District Pulwama for the commission of offences punishable U/S 16 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.28/2018 of P/S Bus Stand, Jammu.

By Order of Government of Jammu and Kashmir.

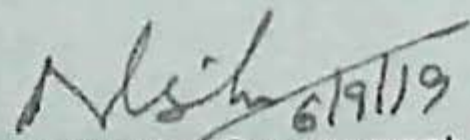
Sd/-
Principal Secretary to the Government
Home Department

No. Home/Pros/39/2019

Dated: 11.09.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-05/J/2018/12693-95 dated 22/02/2019 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