



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

NOTIFICATION

Srinagar, the 24th October, 2019

SRO 643 -Whereas, Sgct. Mohammad Yaseen No. 227/SPN, I/C QRT of P/S Shopian lodged an oral report in P/S Shopian to the effect that on 25.08.2018 he went to offer Nimaz-e-Zuhar in Masjid situated within the premises of P/S Shopian. After offering the prayers, on reaching his residential quarter, he found lock of his personal trunk (box) broken and his service rifle AK-47 bearing Regd. No. BE-445776 along with 01 Magazine, 30 live rounds and Pouch issued to him from KOT DPL Shopian for performing duties missing from it. During search and personal enquiry it surfaced that one SPO namely Showkat Ahmad Sheikh No. 87/SPO S/O Mohammad Maqbool Sheikh R/O Herman Shopian who was also posted in P/S Shopian from last 02 years has stolen the said arms/ammunition for promoting terrorist activities.; and

2. Whereas, a case FIR No. 272/2018 U/S 380 RPC and 16 ULA(P) Act, 1967 was registered at Police Station Shopian and investigation initiated; and

3. Whereas, during the course of investigation, it was revealed that accused Showkat Ahmad No. 87/SPO had stolen/taken away the arms/ammunition from the personal trunk (box) of the complainant after breaking open its locks and wrapping the same in a blanket and succeeded in leaving the premises by telling the sentry on duty that he has to give the blanket to one of his relative at District Hospital, Shopian and later he displayed his picture with stolen rifle through social media. During further investigation, it was revealed that accused Suhail Ahmad Mir S/o Ab. Majeed R/o Herman (a close relative of accused SPO) had aided him in commission of offence after hatching criminal conspiracy and by taking him along with stolen weapon on his own motor-cycle bearing Regd. No. JK22A/3884; and

4. Whereas, during the course of investigation, on the basis of statements of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused persons namely SPO Showkat Ahmad S/o Mohd Maqbool Sheikh R/o

Herman under sections 380,201 RPC and 13,18 & 39 of the Unlawful Activities (Prevention) Act 1967; against accused Suhail Ahmad Mir S/o Ab. Majeed R/o Herman under Sections 380, RPC 13,18 & 39 of the Unlawful Activities (Prevention) Act 196. Accused SPO has been killed in an anti-militancy operations on 22.03.2019 at Gadapora Shopian; 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 prosecution sanction against the said accused person; 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 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 Suhail Ahmad Mir S/o Ab. Majeed R/o Herman for the commission of offences punishable u/s 13,18 & 39 of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 272/2018 of Police Station Shopian.

By order of Government of Jammu and Kashmir.

Sd/-

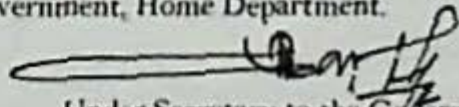
Principal Secretary to the Government
Home Department

No. Home/Pros/93/2019

Dated: 24.10.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanction-15/S/2019/35635-37 dated 15/06/2019. 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