

**COURT OF ADDITIONAL SESSIONS JUDGE,
(DESIGNATED SPECIAL COURT UNDER SECTION 22 OF THE N.I. A. ACT)
BARAMULLA**

Filing No:37/ASJB
CNR No: JKBA010017222022

Date of Institution : 29.01.2009
Date of Decision : 29.11.2022

State of J&K through SHO Police Station Lalpora in case FIR No. 28/2017 for the commission of offence under Sections 13 ULA(P) Act.

V E R S U S

Mohammad Ashraf Peer S/o Saif-ud-din Peer R/o Takiya Hamam.
(*Accused*)

Coram: Pawan Kumar Sharma

JO Code: JK00135

ORDER

- 1- The instant final-report under Section 173 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as Code for short*) has been presented before this Court on 12-10-2022 after its transfer from the Court of Ld. Principal District & Sessions Judge, Kupwara with the order dated 28-06-2022 that the accused has committed offence punishable under section 13 of UAPA Act and for trial of cases in ULA(P) Act for District of Baramulla, Bandipora and Kupwara has been vested with Additiional Sessions Judge Baramulla.
- 2- As per the perusal of the challan, it reveals that on 9th of May 2017 Constable Mohammad Gulam No. 805 IRP has submitted a written docket on behalf of ASI Abdul Khaliq No. 37/KP with the request that on patrolling on duty at village Khurama and in the meanwhile one person namely Mohd Ashraf Pir S/o Saif ud din R/o Takya Khurhama had assembled a mob and was presenting a sermon against the State of J&K and India and was chanting slogans against the sovereignty of India and was instigating youth of the area to commit illegal activities etc. After this

PDF SIGNER DEMO VERSION 2017 for the commission of offence under Sections 13

ULA(P) Act of Police Station Lalpora was registered and after completing investigation the chargesheet was filed.

- 3- Ld. PP for the UT is present. Ld. Counsel for the accused is also present. Perusal of the file reveals that the accused had expired during the trial of the case and the statement of the IO Dy. SP Fariz Hussain Shah No. 125756/KPS has been recorded in this regard who stated that the accused had expired on 07-04-2022. In this regard Death Certificate of the accused is enclosed with the challan.
- 4- This Court has no reason to disbelieve the investigating officer of the case. Accordingly, the instant charge-report/challan is ***disposed of*** as ***abated***, on account of death of the accused person during the trial of the case.
- 5- The challan after its due compilation be consigned to records.

Sd/-

Announced:
29.11.2022

Additional Sessions Judge
(Designated Special Court under NIA Act)
Baramulla