

during checking, the Naka Party intercepted a vehicle (Fortuner Toyota) in which three persons identified as Ajaz Ahmad S/o Abdul Rashid Caste Sheikh R/o Sailian, Surankote, Poonch, Gulshan Ahmad S/o Mohd Sharief Caste Sheikh R/o Bhunikhait, Surankote and Farooq Feroz S/o Mohd Rafiq Dar R/o Rajdhani, Thannamandi, were boarded. During the personal search of accused viz. Ajaz Ahmed and Gulshan Ahmad, the Police recovered 02 Pistols, 04 Magazines, 48 Rounds and cash to the tune of Rs. 2.5 lacs Indian currency from their possession respectively, besides, recovered 04 Posters of HM, a banned outfit from the vehicle ; and

2. Whereas, based on the above, a case FIR No. 358/2023 under Sections 120-B, 121, 122 IPC, 7/25, 26, 27 Arms Act, and the Sections 13, 18 and 20 of ULA (P) Act, was registered in the Police Station, Surankote, and the investigation of the case was set into motion. Subsequently during the investigation, the offences under Sections 26 and 27 Arms Act were dropped and the offences under Section 201 IPC and Sections 17, 18-B, 21, 23, 38, 39 and 40 of ULA(P) Act were added in the case ; and

3. Whereas, during the course of investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statements of the witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during the investigation, one more person identified as Mehraj Ahmad S/o Maqbool Ahmad R/o Bhunikhait, Surankote, Poonch was found involved in the case. Subsequently, the accused was arrested and during the investigation, 20 Posters of HM, a banned outfit and cash to the tune of Rs. 49,000/- Indian currency were recovered at his instance ; and

5. Whereas, during the investigation, the person viz. Farooq Feroz, was not found involved in the case and accordingly, was dropped from the case and was given benefit under Section 169 Cr. PC. ; and

6. Whereas, during the investigation, it was found that the accused viz. Ajaz Ahmad, Gulshan Ahmed and Mehraj Ahmed, were in contact with a terrorist of HM, a banned outfit, namely, Abid Ramzan S/o Mohd Ramzan Sheikh R/o Chotipora, Heerpora, Shopian A/P PoK, through virtual mode, who provided the recovered arms/ammunition, Posters

and cash to the accused viz. Ajaz Ahmed, Gulshan Ahmed and Mehraj Ahmed, through an unknown person, in order to promote terrorist activities in the area and threatened the sovereignty and integrity of India ; and

7. Whereas, the investigation, it was established that the accused viz. Ajaz Ahmad, Gulshan Ahmed and Mehraj Ahmad, were working for the terrorists particularly the Pakistani base terrorist viz. Abid Ramzan, and were providing logistic support to him, besides, procured arms/ammunition, indiscriminatory material and cash from the said terrorist through an unknown person for carrying out the terrorist activities in the area and to wage war against the Government of India ; and

8. Whereas, the investigation, in respect of an unknown person shall continue to ascertain his identity and to bring out his role/involvement in the case and the Supplementary charge sheet against him would be filed in the Court of competent jurisdiction ; and

9. Whereas, on the basis of the investigation, the statements of witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under Sections of the Unlawful Activities (Prevention) Act, 1967, and Indian Penal Code, as shown against their names :

| S. No. | Name of the accused | Offence |
|--------|--|---|
| 1. | Ajaz Ahmed S/o Abdul Rashid Caste Sheikh R/o Sailian, Surankote, Poonch. | 13, 18, 20, 23 of ULA(P) Act, 121, 122 IPC. |
| 2. | Gulshan Ahmed S/o Mohd Sharief Caste Sheikh R/o Bhunikhait, Surankote. | 13, 18, 20, 21, 23, 39, 40 of ULA(P) Act, 121, 122 IPC. |

| | | |
|----|--|---|
| 3. | Mehraj Ahmad S/o Maqbool Ahmed R/o Bhunikhait, Surankote, Poonch. | 13, 17, 18, 20, 21, 39, 40 of ULA(P) Act, 121, 122 IPC. |
| 4. | Abid Ramzan S/o Mohd Ramzan Sheikh R/o Chotipora, Heerpora, Shopian A/P PoK. | 13, 17, 18, 18-B, 20, 38, 40 of ULA(P) Act, 121, 122 IPC. |

10. Whereas, the accused viz. Abid Ramzan, is absconding and the proceedings under Section 299 Cr. PC. have been proposed to be initiated against him ; and

11. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above accused ; and

12. Whereas, after perusing the Case Dairy File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above-mentioned accused for their prosecution under the provisions of law ; and

13. Whereas, the Government has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above accused under the aforementioned provision of the Indian Penal Code (IPC).

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention)

Act, 1967, and Section 196 of the Code of Criminal Procedure, 1973, the Government hereby accord sanction for launching prosecution against the accused viz. Ajaz Ahmed, Gulshan Ahmed, Mehraj Ahmed, and Abid Ramzan, for the commission of offences as indicated against the each accused at Para (9) above, arising out of FIR No. 358/2023 of Police Station, Surankote.

By order of the Government of Jammu and Kashmir.

(Sd/-) CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.