



S/o Ganga Prasad R/o Bhatpora Samadha, Utter Pradesh at Village Tumchi Nowpora, Pulwama with their illegal arms/ammunition with the intention to kill him resulting in serious injuries to the said person who has been shifted to Hospital for treatment. The unknown terrorists after the commission of crime escaped from the spot; and

2. Whereas, based on the above, a Case FIR No. 293/2023, 307 IPC, 7/27 Arms Act, and Sections 16,18,20,23 and 39 of ULA (P) Act was registered in the Police Station, Pulwama and the investigation of the case was set into motion. Later on the injured viz. Mukesh kumar succumbed to his injures. Subsequently the offences under Sections 34,120-B 121-A, 122, 302 IPC, 7/25 Arms Act and the Sections 18-A 18-B and 38 of ULA (P) Act were added and Section 307 IPC and 39 of ULA (P) Act were dropped from 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 witnesses acquainted with the facts and circumstance of the case were recorded under the relevant provisions of Law; and

4. Whereas during the investigation, three persons identified as Danish Farooq Mir S/o Farooq Ahmad Mir R/o Hunipora, Chati Nehama Wanpora, Pulwama, Fariz Gulzar Wani S/o Gulzar Ahmad Wani and Amir Ahmad Wani S/o Abdul Salam Wani residents of Wanpora, Pulwama were found involved in the commission of crime. Subsequently the accused were arrested in the case and during the investigation 01 Hand Grenade was recovered at the instance of accused viz. Danish Farooq; and

5. Whereas during the investigation, it was found that the accused viz. Danish Farooq Mir, Fariz Gulzar Wani and Amir Ahmad Wani were in contact with two terrorists of LeT a banned outfit namely Rayees Ahmad Dar S/o Ghulam Mohi-ud-Din Dar R/o Larve, Pulwama and Riyaz Ahmad Dar S/o Abdul Aziz Dar R/o Sathergund Kakapora, Pulwama and were working for them in order to promote terrorist activities in the area and to wage war against the Government of India; and

6. Whereas during the investigation it was found that the accused terrorists viz. Rayees Ahmad Dar and Riyaz Ahmad Dar provided a Pistol to the accused viz. Danish Farooq Mir, Fariz Gulzar Wani and

imparted training to them for handling of the weapon and directed them to kill any non- local labourer and thereafter join the terrorist ranks; and

7. Whereas during the investigation it was found that on the date of occurrence the accused viz. Danish Farooq Mir, Fariz Gulzar Wani went to Village Tumchi, Nowpora where the accused viz. Danish Farooq Mir , Fariz Gulzar Wani fired upon the deceased Mukesh Kumar and escaped from the spot and after the incident the accused viz. Amir Ahmad Wani, brought the accused viz. Danish farooq Mir, Fariz Gulzar Wani to a secret place as per the directions of terrorists viz. Rayees Ahmad Dar and Riyaz Ahmad Dar; and

8. Whereas during the investigation it was found that after the incident the accused viz. Danish Farooq Mir, left from his home and joined the terrorist ranks of LeT, a banned outfit for which a separate case FIR No. 86/2023 stands registered in Police Station, Kakapora and later on was arrested in the instant case; and

9. Whereas during the investigation it was established that the accused viz. Danish Farooq Mir, Fariz Gulzar Wani and Amir Ahmad Wani were working for the terrorists of LeT, a banned outfit particularly the terrorists viz. Rayees Ahmad Dar and Riyaz Ahmad Dar and on the date of occurrence the accused viz. Danish Farooq Mir, Fariz Gulzar Wani, under a well knit criminal conspiracy fired upon the non-local labourer Mukesh Kumar and escaped from the spot which resulted death of the deceased person. Later on the accused viz. Amir Ahmad Wani on the directions of terrorists viz. Rayees Ahmad Dar and Riyaz Ahmad Dar, brought the accused viz. Danish Farooq Mir, Fariz Gulzar Wani, to a secret place; and

10. Whereas during the investigation in respect of other accused shall continue to ascertain their identity and to bring out their role/involvement in the case and the Supplementary charge sheet against them would be filed in the court of competent jurisdiction; and

11. 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

section of the Unlawful Activities (Prevention) Act, 1967, and IPC, as shown against their name:-

S.No	Name of the accused	Offence
1.	Danish Farooq Mir S/o Farooq Ahmad Mir R/o Hunipora Chati Nehama Wanpora, Pulwama	16,18,20,23,38 ULA(P) Act 121-A, 122 IPC
2.	Fariz Gulzar Wani S/o Gulzar Ahmad Wani R/o Wanpora, Pulwama.	16,18, 18- B,20,23,38 ULA(P) Act 121-A, 122 IPC
3.	Amir Ahmad Wani S/o Abdul Salam Wani R/o Wanpora, Pulwama.	18,18- B,38 ULA(P) Act
4.	Rayees Ahmad Dar S/o Ghulam Mohidin Dar R/o larve, Pulwama.	16,18,18-A, 18- B,20,23,38 ULA(P) Act
5.	Riyaz Ahmad Dar S/o Abdul Aziz Dar R/o Sathergund, Kakapora.	121-A, 122 IPC

12. Whereas, during the investigation, the accused viz. Danish Farooq and Fariz Gulzar have been found Juvenile and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015 the apprehension detention prosecution penalty or imprisonment shall be governed by the said Act; and

13. Whereas, the accused terrorists, viz. Rayees Ahmad Dar and Riyaz Ahmad Dar are absconding and proceedings u/s 299 Cr.Pc have been proposed to be initiated against them; and

14. 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

15. Whereas, after perusing the Case Diary 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

16. Whereas, the Governmnet 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 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. Amir Ahmad Wani, Rayees Ahmad Dar and Riyaz Ahmad Dar, for the commission of offences punishable under the relevant Section as indicated against the each accused in Para (11) above, arising out of FIR No. 293/2023 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

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