

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 137] Jammu, Wed., the 18th December, 2024/27th Agra., 1946. [No. 37-h

Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT,
J&K.

Notification

Jammu, the 18th December, 2024.

SO-576.—Whereas, on 24-09-2020, the Police Station, Lal Bazar received reliable information that some unknown terrorists fired upon one Advocate namely, Babar Qadri S/o Mohammad Yaseen Qadri R/o Zhipora, Hawal, Srinagar, at his residence, resulting in serious injuries to the Advocate, who was shifted to SKIMS, Soura for treatment. The unknown terrorists after the commission of the crime escaped from the spot ; and

2. Whereas, based on the above, a Case FIR No. 62/2020 under section 307 IPC, 7/27 Law Act, 16, 18, Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Lal Bazar and the investigation, of the case was set into motion. During the investigation, the injured Advocate succumbed to his injuries and Subsequently, during the investigation, the offence under Section 120-B, 302, 201 IPC, 13, 18-B, 20, 38 and 39 of ULA (P) Act, were added in the Case ; and

3. Whereas, during the investigation, the site plan of the place of occurrence and the seizure memo was prepared and the Statements of witnesses acquainted with the facts and circumstances of the Case were recorded under the relevant provisions of law ; and

4. Whereas, initially during the investigation, one Shahid Shafi Mir S/o Mohammad Shafi R/o Kolipora. Khanyar, was found involved in the commission of the crime. Subsequently, the accused was arrested in the case and it was found that the accused was working with the terrorist namely Saqib Manzoor Dar S/o Manzoor Ahmad R/o Nai Basti, Old Barzullah. The accused viz. Shahid Shafi Mir alongwith other accused namely Munir Aziz War @ Qari Munir S/o Ab. Aziz R/o Hatmullah, Kupwara and Towseef Ahmad Shah S/o Gh. Mohammad Shah R/o Parimpora, Who were lodged in the Central Jail, Srinagar, in different criminal cases, hatched a criminal conspiracy to kill the deceased Advocate. The custody of the accused viz. Munir Aziz war @ Qari Munir and Towseef Ahmad Shah, was accordingly, changed in the instant case ; and

5. Whereas, during the investigation, it was found that the accused viz. Shahid Shafi, procured a Pistol from the terrorist viz. Saqib Manzoor, and prepared a Plan with his associates namely Zahid Farooq Khan S/o Farooq Ahmad R/o Shampora and Mohd Asif Bhat S/o Gh. Mohammad R/o Jogiwan, Amda-Kada for the killing of the deceased Advocate ; and

6. Whereas, during the investigation, it was found that the accused viz. Mohd Asif Bhat, was assigned the task to keep a close watch on the activities of the deceased Advocate, and on 24-09-2020, the accused viz. Shahid Shafi, alongwith accused viz. Zahid Farooq Khan and Mohd Asif, went to the residence of the deceased where the accused viz. Zahid Farooq and Mohd Asif, entered the residential house of the

deceased to meet him in connection with a false case while the accused viz. Shahid Shafi, was waiting outside the residence. After being signalled, the accused viz. Shahid Shafi, entered inside the residence of the deceased and fired three rounds upon the deceased and all the three accused fled from the spot. Subsequently, the accused viz. Zahid Farooq Khan and Mohd Asif Bhat, were also arrested in connection with the case ; and

7. Whereas, the investigation, conducted by the investigating agency has *prima facie* established that the accused viz. Shahid Shafi Mir, was an active terrorist of JeM, a banned outfit, and was a close associate of terrorist Saqib Manzoor Dar and both the terrorists in furtherance of criminal conspiracy with the help of their associates viz. Zahid Farooq Khan, Mohd Asif Bhat, Munir Aziz War and Towseef Ahmad Shah, killed the deceased Advocate ; and

8. Whereas, in terms of Section 45 of ULA (P) Act, the sanction was accorded by the Government against the accused viz. Shahid Shafi Mir, Saqib Manzoor Dar, Zahid Farooq Khan, Mohd Asif Bhat, Munir Aziz War @ Qari Munir and Towseef Ahmad Shah, vide Notification S.O No. 162 dated 04-05-2021 and since the accused terrorist viz. Saqib Manzoor Dar, was absconding and proceedings Under Section 299 Cr.PC was proposed to be initiated against him, but later the said accused terrorist was killed in the month of August, 2021 ; and

9. Whereas, during the further investigation, the main conspirator identified as Main Abdul Qayoom S/o Late Mian Abdul Rahim R/o Barzulla, Srinagar was found involved in the commission of the crime. Subsequently, the accused viz. Mian Abdul Qayoom was arrested in the case and it was found that in the month of September, 2020, the accused viz. Shahid Shafi Mir and Saqib Manzoor, visited the residence of the accused viz. Mian Abdul Qayoom, where they planned to eliminate the deceased ; and

10. Whereas, during the investigation, it was established that the accused viz. Mian Abdul Qayoom, was having inimical relations with the deceased, on the account of the later speaking against the accused viz. Mian Abdul Qayoom, regarding his policies/ideology in public and social/electronic media platforms. The accused viz. Mian Abdul Qayoom, was also apprehensive of the deceased being a potential rival against his hegemony at Kashmir Bar and the accused did not take well

the deceased's outbursts, targeting him as well as his steep professional rise and even warned the deceased and his family of dire consequences. The deceased also uploaded a live video on social media criticizing the accused viz. Mian Abdul Qayoom, among others, a few hours before the deceased was killed ; and

11. Whereas, the accused viz. Mian Abdual Qayoom, had been perturbed by the acts of the deceased so much so that he decided to get rid of the deceased into criminal conspiracy with the other accuse and their handlers in Pakistan/Pok ; and

12. Whereas, on the basis of the investigation, the Statement 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 as shown against his Name :—

S. No.	Name of accused persons	Offence
1.	Mian Abdul Qayoom S/o Late Mian Abdul Rahim R/o Barzulla, Srinagar.	13, 18, 18-B 38, 39 of ULA (P) Act.

13. 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 a *prima facie* case is made out against the above accused ; and

14. 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 his prosecution under the provisions of law.

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

Act,1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mian Abdul Qayoom, for the commission of offences punishable under sections 13, 18 18-B, 38 and 39 of ULA (P) Act, arising out of FIR No. 62/2020 of Police Station, Lal Bazar.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.