

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 24th March, 2020.

SO-110.ô Whereas, on 27-05-2019, Police Station, Kralgund received a reliable information from reliable sources that at Village Babagund, Langate unknown terrorists fired upon a person namely Abdul Majeed Shah S/o Ghulam Hassan Shah R/o Babagund with automatic weapons injuring him critically; and

- 2. Whereas, a case FIR No. 34/2019 under section 7/27 A. Act, 16 ULA (P) Act, 1967, came to be registered in Police Station, Kralgund and investigation was taken up; and
- 3. Whereas, subsequently Abdul Majeed Shah S/o Gh. Hassan Shah succumbed to his injuries at Sub-District Hospital, Langate; and

- 4. Whereas, place of occurrence was inspected, site plan was prepared and during inspection one empty Pistol cartridge was recovered from the site and statement of witnesses were recorded under sections 161 & 164-A Cr. P. C.; and
- 5. Whereas, during investigation, two suspects namely Aqib Javaid Bhat S/o Javaid Ahmad Bhat R/o Babagund, Langate and Feroz Ahmad Dar S/o Ghulam Mohi-ud-Din Dar R/o Khanu, Babagund were called to the Police Station, Kralgund for questioning; and
- 6. Whereas, during investigation, the accused disclosed that they were working as OGWs with LeT militants namely Sajad Ahmad Mir code Haider R/o Brath, Sopore, (2) Naseer Ahmad Mir code Talha R/o Brath Kalan and (3) Asif Ahmad War @ Jaffar S/o Ghulum Nabi War R/o Warpora; AND
- 7. Whereas, during further investigation it came to the fore that the aforementioned militants and the OCWs had hatched criminal conspiracy to kill Abdul Majeed Shah who was suspected to be an informer; and
- 8. Whereas, on 27-05-2019 the accused fired upon Abdul Majeed Shah when he was coming out from his house for evening prayer and the accused taking advantage of the darkness, fled away from the spot after firing upon the person namely Abdul Majeed Shah; and
- 9. Whereas, two accused terrorists namely Naseer Ahmad Mir code Talha S/o Mohd Yousuf Mir R/o Brath, Sopore and Asif Ahmad War S/o Ghulam Nabi War R/o Warpora both terrorists of LeT outfit were eliminated in an encounter at Dangerpora and accordingly were dropped from the case ;
- 10. Whereas, based on evidence collected, statement of witnesses recorded and other material placed on record, the below mentioned accused were found involved IN the commission of offence under relevant sections of UA (P) Act as shown against each :ô

- Feroz Ahmad Dar S/o Ghulam
 Mohi-ud-din Dar R/o Khanu,
 Babagund
 13, 19, 39
 ULA (P) Act.
- 3. Sajad Ahmad Mir code Haider R/o 18, 20, 38 Brath, Sopore (Active Militant) ULA (P) Act.
- 11. Whereas, Sajad Amin Mir code Haider R/o Brath, Sopore is an active militant and therefore, proceedings under section 512 Cr. P. C. have to be initiated against him; and
- 12. 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 accused; and
- 13. 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.

Now, therefore, in exercise of powers conferred by sub-section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the abovementioned accused at para 10 for the commission of offences as indicated against each, in case FIR No. 34/2019 of Police Station, Kralgund.

By order of the Government of Jammu and Kashmir.

(So	d.)	•••••	

Principal Secretary to the Government, Home Department.