

EXTRAORDINARY

REGD. NO. JK633



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separate compilation

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIAT HOME DEPARTMENT.

Notification

Jammu, the 20th of May, 2020.

SO6170. Whereas, on 25-11-2019 Police, Bandipora during naka duty at Marder Chowk, Bandipora apprehended one Manzoor Ahamd Wani S/o Mohammad Afzal Wani R/o Sumlar, Bandipora and during his personal search one hand grenade and 10 AK-47 Rounds were recovered from his possession ; and

2. Whereas, a case FIR No. 115/2019 under sections 18, 19, 23 and 39 Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Bandipora and investigation was taken up ; and

2 The J&K Official Gazette, 20th May, 2020/30th Vai., 1942. [No. 7-o
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3. Whereas, during the course of investigation site plan of scene of occurrence and seizure memo of recovered arms/ammunition was prepared. Statement of witnesses acquainted with the facts and circumstances of the case were recorded under section 161 Cr. P. C. ; and

4. Whereas, during further course of investigation it was revealed that the accused Manzoor Ahmad Wani was in touch with three terrorists and was providing shelter and logistical support to them, besides managing their mobility in various areas of the district ; and

5. Whereas, during investigation it come to force that the accused had arranged one mobile phone for an active militant Qaiser Manzoor and had provided the same to the said terrorist ; and

6. Whereas, the said mobile phone was recovered from the possession of the said terrorist after his elimination in an encounter at Village Lawdara ; and

7. Whereas, on the basis of investigation , statement of material witnesses recorded and other evidence brought on record, the Investigation Officer has established *prima facie* case against the accused Manzoor Ahmad Wani S/o Late Mohammad Afzal Wani R/o Sumlar, Bandipora for commission of offences punishable under sections 18, 19, 23 and 39 of Unlawful Activities (Prevention) Act, 1967 ; and

8. 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 dairy 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

9. Whereas, after purusing 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.

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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 accused Manzoor Ahmad Wani S/o Late Mohammad Afzal Wani R/o Sumlar, Bandipora for commission of offences punishable under sections 18, 19, 23 and 39 of Unlawful Activities (Prevention) Act, 1967 of Police Station, Bandipora.

By order of the Government of Jammu and Kashmir.

(Sd.) -----

Principal Secretary to the Government,
Home Department.