

EXTRAORDINARY

REGD. NO. JKô 33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 132] Jammu, Sat., the 11th Jan., 2020/21st Pausa, 1941. [No. 41-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.

ô ô ô ô

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô HOME DEPARTMENT

Notification

Jammu, the 11th January, 2020.

S.O-21.ôôWhereas, on 27-03-2019, Police Station, Saddar came to know that one Roman Rashid S/o Abdul Rashid Sofi R/o Kacharpura Baghat has, in suspicious circumstances, been found lying in injured condition at Rawathpora Bund. Upon this, a report was entered in daily diary and injured person was shifted to Hospital. It was learnt that some unknown persons have fired upon him with criminal intention, causing bullet injuries on his person ; and

[illegible]

2. Whereas, a case FIR No. 55/2019 under section 16 ULA(P) 1967, has been registered in Police Station, Saddar, Srinagar and investigation taken up in the case ; and

3. Whereas, during the course of investigation, it was found that injured SPO Roman Rashid S/o Abdul Rashid Sofi R/o Kacharpura Baghat working as driver was fired upon by some unknown persons on 27-03-2019 in the evening who had gone to see one of his relatives residing at Takil Mohalla, Chapora. He was seriously injured and the attackers had fled by taking advantage of darkness. It came to the knowledge of the investigating officer that (1) Asif Iqbal S/o Mohd Iqbal Dar R/o Kokerbagh, Zonimar, Soura, (2) Rashid Lateef Bhat S/o Mohammad Lateef Bhat R/o Baghat and (3) Shahid Hassan Dar S/o Ghulam Hassan Dar R/o Kokerbagh, Zonimar, Soura were involved in this firing incident and they were arrested on 21-07-2019 in connection with case registered in Police Station Saddar. They admitted their involvement in the crime and revealed about arms and ammunition including a hand grenade which came to be recovered at their instance. Separate disclosure memo/seizure memo etc. has been prepared. Statements of witnesses were recorded under section 161 and 164-A Cr. PC. ; and

4. Whereas, during investigation accused Asif Iqbal disclosed that he was given a Pistol (weapon of offence) by one Junaid Ashraf Khan S/o Mohammad Ashraf Khan R/o Jahangir Colony, Baghat, who has been an active terrorist of Hizbul-Mujahidin outfit and after commission of the terror act, the Pistol was returned to him. On the disclosure of accused Asif Iqbal ammunition AK-15 Rounds, Ammunition Pistol 02 Rounds, one Hand Grenade and one black flag was also recovered from Mehjoor Nagar. The accused persons confessed that Junaid Ashraf Khan had assigned that task to them, and during the process they used a Motorcycle, taken away by them from one unknown person. However, FSL examination of the tip (Panda) which was recovered from the thigh of the injured could not be done due to non recovery of the Pistol (Weapon of offence) because accused possessing the weapon is an active absconding terrorist against whom a separate Case FIR No. 42/2018 under sections 13, 18, 20 Unlawful Activities (P) Act stands registered which is under investigation ; and

5. Whereas, on the basis of statements of witnesses, seizure memos and other relevant data, the I/O has established a *prima facie* case against

No. 41-h] The J&K Govt. Gazette, 11th Jan., 2020/21st Pausa, 1941. 3
accused namely (1) Asifiqbal S/o Mohd Iqbal Dar R/o Kokerbagh,
Zonimar, Soura under section 18 ULA (P) Act, (2) Rashid Lateef Bhat
S/o Mohd Lateef Bhat R/o Baghat, (3) Shahid Hassan Dar S/o Ghulam
Hassan Dar R/o Kokerbagh, Zonimar, Soura and (4) Junaid Ashraf Khan
S/o Mohd Ashraf Khan R/o Jahangir Colony, Bhaghat under section 16
ULA (P) Act ; and

6. Whereas, the Authority appointed by the Government of Jammu
and Kashmir under sub-section (2) of section 45 of the Unlawful Activities
(Prevention) Act, 1967, has independently scrutinized the Case Diary
file and all the other relevant documents resulting to the case and has
come to a conclusion that *prima facie* case is made out against the
accused ; and

7. Whereas, after perusing the Case Diary, 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 accused person for their prosecution
under the 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 above named accused person under section 16 of Unlawful Activities
(Prevention) Act, 1967.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to Government,
Home Department.