

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 23rd March, 2022.

SO-106.ô Whereas, on 22-06-2021, Police Station, Nowgam received reliable information to the effect that some unknown terrorists along with some OGWs fired upon Inspector Parvaiz Ahmad S/o Gh. Nabi Dar R/o Mengamwagi, Nowgam with intention to kill him, resulting in serious injuries to the said officer. The injured Police Inspector was shifted to hospital and the terrorists after commission of crime escaped from the spot; and

- 2. Whereas, a Case FIR No. 75/2021, under section 307 IPC, 7/27 Arms Act, 13, 16, 18, 20 of ULA (P) Act, came to be registered in Police Station, Nowgam and investigation of the case was taken up. The injured Police Inspector succumbed to his injuries at SMHS Hospital and after completing legal formalities, the dead body of the deceased Inspector was handed over to his legal heirs for last rites. Subsequently, during investigation section 302, 120-B, IPC were added in the case; and
- 3. Whereas, during course of investigation, site plan of place of occurrence and seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, one Muheeb Bashir Dar S/o Bashir Ahmad Dar R/o Mengamwagi, Nowgam was found involved in commission of offence. Subsequently, the accused was arrested in connection with the case and was found in constant touch with one PAK based handler of LeT banned outfit Haq Parast who shared some posters relating to Abrogation of Article 370 and Pakistan Independence Day with the accused and during questioning the said posters were seized from the accused; and
- 5. Whereas, during investigation, it was established that on 22-06-2021, three terrorists of LeT banned outfit Saqib Manzoor Dar S/o Manzoor Ahmad R/o Old Barzulla, Basit Ahmad Dar S/o Ab. Rashid R/o Redwani Payeen, Kulgam and Rameez Ahmad Ganie S/o Ab. Majid R/o Zeepora, Shopian on the directions of said PAK based handler fired upon the deceased Inspector and accused Muheeb Bashir facilitated the terrorists to carry out the said attack, which resulted death of the deceased Police Inspector; and
- 6. Whereas, terrorists namely Saqib Manzoor Dar and Rameez Ahmad Ganie have been killed in the different encounters with the security forces and proceedings under law would abate against them; and
- 7. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected. The Investigating Officer has established *prima facie* involvement of below mentioned accused for the commission or offences punishable under section as shown against each of the Unlawful Activities (Prevention) Act. 1967:ô

No. 51-i The J&K Official Gazette, 23rd March, 2022/2nd Chai., 1944. 3 S. No. Name of accused Offence $\hat{0} \ \hat{0} \$ Muheeb Bashir Dar S/o Bashir 13, 18, 20 of Ahmad Dar R/o Mengamwagi. ULA (P) Act. Bashit Ahmad Dar S/o Ab. Rashid 16, 18, 20 of Dar R/o Redwani Payeen, Kuglam. ULA (P) Act. 3. Haq Parast PAK handler. 18, 20 of ULA (P) Act.

- 8. Whereas, accused Basit Ahmad Dar and Haq Parast PAK handler being active terrorists are absconding against whom proceedings under section 299 Cr. PC have been proposed to be initiated; and
- 9. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized 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
- 10. 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 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 accord sanction for launching prosecution against the accused viz. Muheeb Bashir Dar, Basit Ahmad Dar and Haq Parast for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicated against each accused at para (7) above, arising out of FIR No. 75/2021 of Police Station, Nowgam.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner (Additional Chief Secretary), Home.