

## 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 25th March, 2022.

S.O.-121.ô Whereas, on 07-04-2020, Police Station, Dangiwacha received a written docket to the effect that during Naka checking at Laiser crossing Rafiabad two persons were apprehended who were identified as Saqib Rashid Shosha S/o Late Ab. Rashid Shosha R/o Khushal Matoo and Mudasir Ahmad Gojree S/o Ab. Satar Gojree R/o Chijhama and from their personal search Police recovered 02 Pistols with 02 Magazines from their possession; and

- 2. Whereas, upon this information a Case FIR No. 33/2020 under Sections 7/25 Arms Act, 18, 20 ULA (P) Act, 1967, was registered in Police Station, Dangiwacha and investigation of the case was taken up. Subsequetly, during investigation Sections 18, 20 ULA (P) Act were dropped and Sections 23, 39 ULA(P) Act were added in the case; and
- 3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, it was established that accused were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit and were providing shelter and logistic support to them; and
- 5. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused in the commission of offences punishable under sections as shown against each of the Umlawful Activities (Prevention) Act, 1967:ô
- 2. Mudasir Ahmad Gojree S/o Ab. Satar Gojree R/o Chijhama Rafiabad.
- 6. Whereas, accused namely Mudasir Ahmad Gojree has been found juvenile during the investigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act; and
- 7. 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 accused; and

- 8. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Sections (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 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 Saqib Rashid Shosha for the commission of offences punishable under Sections 23 & 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 33/2020 of Police Station, Dangiwacha.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner,
(Additional Chief Secretary),
Home Department.