

EXTRAORDINARY

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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.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Jammu, the 25th March, 2022.

S.O.-127. Whereas, on 20-01-2018, SPO Mohd Yaseen No. 1292/
SPO posted in Police Station, Marwah deserted the Police Station along
with one AK-47 rifle issued to Constable Mushtaq Ahmad No. 561/Ktr
of Police Station, Marwah to join the terrorist outfit with intention to
threat unity, integrity and sovereignty of country ; and

2. Whereas, upon this information, a Case FIR No. 01/2018 under
sections 379, 120-B, 121, IPC, 7/25 Arms Act was registered in Police

2 The J&K Official Gazette, the 25th Mar., 2022/4th Chai., 1944. [No. 52-r
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Station, Marwah and investigation of the case was taken up. Subsequently during investigation sections 16, 18, 23 of ULA(P) Act, 30 Police Act, 3 Police Enhanced Penalty Ordinance (PEPO) 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 recorded the 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, the deserted SPO, Mohd Yaseen was arrested along with his associate namely Reyaz Ahmad Khanday S/o Ab. Gaffar Khanday R/o Methwan from a hideout in Village Kethpeth and during search Police recovered stolen AK-47 rifle along with magazine, 30 rounds from the possession of the said accused SPO and also recovered one 12 Bore round, 02 blanket, 01 Axe, 01 ammunition pouch from the hideout ; and

5. Whereas, during investigation, the accused SPO disclosed that the other persons namely (1) Ab. Rashid Tak S/o Gh. Rasool Tak R/o Kethpeth (2) Constable Yassir Bahadur S/o Bahadur Wani R/o Kethpeth and (3) Ab. Gani @ Gani Wagra S/o Ali Bhat R/o Nabar, Marwah were involved in the commission of offence and helped the accused in escaping from the Police Station along with the AK-47 rifle. Subsequently all the three accused were arrested in connection with the case ; and

6. Whereas, during investigation, it was established that the accused SPO, Mohammad Yaseen and Constable, Yassir Bhadur have committed breach of their official duties and in a well knit criminal conspiracy with other accused stole arms/ammunition from Police Station with intention to commit terrorist act ; 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

No. 52-r] The J&K Official Gazette, 25th Mar., 2022/4th Chai., 1944 3
the commission of offences punishable under section as shown against
each of the Unlawful Activities (Prevention) Act, 1967 :ô

S. No.	Name of the accused	Offence
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1.	SPO Mohd Yaseen S/o Mohd Akbar R/o Shishlan, Marwah.	16, 18, 23 of ULA (P) Act
2.	Ct. Yassir Bhadur S/o Bhadur Wani R/o Kethpeth, Marwah.	121 IPC 3 PEPO
3.	Reyaz Ahmad Khanday S/o Ab. Gaffar R/o Methwan, Marwah.	16, 18, 23 of ULA (P) Act 121 IPC
4.	Ab. Rashid Tak S/o Gh. Rasool Tak R/o Kethpeth, Marwah.	
5.	Ab. Gani @ Gani Wagra S/o Ali Bhat R/o Nabar, Marwah.	

8. Whereas, the accused Ab. Gani @ Gani Wagra is absconding and proceedings under section 299 Cr. PC is proposed to be initiated against him ; 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 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 above accused ; and

10. 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 his prosecution under the provisions of law.

11. Whereas, the Government 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 above accused under the aforementioned provision of the

