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## JAMMU AND KASHMIR OFFICIAL GAZETTE

## PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

## Notification

Jammu, the 14th January, 2022.

SO-15.óóWhereas, on 26-09-2020, some unknown terrorists fired towards Police Station, Behibagh, Kulgam with their illegal weapon with the intention to kill the deployed nafri of Police/CRPF. After commission of terrorist act, unknown terrorists escaped from the spot taking advantage of darkness; and

- 2. Whereas, a Case FIR No. 03/2020 under section 307 IPC, 7/27 Arms Act, came to be registered in Police Station, Behibagh and investigation of the case was set into motion. Subsequently, during investigation, sections 13, 16, 18, 20, 23 VLA (P) Act were added in the case; and
- 3. Whereas, during investigation the site plan of place of occurrence and seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, two terrorists identified as Amir Manzoor Ganie S/o Manzoor Ahmad and Amir Yousuf Mir S/o Mohammad Yousuf R&/o Checki Cholena were found involved in attacking upon the Police Station, Behibagh with the help of their associate Suhail Ahmad Wagay S/o Assadullah Wagay R/o Daderkote. Subsequently, accused Suhail Ahmad Wagay was arrested in the case and on his disclosure Police recovered 41 Pika rounds which were concealed by him near Eid Gah, Daderkote; and
- 5. Whereas, during investigation, it was established that accused Suhail Ahmad Wagay was in constant touch with the above two terrorists and was providing logistic support and information about the movement of security forces to these terrorists, besides under well knit criminal conspiracy facilitated both the terrorists while attacking upon the Police Station, Behibagh on the date of occurrence; and
- 6. Whereas, both, the terrorists Amir Manzoor Ganie and Amir Yousuf Mir have been killed in the different encounters against whom proceedings under law shall abate; and
- 7. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has *prima facie* established involvement of the below mentioned accused person for commission of offences punishable under section as shown against his name of Unlawful Activities (Prevention) Act, 1967:ô
- S. Name of the accused Offence No.

Suhail Ahmad Wagay S/o Assadullah
Wagay R/o Daderkote
ULA(P) Act

- 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 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
- 9. 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.

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 mentioned accused for the commission of offences punishable under sections 13, 18, 23 ULA (P) Act, in the case FIR No. 03/2020 of Police Station, Behibagh.

By	order	of	the	Government	of	Jammu	and	Kashmir.
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Principal Secretary to the Government, Home Department.