

THE

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 7th April, 2022.

SO-165.66Whereas, on 02-10-2021, a tip-off was received by Police Post, Parmandal, Jammu to the effect that a suspicious object was dropped by a drone near Suhanjana Village. Accordingly, Police party reached the spot and found 01 packet wrapped in plastic sheet tied with 2. Whereas, upon the information, a case FIR No. 230/2021 under sections 13, 16, 18, 23 ULA (P) Act, 120-B IPC, 7/25 Arms Act, came to be registered in Police Station, Satwari and investigation of the case was taken up. Subsequently, during investigation Section 16 ULA (P) Act, 120-B IPC were dropped and section 39 ULA (P) Act, 121 IPC, 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 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, a person namely, Irfan Farooq Bhat S/o Farooq Ahmad R/o Khahgund, Anantnag was found involved in commission of offence and was arrested in connection with the case. During investigation two more accused persons namely, Malik Ishfaq Naseer S/o Malik Naseer Ahmad R/o Khahgund and Gh. Rasool Mir S/o Habibullah R/o Dalwach were found involved in commission of offence. Subsequently, both accused were also arrested in connection with the case ; and

5. Whereas, during investigation, it was found that accused Irfan Farooq Bhat and Malik Ishfaq Naseer in connivance and furtherance of a conspiracy with accused Gh. Rasool Mir had conducted physical recce in vehicle No. JK03D-8137 of the area before the dropping and on the date of dropping the arms/ammunition and accused Irfan Farooq Bhat and Malik Ishfaq Naseer were present near the spot as per the witnesses. The said vehicle was found standing alongside near the place of occurrence on the day of weapon dropping ; and

6. Whereas, during investigation, it was established that the accused Irfan Farooq Bhat, Malik Ishfaq Naseer and Gh. Rasool Mir were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit and were providing logistic support to them, besides, were facilitating the terrorists for transportation of arms/ammunition from one place to another in order to promote terrorist activities ; 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 in the commission of offences punishable under section as shown against each of the Unlawful Activities (Prevention) Act, 1967 and IPC :ô

S.	Name of accused	Offence
No.		
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1.	Irfan Farooq Bhat S/o Farooq Ahmad	121 IPC, 13, 18,
	R/o Khahgund, Anantnag	23, 39 ULA (P)
		Act
2.	Malik Ishfaq Naseer S/o Malik	
	Naseer Ahmad R/o Khahgund	

3.	Gh. Rasool Mir S/o Habibullah	121 IPC
	Mir R/o Dalwach, Qazigund.	13, 18, 39
		ULA (P) Act.

8. 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 121 Indian Penal Code ; and

9. Whereas, on further perusal 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 their prosecution under the provisions of Unlawful Activities (Prevention) Act, 1967.

Now, therefore, in exercise of the powers conferred by subsection (2) of Section 45 Unlawful Activities (Prevention) Act 1967, and Section 196 Code of Criminal Procedure,1973, the Government hereby accord sanction for launching prosecution against the accused viz. Irfan Farooq Bhat, Malik Ishfaq Naseer and Gh. Rasool Mir for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, and Section 121 Indian Penal By order of the Government of Jammu and Kashmir.

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

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