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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 SECRETARIATO HOME DEPARTMENT

## Notification

Jammu, the 13th April, 2022.

SO-170.66Whereas, on 24-09-2020, a tip-off was received by Police Station, Chadoora to the effect that three terrorists namely, Adil Bhat R/o Laribal, Kakapora, Khursheed Ahmad Shah R/o Ranger, Chadoora and Tariq Ahmad Bhat R/o Hanjigund, Chadoora fired indiscriminately

- 2. Whereas, upon this information, Case FIR No. 166/2020 under sections 307, 392 IPC, 7/27 Arms Act, 16, 18, 20, 38 ULA(P) Act, came to be registered in Police Station, Chadoora and investigation of the case was taken up. During investigation, the injured CRPF personnel scummbed to his injuries. Subsequently, sections 302 IPC and 39 ULA (P) Act, were added in the case; and
- 3. Whereas, during the course of the investigation, site plan of the 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, two persons viz. Suhail Shabir Ganie S/o Shabir Ahmad Ganie R/o Chatergam, B. K. Pora and Tariq Ahmad Bhat S/o Ab. Hamid R/o Hanjigund, Chadoora, were found involved in the commission of offence who were already arrested in case FIR No. 127/2020 of Police Station, Nowgam, Srinagar and FIR No. 180/2020 of Police Station, Chadoora. Subsequently, their custody were changed in the instant case; and
- 5. Whereas, during investigation, it was established that terrorists of LeT/JeM banned outfit namely, Tariq Ahmad Bhat S/o Ab. Hamid R/o Hanjigund, Chadoora, Adil Ahmad Bhat S/o Gh. Ahmad R/o Laribal Kakapora and Khursheed Ahmad Shah S/o Gh. Mohammad R/o Ranger Chadoora, under well knit criminal conspiracy attacked upon the CRPF party at Wadipora crossing and accused Suhail Shabir Ganie who was working as Over Ground Worker (OGW) for the above terrorists facilitated the terrorists while carrying out the said attack, which resulted in the death of one CRPF personnel and subsequent snatching of his service rifle; and
- 6. Whereas, the accused terrorists viz. Adil Ahmad Bhat and Khursheed Ahmad Shah have been killed in different encounters with the Security Forces and the 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 of offences punishable under section as shown against each of the Unlawful Activities (Prevention) Act, 1967:ô

S. Name of accused

Offence

No.

- Suhail Shabir Ganie S/o Shabir Ahmad
  Ganie R/o Chatergam, B. K. Pora.
  ULA (P) Act.
- 2. Tariq Ahmad Bhat S/o Ab. Hamid Bhat 16, 18, 20, 38 R/o Hanjigund, Chadoora. 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 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 accused for their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by subsection (2) of section 45 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Suhail Shabir Ganie and Tariq Ahmad Bhat for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicated against each at Para (7) above, arising out of FIR No. 166/2020 of Police Station, Chadoora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary), Home Department.