

## THE JAMMU AND KASHMIR OFFICIAL GAZETTE

## PART I—B

Jammu and Kashmir Government-Notifications.

## GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

## Notification

Jammu, the 20th April, 2022.

S.O.-190.ô Whereas, on 10-3-2020, some unknown terrorists hurled a grenade towards Police Station, Kakapora, which exploded inside the premises of Police Station, resulting in injuries to one CRPF official namely, Sonu Kumar of 41 Bn. stationed in Police Station, who was shifted to hospital for treatment. The terrorists after commission of crime fled from the spot; and

- 2. Whereas, upon this information, a case FIR No. 15/2020 U/Ss 307 IPC 3/4 Explosive Substances Act, was registered in Police Station, Kakapora and investigation of the case was taken up. Subsequently, during investigation, Sections 13, 16, 18, 39 of the 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, two persons namely, Ayaz Bashir Shergojri S/o Bashir Ahmad Shergojri R/o Marval, Kakapora and Sahil Manzoor Lone S/o Manzoor Ahmad Lone R/o Lalhar were found involved in hurling of grenade which they had received from a terrorist of LeT banned outfit namely, Arshid Ahmad Dar S/o Gh. Rasool Dar R/o Marval. Subsequently, both the accused viz. Ayaz Bashir Shergojri and Shail Manzoor Lone were arrested in connection with the case; and
- 5. Whereas, during investigation, it was established that the accused were working as Over Ground Workers (OGWs) for the said terrorist, namely Arshid Dar and were providing logistic support to him for carrying out the terrorist activites, besides, under well knit criminal conspiracy hurled a grenade upon the Police Station, Kakapora, which resulted in injuries to one CRPF personnel; and,
- 6. Whereas, accused terrorist Arshid Ahmad Dar has been killed in an encounter as such proceedings under law against him would abate; and
- 7. 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 for the commission of offences punishable under sections as shown against their names of the Unlawful Activities (Prevention) Act, 1967:ô
- Shergojri R/o Marval Kakapora. ULA (P) Act

  2 Sahil Manzoor Lone S/o Manzoor Ahmad
- 2. Sahil Manzoor Lone S/o Manzoor Ahmad Lone R/o Lalhar.

No. 2-o ] The J&K Official Gazette, 20th April, 2022/30th Chai., 1944. 3

- 8. Whereas, the accused namely Sahil Manzoor Lone 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
- 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 a *prima facie* case is made out against the 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 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. Ayaz Bashir Shergojri for the commission of offences punishable under sections 13, 16, 18, 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 15/2020 of Police Station, Kakapora.

By order of the Government of Jammu and Kashmir.

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

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