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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

Srinagar, the 19th May, 2022.

SO-246.66Whereas, on 08-11-2021, a tip-off was received by Police Station, M. R. Gunj, to the effect that some unknown terrorists fired upon a person namely, Mohammad Ibrahim Khan S/o Ghulam Mohammad Khan R/o Ashtengo, Bandipora, at Bhori Kadal, Srinagar, resulting in critical injuries to the said person who was shifted to hospital for treatment; and

- 2. Whereas, based on the above, a Case FIR No. 86/2021 under section 307 IPC, 7/27 Arms Act, was registered in Police Station, M. R. Gunj, and the investigation of the case was set into motion. During the investigation, the injured person viz. Mohammad Ibrahim Khan, succumbed to his injuries and subsequently, sections 302, 34 IPC, 16, 18, 20, 38 and 39 of ULA (P) Act, were added in the case; and
- 3. Whereas, during the course of investigation, the site plan of place of the occurrence and seizure memos were prepared and 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 the investigation, three persons viz. Ajaz Ahmad Lone S/o Mohd Abdullah Lone, Naseer Ahmad Shah S/o Gh. Rasool Shah and Showkat Ahmad Dar S/o Mohd Rustam Dar Rø/o Lelhar, Kakapora, were found involved in the commission of offence, who were already arrested by the Pulwama Police, in case FIR No. 139/2021 of Police Station, Kakapora, along with the weapon used for the commission of crime on 08-11-2021, at Bohri Kadal, Srinagar. Subsequently, the custody of the above accused have been changed in the Instant case; and
- 5. Whereas, during the further investigation, it was found that the accused viz. Ajaz Ahmad Lone, was in contact with a terrorist of TRF (offshoot of LeT banned outfit) namely, Luknan Bhai, through virtual mode. The said terrorist shared a photograph of a local businessman namely, Sandeep Mava, with the accused, viz. Ajaz Ahmad Lone, with the directions to kill him and provided 01 Pistol, 03 Magazine with ammunition through other persons, later on identified as Arshid Ahmad Dar S/o Mohammad Anwar Dar R/o Hartar, Sopore and Tanveer Ahmad Dar S/o Manzoor Ahmad Dar R/o Hygam, Sopore. Subsequently, the accused Ajaz Ahmad Lone handed over the said Pistol to the accused viz. Showkat Ahmad Dar through Naseer Ahmad Shah and Zahid Ahmad Dar S/o Mohd Rustam Dar R/o Lelhar, Kakapora, and one unknown person. During investigation, the accused viz. Arshid Ahmad Dar, Tanveer Ahmad Dar and Zahid Ahmad Dar were arrested in the case; and
- 6. Whereas, during the investigation, it was established that the accused viz. Ajaz Ahmad Lone, Naseer Ahmad Shah and Showkat Ahmad

- 7. Whereas, the investigation, in respect of terrorist Lukman Bhai and unknown accused who procured the Pistol with magazine from the said terrorist and handed over to the accused Ajaz Ahmad Lone through other accused shall continue, to ascertain their identity and to bring out their role/involvement in the case; and
- 8. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie* involvement of below mentioned accused in the commission of the offences punishable under section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô
- - Ajaz Ahmad Lone S/o Mohd Abdullah
     Lone R/o Lelhar, Kakapora.
    16, 18, 20, 38 of
     ULA (P) Act

- 2. Naseer Ahmad Shah S/o Gh. Rasool Shah R/o Lelhar, Kakapora.
- 3. Showkat Ahmad Dar S/o Mohd Rustam Dar R/o Lelhar, Kakapora.
- 4. Arshid Ahmad Dar S/o Mohammad Anwar Dar R/o Hartar, Sopore.
- 5. Tanveer Ahamd Dar S/o Manzoor 18, 39 of Ahmad Dar R/o Hygam, Sopore. ULA(P) Act

- - 6. Zahid Ahmad Dar S/o Mohd Rustam Dar 18, 39 of R/o Lelhar, Kakapora. ULA (P) Act
- 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 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 their prosecution under the provisions of law.

Now, Therefore, in exercise of the powers conferred by subsection (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against accused viz. Ajaz Ahmad Lone, Naseer Ahmad Shah, Showkat Ahmad Dar, Arshid Ahmad Dar, Tanveer Ahmad Dar and Zahid Ahmad Dar for the commission of offences punishable under relevant sections of ULA (P) Act, indicated against each accused at Para (8) above, arising out of FIR No. 86/2021 of Police Station, M. R. Gunj.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.