

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, J&K

Notification

Srinagar, the 17th August, 2022.

SO-383.66Whereas, on 23-02-2022, the Police Station, Baramulla, received a docket to the effect that during the patrolling duty at Chakloo, Baramulla, two persons while seeing the patrolling party tried to escape but were chased down on the spot and identified as Muzamil Ahmad Sheikh S/o Mohammad Ramzan Sheikh and Mohammad Yaseen Sofi S/o Gh. Nabi Sofi Rs/o Chakloo, Baramulla. The duo disclosed that

- 2. Whereas, based on the above, a Case FIR No. 31/2022 under Section 7/25 Arms Act and 20 of ULA (P) Act, was registered in the Police Station, Baramulla and the investigation of the case was taken up. Subsequently, during the investigation Section 120-B IPC, Sections 18, 23 and 38 of ULA (P) Act, were added in the case; and
- 3. Whereas, during the course of investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statements 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, it was established that the accused viz. Muzamil Ahmad Sheikh and Mohammad Yaseen Sofi, were members of LeT banned outfit and under a well knit criminal conspiracy procured the arms/ammunition from the terrorists of LeT banned outfit for carrying out the terrorist activities in the area; and
- 5. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô
- S. Name of the accused Offence No.

- 1. Muzamil Ahmad Sheikh S/o Mohammad 18, 20, 23, 38 of Ramzan Sheikh R/o Chakloo, Baramulla. ULA (P) Act.
- 2. Mohammad Yaseen Sofi S/o Gh. Nabi Sofi R/o Chakloo, Baramulla.
- 6. Whereas, the accused namely Muzamil Ahmad Sheikh, 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

- 7. 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
- 8. 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 prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) or Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mohammad Yaseen Sofi, for the commission of offences punishable under Sections 18, 20, 23 and 38 of ULA (P) Act, arising out of FIR No. 31/2022 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.