

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 6th October, 2022.

SO-478.66Whereas, on 17-05-2022, the Police Station, Baramulla received a reliable informatton that some unknown terrorists lobbed a hand grenade inside the newly opened Wine Shop at Deewan Bagh, Baramulla, resulting in on spot injuries to four employees working in the said Wine Shop, who were shifted to hospital for treatment; and

2. Whereas, based on the above, a Case FIR No. 84/2022 under Sections 307 IPC, 3/4 ESA, 16 of ULA (P) Act, was registered in the

- 3. Whereas, during the investigation, the site plan of 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. During the investigation Sections 302, 201, 120-B IPC, 7/25 Arms Act, 13, 18, 19, 20, 23, 38, 39 of ULA (P) Act, 5 ESA, were added in the case; and
- 4. Whereas, during the investigation, five persons identified as Mohammad Maroof Soleh @ Adil S/o Nazir Ahmad Soleh R/o Kanli Bagh, Mohalla Jadeed, Baramulla, Faisal Shaban Gojri S/o Mohd Shaban Gojri R/o Chesti Colony, Baramulla, Shahid Showkat Bala S/o Showkat Ahmad Bala R/o Bungalow Bagh, Baramulla, Sufair Ahmad Mir S/o Gh. Nabi Mir R/o Mir Sahib, Baramulla and Hatif Bilal Sofi S/o Bilal Ahmad Sofi R/o Armpora, Baramulla, were found involved in the commission of offence. Subsequently, the accused were arrested in the case; and
- 5. Whereas, during the investigation, it was found that the accused viz. Shahid Showkat Bala, received two consignments of arms/ammunition from two unknown persons at Baramulla on the directions of PoK based terrorist namely Mohammad Iqbal. The accused viz. Shahid Showkat Bala, handed over 01 Pistol, 02 Magazines and 39 Rounds, to accused viz. Mohammad Maroof Soleh @ Adil, for carrying out the attack upon the Municipal Councilor, Baramulla namely, Tabassum Manzoor, and also distributed the other arms/ammunition among the other accused. Subsequently, during the investigation, 05 Pistols, 09 Magazines, 205 Rounds, 23 Grenades and 01 IED were recovered at the instances of accused viz. Mohammad Maroof Soleh, Faisal Shaban Gojri, Shahid Showkat Bala, Sufair Ahmad Mir and Hatif Ahmad Sofi respectively; and
- 6. Whereas, during the investigation, it was established that the accused viz. Mohammad Maroof Soleh, Faisal Shaban Gojri, Shahid Showkat Bala and Sufair Ahmad Mir, were members of LeT banned outfit and accused viz. Hatif Ahmad Sofi, was working as Over Ground

- 7. Whereas, the investigation, in respect of PoK based terrorist namely Mohammad Iqbal, and two unknown persons who provided arms/ammunition to accused viz. Shahid Showkat Bala, shall continue to ascertain their identity and to bring out their role/involvement in the case; and
- 8. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established *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.

- Mohammad Maroof Soleh @ Adil S/o
 Nazir Ahmad R/o Kanilbagh, Baramulla.
 (P) Act.
- Faisal Shaban Gojri S/o Mohammad Shaban Gojri R/o Chesti Colony, Baramulla.
- Shahid Showkat Bala S/o Showkat
 Ahamd Bala R/o Bungalow Bagh,
 Baramulla.
 13, 16, 18, 20,
 23, 38 of ULA
 (P) Act.
- 4. Sufair Ahamd Mir S/o Ghulam
 13, 18, 20, 23, 38
 Nabi Mir R/o Mir Sahib,
 Baramulla.

 13, 18, 20, 23, 38

 Of ULA (P) Act.
- 5. Hatif Bilal Sofi S/o Bilal Ahmad 13, 18, 19, 20, 23, Sofi R/o Armpora, Baramulla. 39 of ULA (P) Act.

- 9. Whereas, the accused namely Hatif Ahmad Sofi, 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
- 10. 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 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
- 11. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Sectlon (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 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. Mohammad Maroof Soleh @ Adil, Faisal Shaban Gojri, Shahid Showkat Bala and Sufair Ahmad Mir, for the commission of offences punishable under the relevant sections of ULA (P) Act, as indicated against each at para (8) above, arising out of FIR No. 84/2022 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.