

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K.

Notification

Srinagar, the 12th October, 2022.

S.O.-507.ô Whereas, on 18-04-2022, Police Station, Kakapora, received a reliable information that some unknown terrorists fired upon two Railway Police Force Personnel (RPP) at Railway Station, Kakapora with their illegally acquired arms/ammunition with the intention to kill them, resulting in the death of one HC Surinder Singh, and grievous injuries to other person identified as SI Dev Raj, who was

2. Whereas, based on the above, a Case FIR No. 29/2022 under Sections 302, 307 IPC, 7/27 Arms Act, 16, 20 of ULA (P) Act, was registered in the Police Station, Kakapora and the investigation of the case was taken up. During the investigation, the injured RPF personnel namely SI Dev Raj, also succumbed to his injuries. Subsequently, during the investigation, Sections 18, 38 and 39 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 satatements 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 found that one Mukhtar Ahmad Bhat S/o Mohd Maqbool Bhat R/o Laribal, Kakapora, carried out the attack upon the RPF personnel on the directions of one terrorist of LeT banned outfit identified as Reyaz Ahmad Dar @ Khalid @ Sheeraz @ Babar S/o Ab. Aziz Dar R/o Sathergund, and after the commission of crime, the accused has joined the terrorists ranks of LeT banned outfit ; and

5. Whereas, during the investigation, two other persons namely Younis Mushtaq Bhat @ Imtiyaz S/o Mushtaq Ahmad Bhat and Tawheed Bashir Bhat S/o Bashir Ahmad Bhat R-s/o Laribal, Kakapora, were found involved in the case, subsequently, the accused were arrested and it was found that both the accused were in contact with the terrorist of LeT banned outfit namely Reyaz Ahmad Dar @ Khalid @ Sheeraz @ Babar, and were working for the said outfit in order to promote terrorist activities in the area ; and

6. Whereas, during the investigations, it was established that the accused viz. Mukhtar Ahmad Bhat and Reyaz Ahmad Dar, were members of LeT banned outfit and the accused viz. Mukhtar Ahmad Bhat, on the directions of terrorist viz. Reyaz Ahmad Dar @ Khalid @ Sheeraz @ Babar fired upon the RFP personal on the date of occurence, which resulted in the death of two RPF personnel. The accused viz. Younis Mushtaq Bhat @ Imtiyaz, and Tawheed Bashir Bhat, were working as Over ground Workers (OGWs) for the terrorists of LeT banned outfit particularly the terrorists namely, Mukhtar Ahmad Bhat and Reyaz Ahmad Dar @ Khalid 2 Sheeraz @ Babar, and were providing logistic support to them, besides, under a well knit criminal conspiracy facilitated the terrorist viz. Mukhtar Ahmad Bhat, for carrying out the attack upon the RPF personnel ; and

7. 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 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. No.	Name of the accused	Offence
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1.	Mukhtar Ahmad Bhat S/o Mohd Maqbool Bhat R/o Laribal, Kakpora.	16, 18, 20, 38 of ULA (P) Act
2.	Younis Mushtaq Bhat @ Imtiyaz S/o Mushtaq Ahmad Bhat R/o Laribal, . Kakapora.	18, 39 of ULA (P) Act.
3.	Tawheed Bashir Bhat S/o Bashir Ahmad Bhat R/o Laribal, Kakapora.	
4.	Reyaz Ahmad Dar @ Khalid @ Sheeraz @ Babar S/o Ab. Aziz Dar R/o Sathergund.	18, 20, 38 of ULA (P) Act.

8. Whereas, the accused viz. Mukhtar Ahmad Bhat and Reyaz ahmad Dar @ Khalid @ Sheeraz @ Babar, being the active terrorists are absconding and the proceedings U/S 299 Cr.Pc. have been proposed to be initiated against them ; 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 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 ; and

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 the accused viz. Mukhtar Ahmad Bhat, Younis

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.