

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

ôôôó

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

Notification

Srinagar, the 3rd November, 2022.

SO-572.66Whereas, on 04-04-2022, a tip-off was received by the Police Station, Pulwama to the effect that some unknown terrorists fired upon two non-local labours identified as Patleshvar Kumar S/o Joko Choudhary and Joko Choudhary S/o Thag Choudhary Rs/o Bihar at Lajoora, Pulwama, with their illegal arms/ammunition, with the intention to kill them, resulting in the injuries to both the persons; and

- 2. Whereas, based on the above, a Case FIR No. 82/2022 under Section 307 IPC, 7/27 Arms Act and Sections 16, 20 and 38 of ULA (P) Act was registered in Police Station, Pulwama and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 18 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 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, one Kifayat Ullah Bukhari S/o Mehraj-ud-Din Bukhari R/o Nowpora Bala, Shopian, was found involved in the commission of crime and was found in contact with three terrorists of HM/LeT and Al-Badr banned outfit namely Aqib Mushtaq Bhat S/o Mushtaq Ahmad Bhat R/o Malangpora, Pulwama, Aqib Farooq Thoker S/o Farooq Ahmad Thoker R/o Hefkodi, Shopian and Arjumand Gulzar Dar S/o Gulzar Ahmad Dar R/o Kharbatpora, Ratnipora A/P PoK. The accused viz. Kifayat Ullah Bukhari, has already been arrested by the Pulwama Police in case FIR No. 25/2022 Police Station, Litter; and
- 5. Whereas, during the investigation, it was found that on the date of occurrence the accused terrorists viz. Aqib Mushtaq Bhat and Aqib Farooq Thoker, on the directions of PoK terrorist Arjumand Gulzar Dar, fired upon the two non-local labours at Lajoora, Pulwama, resulted injuries to both the persons and the accused viz. Kifayat Ullah Bukhari, assisted the above terrorists; and
- 6. Whereas, during the investigation, it was established that the accused viz. Aqib Mushtaq Bhat, Aqib Farooq Thoker and Arjumand Gulzar Dar, were members of HM/LeT and Al-Badr banned outfits and the accused viz. Kifayat Ullah Bukhari, was working as Over Ground Worker (OGW) for the above terrorists and was providing logistic support to them, besides, on the date of occurrence, under a well knit criminal conspiracy facilitated the terrorists viz. Aqib Mushtaq Bhat and Aqib Farooq Thoker, to carry out the attack upon the two non-local persons at Laloora, Pulwama; and
- 7. Whereas, the accused terrorist viz. Aqib Farooq Thoker, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; 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

S. Name of accused person

Offence

No.

- 1 Kifayat Ullah Bukhari S/o Mehraj-ud-Din 18, 39 of Bukhari R/o Nowpora Bala, Shopian. ULA (P) Act.
- 2 Aqib Mushtaq Bhat S/o Mushtaq Ahmad 16, 18, 20, 38 of Bhat R/o Malangpora, Pulwama. ULA (P) Act.
- 3 Arjumand Gulzar Dar S/o Gulzar Ahmad 18, 20, 38 of Dar R/o Kharbatpora, Ratnipora A/P ULA (P) Act. PoK.
- 9. Whereas, the accused viz. Aqib Mushtaq Bhat and Arjumand Gulzar Dar, being the active terrorists are absconding and the proceedings under Section 299 Cr. PC, have been proposed to be initiated against them; 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 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
- 11. 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 Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary (Home).