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JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government-Notifications.

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

Notification

Jammu, the 18th November, 2022.

SO-613.ô Whereas, on 07-02-2022, the Police Station, Ganderbal received a docket to the effect that some unknown terrorist lobbed a hand grenade upon a Naka Party at Chappergund Crossing, with the intention to kill them. The grenade missed the intended target and exploded on the road side and no loss of life/property was repoted. After commission of the crime, the unknown terrorists escaped from the spot ; and

2. Whereas, based on the above, a Case FIR No. 17/2022 under Sections 307 IPC, 7/27 Arms Act, was registered in Police Station,

3. Whereas, during the course of investigation, the site plan of place of occurrence and the 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 Asif Bashir Khan S/o Bashir Ahmad Khan R/o Urpash, was found involved in the commission of offence. Subsequently, the accused was arrested and was found incontact with an unknown PoK based Terrorist through the virtual mode. The accused viz. Asif Bashir Khan, on the directions of PoK based terrorist came in contact with two other terrorists of the TRF (offshoot of LeT) banned outfit identified as Adil Ahmad Khan S/o Ab. Rashid Khan and Adil Ahmad Parray S/o Habibullah Parray R¢/o Shahpora, Badergund, who provided 02 hand grenades to the accused with the directions to lob the same upon the Police/Security Forces inorder to promote terrorist activities in the area. Subsequently, during the investigation, 01 hand grenade was recovered at his instances ; and

5. Whereas, during the investigation, it was established that the accused namely Asif Bashir Khan, Adil Ahmad Khan and Adil Ahmad Parray, were associated with the terrorist organization of TRF (offshoot of LeT) banned outfit. The accused viz. Asif Bashir Khan, under well knit criminal conspiracy procured hand grenades from the terrorists viz. Adil Ahmad Khan and Adil Ahmad Parray, on the directions of unknown PoK based terrorist hurled a grenade upon the Naka Party at Chappergund on the date of occurrence, in order to cause damage to the Police/Security Forces and to spread terrorist among the general public ; and

6. Whereas, the accused terrorists viz. Adil Ahmad Khan and Adil Ahmad Parray, have been killed in the different encounter with the Security Forces and the proceedings under the law would abate against them. The investigation in respect of the unknown PoK based terrorist shall continue to ascertain his identity and to bring out his role/ involvement in the case ; and

7. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established *prima facie*,

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1. Asif Bashir Khan S/o Bashir											A	Ahmad 13, 16, 18, 23, 38 of															
	Khan R/o Urpash.														ULA(P) Act												

8. 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 *prima facie* case is made out against the above accused ; and

9. 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 abovementioned accused for his prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Asif Bashir Khan, for the commission of offences punishable under Sections 13, 16, 18, 23 and 38 of ULA(P) Act, arising out of FIR No. 17/2022 of Police Station, Ganderbal.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.