

## 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

Jammu, the 23rd November, 2022.

SO-627.66Whereas, on 14-11-2018, the Police Station, Gursai, received a docket to the effect that a reliable information was received about the movement of some unknown foreign terrorists in the area along with arms/ammunition to disturb peace and tranquility. Subsequently, a Naka was established at Jaranwali Gali and during the checking, the Police intercepted a vehicle (Tavera) and recovered 02 AK-56 Rifles with Magazines and 60 Rounds from the said vehicle and arrested driver and

- 2. Whereas, based on the above, a Case FIR No. 82/2018 under Section 7/25 Arms Act, 120-B RPC, and Sections 16, 18, 20 of ULA (P) Act, was registered in the Police Station, Gursai and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 16 of ULA (P) Act was dropped and the Section 23 of ULA (P) Act was added in the case; and
- 3. Whereas, during the course of investigation, the site plan of place of the 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, the accused viz. Aqib Ahmad Bhat and Shabir Ahmad Dar, were found in contact with a terrorist of LeT banned outfit namely Mudasir Ahmad Bhat S/o Ab. Rashid Bhat R/o Laribal, Kakapora, and on his directions procured arms/ammunition from an unknown person at Kaneti, Mendhar, for further distribution among the terrorists of the outfit in order to promote terrorist activities. Subsequently, during the investigation, 04 Hand Grenades were also recovered at the instances of accused viz. Aqib Ahmad Bhat and Shabir Ahmad Dar, respectively; and
- 5. Whereas, during the investigation, it was established that the accused viz. Aqib Ahmad Bhat and Shabir Ahmad Dar, were working for the terrorist of LeT banned outfit namely Mudasir Ahmad Bhat, and under a well knit criminal conspiracy procured arms/ammunition from an unknown person at Kaneti, Mendhar, on the directions of said terrorist for further distribution among the terrorists of the outfit for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist namely Mudasir Ahmad Bhat, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; and
- 7. 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

S. Name of the accused Offence No.

- 1 Aqib Ahmad Bhat S/o Bashir Ahmad 18, 23 of Bhat R/o Khudrumu, Pulwama. ULA (P) Act.
- 2 Shabir Ahmad Dar S/o Gh. Mohi-ud-Din Dar R/o Naman, Kakapora.
- 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 a *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 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. Aqib Ahmad Bhat and Shabir Ahmad Dar, for the commission of offences punishable under Sections 18 and 23 of ULA (P) Act, arising out of FIR No. 82/2018 of Police Station, Gursai.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.