

REGD. NO. JK6633



PART I—B

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

Jammu, the 28th November, 2022.

SO-642.ô Whereas, on 06-07-2022, the Police Station, Kulgam received a docket to the effect that a Joint Cordon and Search Operation was launched by the Police/Security Forces at Village Hadigam. During the checking the terrorists hiding in the residential house of one Mashook Ahamd Mir S/o Gh. Mohammad Mir R/o Hadigam, fired indiscriminately upon the Search Party, with their illegal arms/ammunition, with the intention to kill them. The fire was retaliated, triggering an encounter ; and

2 The J&K Official Gazette, 28th Nov., 2022/7th Agra., 1944. [No. 34-m
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2. Whereas, based on the above, a Case FIR No. 75/2022 under sections 307 IPC, 7/27 Arms Act, and the Sections 13, 18, 19, 20, 38 was registered in the Police Station, Kulgam and the investigation of the case was set into motion. During investigation, two terrorists of LeT banned outfit identified as Nadeem Ahmad Mir S/o Mohammad Abass Mir R/o Gufbal, Qaimoh and Kafeel Ahmad Mir S/o Javaid Ahmad Mir R/o Mirpora, Qaimoh were arrested on the place of encounter alongwith arms/ammunition viz. 01 Pistol with magazine and 02 rounds. Subsequently, during the investigation, the Section 7/25 Arms Act, and the sections 16 and 23 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 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. Nadeem Ahmad Mir and Kafeel Ahmad Mir, were found in contact with another terrorist of the outfit namely Arbaz Ahmad Mir S/o Manzoor Ahmad Mir R/o Gufbal, Qaimoh, who provided the arms/ammunition to them in order to promote terrorist activities in the area ; and

5. Whereas, during the investigation, it was established that the accused viz. Nadeem Ahmad Mir and Kafeel Ahmad Mir, were members of LeT banned outfit and under a well knit criminal conspiracy procured arms/ammunition from the terrorist namely Arbaz Ahmad Mir, for carrying out the terrorist activities in the area, besides, on the date of occurrence forcibly entered in the residential house of Mashook Ahmad Mir, where both the accused were later on arrested by the Police/Security Forces ; and

6. Whereas, during the investigation, the person namely Mashook Ahmad Mir was not found involved in the case. Subsequently, the said person was dropped from the case and was given the benefit of Section 169 Cr. P. C. ; and

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

4 The J&K Official Gazette, 28th Nov., 2022/7th Agra., 1944. [No. 34-m
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the relevant Sections of ULA (P) Act, as indicated against the each
accused at Para (7) above, arising out of FIR No. 75/2022 of Police
Station, Kulgam.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.