

## 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 15th December, 2022.

SO-692.66Whereas, on 05-10-2020, the Police Station, Pulwama, received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Kareemabad, Zadoora crossing and during the checking two suspects while seeing the Naka Party tried to escape but were chased down on the spot and identified as Imran Mushtaq Bhat S/o Mushtaq Ahmad Bhat and Bilal Ahmad Wani S/o Abdul Gani Wani Rs/o Kareemabad. During their personal search, the Police recovered 01 Hand Grenade and 11 live AK-47 Rounds from their possession respectively; and

- 2. Whereas, based on the above, a Case FIR No. 224/2020 under Sections 7/25 Arms Act, 18 and 39 of ULA (P) Act, was registered in the Police Station, Pulwama, and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 20 of ULA (P) Act was added in the case; and
- 3. Whereas, during the investigation, the site plan of place of the occurrence and the seizure memos were prepared and the statements 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. Imran Mushtaq Bhat and Bilal Ahmad Wani, were found in contact with a terrorist of JeM banned outfit namely Zahid Ahmad Wani S/o Manzoor Ahmad Wani R/o Kareemabad, who provided the grenade and ammunition to the accused viz. Imran Mushtaq Bhat and Bilal Ahmad Wani, in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Imran Mushtaq Bhat and Bilal Ahmad Wani, were working as Over Ground Workers (OGWs) for the terrorists of JeM banned outfit particularly the terrorist namely Zahid Ahmad Wani, and were providing logistic support to them, besides, under a well knit criminal conspiracy procured the grenade and ammunition from him for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist viz. Zahid Ahmad Wani, 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 the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô
- 1. Imran Mushtaq Bhat S/o Mushtaq 18, 39 of Ahmad Bhat R/o Kareemabad. ULA (P) Act.

- 2. Bilal Ahmad Wani S/o Abdul Gani Wani R/o Kareemabad.
- 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. Imran Mushtaq Bhat and Bilal Ahmad Wani, for the commission of offences punishable under Sections 18 and 39 of ULA (P) Act, arising out of FIR No. 224/2020 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.