

REGD. NO. JK633



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SO-705.6 Whereas, on 09-04-2021, an information was received by the Police Station, Tral, regarding the presence of some unknown terrorists of Ansar Gazwat-ul-Hind (AGuH) outfit in Village Amirabad, Tral. Subsequently, a Joint Cordon and Search Operation was launched by

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2. Whereas, based on the above, a Case FIR No. 23/2021 under section 307 IPC, 7/27 Arms Act, 18, 20, 38 and 39 of ULA (P) Act, was registered in the Police Station, Tral, and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 19 and 23 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation, two died bodies were recovered from the place of encounter, who were later on identified as the terrorist of AGH outfit namely Imtiyaz Ahmad Shah S/o Ab. Ahad Shah R/o Ratsuna, Tral and Zahid Ahmad Koka S/o Ab. Hamid Koka R/o Melhora, Shopian. During the search, the arms/ ammunition viz. 02 AK 47 Rifles, 04 Magazines, 31 rounds, 01 Pistol, 07 rounds and 01 UBGL, were also recovered from the place of occurrence ; and

4. 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

5. Whereas, during the investigation, one Danish Rafiq Wani S/o Mohd Rafiq Wani R/o Amirabad, Tral, was found involved in the case. Subsequently, the accused was arrested and it was found that the accused constructed a hideout in his paddy field for hiding of terrorists in order to promote terrorist activities in the area ; and

6. Whereas, during the investigation, it was established that the accused viz. Danish Rafiq Wani, was working as Over Ground Worker (OGW) for the terrorists of Ansar Gazwat-ul-Hind (AGuH) outfit particularly the killed terrorists namely Imtiyaz Ahmad Shah and Zahid Ahmad Koka, and was providing logistic support to them, besides, under a well knit criminal conspiracy voluntarily harbouring the terrorists in the hideout constructed by him in his paddy field for carrying out the terrorist activities in the area ; and

7. Whereas, the accused terrorists viz. Imtiyaz Ahmad Shah and Zahid Ahmad Koka, have been killed in the said encounter with the Security Forces and the proceedings under the law would abate against him ; and

8. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *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 his name :ô

9. 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

10. 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 his 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. Danish Rafiq Wani, for the commission of offences punishable under Section 18, 19 and 39 of ULA (P) Act, arising out of FIR No. 23/2021 of Police Station, Tral.

By order of the Government of Jammu and Kashmir.

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