

REGD. NO. JK633



Vol. 135] Jammu, Wed., the 21st Dec., 2022/30th Agra., 1944. [No. 37-q

[illegible]

Jammu and Kashmir Government—Notifications.

Jammu, the 21st December, 2022.

SO-7076 Whereas, on 24-04-2022, a reliable information was received by the Police Station, Budhal, to the effect that some unknown terrorists after obtaining illegal arms/ammunition from the Pakistan on the behest of Pakistan ISI, in order to disrupt the peace and tranquility and integrity

2 The J&K Official Gazette, 21st Dec., 2022/30th Agra., 1944. [No. 37-q
of the county, entered in the jurisdiction of P/s Budhal and hurled a grenade
upon two vehicles at Shahpure, Koteranka near the house of one
Amar Singh, in order to spread terror among the general public, resulting in
injuries to some persons on the spot, who were shifted to hospital for
treatment ; and

2. Whereas, based on the above, a Case FIR No. 31/2022 under section 307, 120-B, 121, 122 IPC and Section 3/4 ESA, was registered in Police Station, Budhal, and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 427, 201 IPC, and the Sections 13, 16, 18, 20, 23 and 38 of ULA (P) Act were 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 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, two persons namely, Mohd Shabir Gujjar S/o Ghulam Hussain Gujjar and Mohd Sadiq Gujjar S/o Ibrahim Gujjar Rs/o Draj, Koteranka, Rajouri, were found involved in the commission of crime. Subsequently, the accused were arrested and during investigation 05 IEDs, 05 remote controls and 10 Detonators, were recovered the instances of accused viz. Mohd Shabir Gujjar ; and

5. Whereas, during the investigation, the accused viz. Mohd Shabir Gujjar and Mohd Sadiq Gujjar, were found in contact with a terrorist of LeT banned outfit namely Talib Hussain Shah S/o Haider Shah R/o Draj, Koteranka, Rajouri, who provided the arms/ammunition to the accused in order to promote terrorist activities in the area. The accused viz. Talib Hussain Shah, was arrested by Police Station, Mahore in case FIR No. 83/2022. Subsequently, his custody was changed in the instant case and during investigation, arms/ammunition viz. 01 AK-47 Rifle, 04 AK Magazines, 120 AK Rounds, 05 Kgs IED, 01 Gluck Pistol, 67 Pistol Rounds, 03 UBGL grenades and 10 LeT banned posters were also recovered at his instances ; and

6. Whereas, during investigation, it was found that the accused namely Talib Hussain Shah, was in contact with a Pakistani handler of LeT banned outfit namely Mohd Qasim @ Suliman S/o Mohd Shafi R/o Angral A/p Pakistan, through the virtual mode, who send the arms/ammunition to the

No. 37-q] The J&K Official Gazette, 21st Dec., 2022/30th Agra., 1944. 3
 accused viz. Talib Hussain Shah, through the drone for further distribution among the other terrorists of the outfit. The accused viz. Talib Hussain Shah, on the directions of Pakistani handler Mohd Qasim @ Suliman, motivated the accused viz. Mohd Shabir Gujjar and Mohd Sadiq Gujjar, to work for the outfit and provided some arms/ammunition to them for carrying out the terrorist activities in the area and to wage war against the Government of India and on the date of occurrence, the accused Talib Hussain Shah, with the assistance of accused Mohd Shabir Gujjar, hurled a hand grenade upon two vehicles near the residential house of Amar Singh, which resulted injures to some persons on the spot ; and

7. Whereas, during the investigation, it was established that the accused viz. Mohd Shabir Gujjar, Mohd Sadiq Gujjar, Talib Hussain Shah, and Mohd Qasim @ Suliman, were members of LeT banned outfit. The accused viz. Talib Hussain Shah and Mohd Qasim @ Suliman, under a well knit criminal conspiracy motivated/instigated the accused viz. Mohd Shabir Gujjar and Mohd Sadiq Gujjar, to join the outfit and provided arms/ammunition to them for carrying out the terrorist activities in the area and to wage war against the Government of India, besides, on the date of occurrence, the accused viz. Mohd Shabir Gujjar, facilitated the accused viz. Talib Hussain Shah, to carry out the grenade attack upon the vehicles at Shahpure, Koteranka, in order to spread terror among the general public, which resulted injuries to the two persons on the spot ; and

8. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused for the commission of offences punishable under section as shown against their name of Unlawful Activities (Prevention) Act, 1967 and Indian Penal Code, 1860 :

S. No.	Name of the accused	Offence
1	Mohd Shabir Gujjar S/o Ghulam Hussain Gujjar R/o Draj, Koteranka, Rajouri.	13, 16, 18, 20, 23, 38 of ULA (P) Act 121, 122 IPC.

[illegible]

- | | | |
|----|--|---|
| 3. | Talib Hussain Shah S/o Haider
Shah R/o Draj, Koteranka,
Rajouri. | 13, 16, 18, 18-B,
20, 23, 38 of ULA (P) Act
121, 122 IPC. |
| 4. | Mohd Qasim @ Suliman
S/o Mohd Shafi R/o Angral, A/p
Pakistan. | 13, 18, 18-B, 20, 38 of
ULA (P) Act
121,122 IPC. |

10. 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

12. Whereas, the Government 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 under the aforementioned provision of the Indian Penal Code (IPC).

[illegible]

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.