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## JAMMU AND KASHMIR OFFICIAL GAZETTE

#### PART I—B

Jammu and Kashmir Government—Notifications.

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### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

#### Notification

Jammu, the 16th March, 2022.

SO-96.66Whereas, on 20-9-2021, Police Station, Yaripora received tip off information that a person namely Mohammad Imran Dar S/o Ab. Gani Dar R/o Chanpora, Frisal has kept illegal arms/ammunition in his possession; and

- 2. Whereas, upon the information, a Case FIR No. 64/2021 under Section 7/25 Arms Act came to be registered in Police Station, Yaripora and investigation of the case was taken up. Subsequently, during investigation Sections 13, 18, 23 and 39 ULA (P) Act were added in the case; and
- 3. Whereas, during investigation, joint search operation was carried out in the house of accused Mohammad Imran Dar who while seeing the search party tried to flee from the spot and fell down, which resulted injuries to him. The said accused was arrested on spot in injured condition; and
- 4. Whereas, accused disclosed that he had hidden arms/ammunition in the shop of another accused Mohammad Javaid Sulimani S/o Mohammad Shamim R/o Maheshvari Jath U. P. presently running a barber shop at Bijbehara market which was provided to them by terrorist of HM banned outfit Mohammad Ashan Dar S/o Mohammad Shafi Dar R/o Redwani. Subsequently, 01 Pistol with magazine and 06 rounds were recovered from the barber shop at Bijbehara market and accused Mohammad Javaid Sulimani was also arrested in connection with the case and on his disclosure 1 empty Pistol magazine was also recovered from his shop; and
- 5. Whereas, during course of investigation, site plan of place of occurrence and 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
- 6. Whereas, during investigation, it was established that accused Mohammad Imran Dar and Mohammad Javaid Sulimani were working as Over Ground Workers (OGWs) for the terrorists of HM banned outfit and under well knit conspiracy were providing logistic support to the terrorist Mohammad Ahsan Dar in order to promote terrorist activities in the area; and
- 7. Whereas, accused terrorist Mohammad Ahsan Dar has been killed in an encounter with the security forces and proceedings under law shall abate against him; and
- 8. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has

S. Name of accused Offence No.

- Mohammad Imran Dar S/o Late Ab. Gani Dar R/o Chanpora, Frisal.
- 13, 18, 23, 39 ULA(P) Act
- Mohammad Javaid Sulimani S/o Mohammad Shamim R/o Maheshvari, Jath, U. P.
- 9. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the ULA(P) Act, 1967, has independently examined the Case Diary file and all the other relevant documents relating to the case and has come to a conclusion that a *prima facie* case is made out against the accused; and
- 10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration views of the Authority appointed under Sub-Section (2) of Section 45 of ULA (P) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the accused for their prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the above accused viz. Mohammad Imran Dar and Mohammad Javaid Sulimani for the commission of offences punishable under Sections 13, 18, 23, 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 64/2021 of Police Station, Yaripora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
(Additional Chief Secretary),
Home Department.