



**Government of Jammu and Kashmir**  
**Civil Secretariat Home Department**  
**Srinagar/Jammu**

**NOTIFICATION**

Jammu, the 16<sup>th</sup> January, 2019

SRO **53** .-Whereas, Police Station, Soura, on 25-02-2018 received a reliable information that some unknown militants fired upon guard personnel deployed at the residence of protected person namely Sh Fazal Haq Quarashie of Hurriyat (M) situated at Bilal Colony Soura, in which a constable namely; Farooq Ahmad Yattoo PID No. 4438/S EXK-127267 got seriously injured. Further, the militants snatched service Rifle (INSAS) including Magazine/rounds of the said constable and escaped from the spot etc. The injured constable was shifted to SKIMS Soura for treatment where he succumbed to his injuries; and

2. Whereas, a case FIR No. **26/2018** u/s 302,392,212 RPC 13,18,23 UAP Act was registered in Police Station Soura and investigation taken up; and

3. Whereas, during the course of investigation of the case, Investigating Officer prepared site plan and recorded statement of witnesses U/S 161 Cr.PC and 164-A Cr.PC. The provisions of the ULA(P) Act 1967, under section 13,18,23 were invoked in the instant case. Post-mortem of the deceased constable was conducted and death certificate was also obtained from SKIMS Soura. During the course of further investigation, photo identification parade of one eye witness was conducted in presence of Executive Magistrate, wherein he identified one militant involved in the commission of crime who later on was identified as Eisa Fazli S/O Noor-un-Nayeem Fazli R/O Shahdab Colony 90 Feet Road Ahmadnagar, Soura belonging to militant outfit TeM. The statement of other witnesses recorded during the course of investigation established the involvement of militants namely Eisa Fazli S/O Noor-un-Nayeem Fazli R/O Shahdab colony 90 Feet Road Ahmadnagar Soura, Owais Ahmad Shah S/O Mohammad Shafi Shah R/O Gohan Kokernag and Taufeeq Razaq S/O Abdul Razaq R/O Hyderabad and unknown OGWs who had provided the logistics and facilitated the transportation and escape of militants after committing the terrorist act on the guard deployed at the residential house of Fazal-ul-Haq Qureshi separatist

leader at Bilal Colony Soura. Three above named militants involved in the act got killed in an encounter with security forces at Hakoora Budsgam Anantnag on 11/12-03-2018 and the necessary documents in this regard were obtained from Anantnag Police and placed on record. During the course of further investigation, surrendered/released militants were called for questioning with an aim to get any clue regarding the OGWs involved in the facilitation and transportation of militants involved in the terrorist act, however, no clue struck out;and

4) Whereas, the technical methods of investigation were then looked into and accordingly the Tower Dump of the place where the incident had happened was obtained. During analysis of the Tower Dump few mobile numbers were found to be moving in the area where the incident took place. The CDRs and SDRs for these suspected numbers were sought and accordingly these persons on whom these cell numbers were registered were called to Police Station and questioned/interrogated regarding the incident and one person namely; Umar Latief Sofi S/O Mohamad Latief Sofi R/O Chattabal disclosed/stated that he had given his mobile SIM Card to one of his friend namely; Umar Noor Bhat S/O Noor Mohammad Bhat R/O Chattabal for his use and accordingly the said person was brought to Police Station for further questioning. The said person was subjected to detailed questioning who disclosed the whole story regarding the killing and snatching of the weapon from the guard personnel deployed at the residential house of Fazal-ul-Qureshi at Bilal Colony, Soura. The suspect further disclosed that he along with his three friends namely; Waseem Ahmad Sofi S/O Bashir Ahmad Sofi R/O Chattabal, Adil Majeed Bhat S/O Abdul Majeed Bhat R/o chattabal and Ubaid Altaf Zogi S/O Altaf Ahmad Zogi R/O Narbal, Soura facilitated the transportation and escape of the militants namely, Eisa Fazli S/O Noor-un-Nayeem Fazli R/O Shahdab colony 90 Feet Road Ahmadnagar, Soura, Owais Ahamd Shah S/O Mohammad Shafi Shah R/O Gohan Kokernag and Taufeeq Razaq S/O Abdul Razaq R/O Hyderabad involved in the killing and snatching of the weapon of the policeman deployed at the residential house of Fazal-ul-haq Qureshi at Bilal Colony Soura . On his disclosure, other accused persons' involved in the incident were arrested. On further disclosure of the accused person two bikes bearing registration No. JK01N-1370, JK01P-2291 and one Wagon-R Car Wagnor bearing registration number JK01P/4627 used in the incident were also recovered/seized in the instant case. The arrested accused OGW's involved in the incident are presently on Judicial remand by the orders of Hon'ble Court and are lodged in Central Jail Srinagar. During the course of investigation extension for investigation under provisions of ULA (P)

Act beyond Statutory period of ninety (90) days was also obtained from the Hon'ble Court from time to time. Besides, authenticated CDRs/SDRs were obtained from JIO and Airtel cellular companies and during analysis of these CDRs/SDRs, the confessional Statements/interrogation reports of the accused persons (OGW's) regarding their carrying out of reece of the guard and area in the time slot of 1-2 PM on 25.02.2018 gets established and proven, as the location of the accused persons on 25.02.2018 as per CDR has been found at Soura in time slot of 1-2 PM and it was also found from CDR analysis the accused persons were linked with each other. The accused persons had clandestinely kept their mobile phones switched off at the time of attack to evade themselves from coming under the radar of investigation. Thus from the confessional statement/ interrogation reports, technical evidence and other evidence, the involvement of the accused OGW's with the militants for carrying out the attack on guard gets established; and

5. Whereas, on the basis of strength of evidence collected during the investigation, a case under section 302,392,201 RPC, 7/27 A Act 13,18,23 ULA(P) Act is made out against the accused in the case. The accused militants namely Eisa Fazli S/O Noor-un-Nayeem Fazli R/O Shahdab colony 90 Feet Road Ahmadnagar Soura, Owais Ahmad Shah S/O Mohammad Shafi Shah R/O Gohan Kokernag and Taufeeq Razaq S/O Abdul Razaq R/O Hyderabad got killed in an encounter with the security forces at Hakoora Badsgam Anantnag and in this regard required documents were obtained from Anantnag Police and placed on record; and

6. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of sanction for launching prosecution against the accused persons; and

7. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provisions of law.

8. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State

Government hereby accord sanction for launching prosecution against the accused persons namely Umar Noor Bhat S/o Noor Mohammad Bhat R/o Chattabal.2. Waseem Ahmad Sofi S/o Bashir Ahmad Sofi R/o Chattabal 3. Adil Majeed Bhat S/o Abdul Majeed Bhat R/o Chattabal 4. Ubaid Altaf Zogi S/o Mohammad Altaf Zogi R/o Narbal Soura for the commission of offences punishable u/s 13,18 and 23 of Unlawful Activities (Prevention) Act,1967 Act arising out of FIR No.26/2018 of P/S Soura.

By Order of the Government of Jammu and Kashmir.

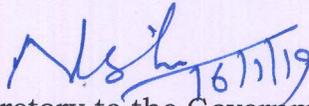
Sd/-  
Principal Secretary to the Government  
Home Department

No. Home/Pros/97/2018

Dated:- .01.2019

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-83/S/2018/78170-71 dated 04.12.2018 The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs (w.7.s.c.).
3. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

  
Under Secretary to the Government  
Home Department