



**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT; HOME DEPARTMENT
SRINAGAR/JAMMU**

NOTIFICATION

Jammu, the 29th January, 2019

SRO:- 86 Whereas, on 17-06-2018 P/S Safapora received a docket from I/C Camp location Safapora Manasbal Park to the effect that on 17-06-2018 at about 18:45 hours when the people were busy in the celebration of Eid-ul-Fitr, a mysterious blast occurred in Manasbal Park, resulting into injuries to some local visitors. The explosive substance used in the blast was kept in a dustbin by some unknown persons, with the intension to kill and create terror among the general public; and

2. Whereas, on receipt of the above information a case FIR No.20/2018 U/S 307 RPC, 3/4 Explosive Sub. Act was registered in P/S Safapora and investigation was taken up; and

3. Whereas, during the course of investigation, site plan of scene of occurrence was prepared and from the place of occurrence some steel pieces, rubber pieces, polythene pieces and cotton with blood stains were collected and seized as piece of evidence and accordingly seizure memo was prepared. The seized material was sent to FSL Srinagar for expert opinion through Executive Magistrate Safapora. Injured persons were got medically examined and necessary Injury forms were drafted. Statement of the injured persons were recorded under relevant provisions of law. During the course of investigation three suspects namely 1. Mohd Younis Khan s/o Late Mohammad Ayoub Khan 2. Bilal Ahmad Mir S/O Gh Rasool Mir 3. Irfan Ahmad Khan S/O Gh Mohd Khan R/O Kondbal, Chesma Mansbal were apprehended U/S 54 Cr.PC, who during questioning admitted that they along with the other companions namely Bilal Hastiwala S/O Ab. Rashid Hastiwala, Mohammad Umar Khan S/O Ghulam Mohammad Khan and Imran Sofi S/O Ab. Majid Sofi R/O Kondabal hatched a criminal conspiracy to cause explosion in Mansbal park. It was established in the course of investigation that they exploded three locally made bombs in the said park on the day of Eid-ul-Fitr and due to heavy rush of people and sound of fire crackers, the sound of explosion cacophonous with the sound of fire crackers and nobody

noticed the explosion caused by them. It was further established that the accused persons on next day of Eid i.e on 17-06-2018, caused much heavier explosion in another blast in the said park which they had planted in a dustbin, resulting in fear among the general public and injuries to 13 persons who were mostly students. Accordingly the other three accused were arrested in the case who too disclosed that after commission of said crime threw the rest of explosive material in Manasbal Lake, and hidden some Gelatin rods in the house of Younus Khan. To this effect separate disclosure memos of the accused persons were prepared and on their instance Gelatin Rod was recovered from Room No. 04 of the house of said Mohd Younis Khan S/O late Mohammad Ayoub Khan R/O Kondbal in presence of Executive Magistrate and other witnesses. Accordingly the recovered material was sent to FSL Srinagar for expert opinion. Investigation conducted also revealed that Motor Cycle bearing registration No. JK01L/7683 was used for carrying out this terrorist act and accordingly the said Motor Cycle belonging to accused Younis Mohd Khan was recovered/seized in the case as piece of evidence. CDRs and tower location of the cell numbers of the accused persons also corroborated the presence of the accused persons at the place of occurrence. FSL Opinion received there-of revealed that the seized material is explosive material designed for causing underground and upper ground blasting. Subsequent to the evidence collected sections 16,18 and 20 ULAP Act were added in the case; and

4. Whereas, on the basis of cogent evidence a prima-facie case u/s 307, 201,326 RPC, ¾ EXPL. Sub Act and sections 16, 18,20 ULAP Act has been established against six accused persons 1. Mohd Younus Khan s/o Late Mohammad Ayoub Khan 2. Bilal Ahmad Mir S/O Gh Rasool Mir 3. Irfan Ahmad Khan S/O Gh Mohd Khan 4. Bilal Ahmad Hastiwala S/O Ab. Rashid Hastiwala, 5. Mohammad Umar Khan S/O Ghulam Mohammad Khan and 6. Imran Sofi S/O Ab. Majid Sofi (all residents of Kondbal Mansbal) and investigation concluded as proved. Out of 06 accused persons 05 accused persons were detained under PSA and lodged in Kote Bilwal Jammu and 01 accused namely Mohammad Umar Khan S/O Ghulam Mohammad Khan R/O Kondbal was found juvenile, who has been bailed out by the Juvenile Justice Board Ganderbal on 19-10-2018. Furthermore the PSA of 04 accused persons was quashed, but were re-arrested in the instant case and are presently in Central jail Srinagar on Judicial remand; and

5. 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 prosecution sanction against the said accused persons for commission of offences punishable under Section 16,18,20 of the Unlawful Activities (Prevention) Act, 1967; and

6. 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.

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 accords sanction for launching prosecution against the accused persons namely Mohd Younis Khan s/o Late Mohammad Ayoub Khan R/o Kondbal Mansbal 2. Bilal Ahmad Mir S/O Gh Rasool Mir R/o Kondbal Mansbal 3. Irfan Ahmad Khan S/O Gh Mohd Khan R/O Kondbal Mansbal, 4. Bilal Ahmad Hastiwala S/O Ab. Rashid Hastiwala R/o Kondbal Mansbal 5. Mohammad Umar Khan S/O Ghulam Mohammad Khan R/O Kondabal Manasbal and 6. Imran Sofi S/O Ab. Majid Sofi R/O Kondabal Manasbal for commission of offences punishable u/s 16,18 and 20 of ULAPA Act in case FIR No. 20/2018 of Police Station Safapora.

By order of the Government of Jammu and Kashmir.

Sd/-

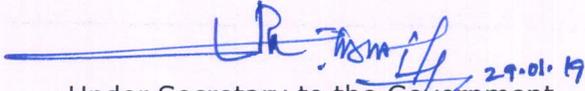
Principal Secretary to the Government
Home Department

No. Home/Pros/ 01 /2019

Dated: 29.01.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-90/S/2018-2944-46 dated 14/01/2019. 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. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


Under Secretary to the Government
Home Department