



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

NOTIFICATION
Srinagar, the 18th October, 2019

SRO 608 -Whereas, Police Station Kothibagh received a docket from SHO P/S Kothibagh indicating therein that on 14-06-2018 SHO P/S Kothibagh Srinagar while on routine patrol near Press Colony Srinagar heard some gun shots from Press Colony side. On reaching the spot, he found one media person namely; Shujaat Bukhari, (Editor of Rising Kashmir) along with his two PSOs namely; Mumtaz Ahmad and Abdul Hameed in injured condition in vehicle bearing No JK04D-0066 (TATA Hexa), due to attack by some unknown terrorists with their illegal arms/ammunition, with intention to kill them. However, the terrorists after committing the crime had fled away from the scene, taking advantage of huge crowd; and

2. Whereas, a case FIR No 51/2018 U/S 7/27 Arms Act, 307 RPC, 16, 18, 20 ULA (P)Act, 1967 was registered in P/S Kothibagh and investigation was taken up; and

3. Whereas, during the course of the investigation, investigating officer seized (06) empty fired cartridges of 5.56 mm INSAS and (10) empty fired cartridges of 7.62 mm AK- Rifle, from the scene of crime. The damaged vehicle bearing No. JK04A-0066 (Sky Grey colour) belonging to late Shujaat Bukhari was also seized from Police Hospital Srinagar. On examination of the said vehicle, one mobile phone (LYF) damaged, one mobile charger Samsung, one 9mm pistol (auto) bearing body No (16238874), one pistol magazine and (10) live pistol cartridges were recovered. However, the service pistol of Constable Mumtaz Ahmad was found missing; and

4. Whereas, during the course of the investigation, Zubair Qayoom Bhat S/O Ab. Qayoom Bhat R/O Kanitaar, Saderbal, Srinagar was arrested and on his disclosure one 9 mm Pistol bearing registration No (15180367), one Pistol magazine and (10) live pistol rounds that belonged to deceased Sg. Ct. Mumtaz Ahmad No. 3385/S, two JIO SIM cards, bearing Number's (8601657899186004000) & (89918600400023932810), one Airtel SIM Card 4G-128k bearing Number (8991101505071420200UHS), one BSNL SIM Card bearing Number (99165068132407), one Memory Card 4 GB Sandisk Black and two Mobile Phones Samsung bearing Number's (85000280) and (ISI3252/part-I) were recovered from the kitchen of his residential house; and

5. Whereas, during the course of investigation, Narco Analysis Test in respect of Zubair Qayoom Bhat S/o Abdul Qayoom Bhat R/o Syed Colony, Kanitaar, Saderbal, Srinagar was conducted from Directorate of Forensic Science Laboratory, Gandhinagar, Gujrat and consequent upon the receipt of deficient Narco Analysis Report of DFSL Gujrat, Prima- facie, offence punishable U/S 379 RPC, 7/25 A. Act were established against the accused and accordingly preliminary charge sheet of the instant case was filed before the Hon'ble Court; and

6. Whereas, during further investigation, on the basis of CCTV footage involvement of accused namely; Tehseen Ahmad Batloo @ Junaid S/O Ali Mohammad R/O Zaindar Mohala,

Tankipora Habakadal Srinagar, Umar Majid Ganie S/O Abdul Majid Ganie R/O Shuch Kulgam and Aaqib Nazir Mir S/O Nazir Ahmad Mir R/O Zangalpora Kulgam surfaced in execution of terrorist act at press colony Srinagar in connivance with accused Muzaffar Ahmad Bhat @ Abu Talha S/O Mohammad Amin Bhat R/O Sopat Qazigund Kulgam, Azad Ahmad @ Dada @ Abu Zaid S/O Nazir Ahmad Malik R/O Malikpora, Arwani, Bijbehara, Anantnag and Naveed Jutt @ Abu Hanzullah S/O Mohammad Haneef R/O Check No. 421/EB Borewala District Vehari Multan Pakistan ;and

7. Whereas, during the course of investigation, accused Mohammad Shafiq Bhat @ Shafiq Molvi S/o Late Gh. Qadir R/O Deyarwani Batamalo Srinagar has been found guilty of providing food and shelter to the terrorists and facilitating criminal conspiracy in his residential house at Deyarwani Batamallo, Srinagar. Subsequently, accused Waseem Khan S/O Late Gh Mohammad R/o Deyarwani, Batamalo, Srinagar has been found guilty of providing logistic support to the terrorists in the execution of said terrorist act. In this regard a criminal case FIR No. 173/2018 U/S 302,307,326,120-B,34 RPC, 7/27 A Act, 16,18,19,20,38 and 39 ULA(P) Act stands registered in P/S Batamaloo Srinagar, charge sheet of the instant case has been filed before the Hon'ble Court of law on 06-02-2019 against (10) accused persons including said accused; and

8. Whereas, accused namely Sheikh Sajad Gul S/O Ghulam Mohd Sheikh R/O Padshahi bagh/HMT Srinagar now in Pakistan has been found guilty of publishing objectionable material on his facebook account "Ahmad Khalid" against late Shujaat Bukhari before his assassination from Pakistan. He has also been found guilty of travelling to Pakistan on fake and fabricated Passports; and

9. Whereas, during the course of investigation, on the basis of statement of witnesses recorded under relevant sections of law, seizure memos and other evidence, prima-facie, a case is established against the accused persons:-

- i. Tehseen Ahmad Batloo @ Junaid S/O Ali Mohammad R/O Zaindar Mohala, Tankipora Habakadal Srinagar (A1),
- ii. Aaqib Nazir Mir S/O Nazir Ahmad Mir R/O Zangalpora Kulgam(A2), and
- iii. Umar Majid Ganie S/O Abdul Majid Ganie R/O Shuch Kulgam (A3) for the commission of offences punishable u/s 120-B, 302, 201 RPC, 7/27 A Act, 16,18,20 of the Unlawful Activities (Prevention) Act 1967; and against the accused:-
- iv. Muzaffar Ahmad Bhat @ Abu Talha S/O Mohammad Amin Bhat R/O Sopat Qazigund Kulgam (A4),
- v. Azad Ahmad @ Dada @ Abu Zaid S/O Nazir Ahmad Malik R/O Malikpora, Arwani, Bijbehara, Anantnag.(A5),
- vi. Naveed Jutt @ Abu Hanzullah S/O Mohammad Haneef R/O Check No. 421/EB Borewala District Vehari Multan Pakistan(A6),
- vii. Waseem Khan S/O Late Gh Mohammad R/O Deyarwani, Batamalo, Srinagar (A7) u/s 120-B, 302 RPC, 16,18,20 ULA(P) Act, 1967; and against accused:-
- viii. Shiekh Sajjad Gull S/O Ghulam Mohd R/O Padshahi Bagh Srinagar, now HMT Srinagar (presently in Pakistan) (A8) u/s 120-B, 302 RPC , 12 Passport Act, 16,18,20 ULA(P) Act, 1967; and against accused:-
- ix. Mohammad Shafiq Bhat @ Shafiq Molvi S/o Late Gh. Qadir R/O Deyarwani Batamalo Srinagar (A9) u/s 120-B, 302, 212 RPC, 16, 18, 20 ULA(P) Act.

It is pertinent to mention that accused A2,A3,A5 & A6 have been killed in different encounters with security forces and no prosecution sanction is required against them; and

10. 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; and

11. 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:-1. Muzaffar Ahmad Bhat @ Abu Talha S/O Mohammad Amin Bhat R/O Sopat Qazigund Kulgam. 2. Shiekh Sajjad Gull S/O Ghulam Mohd R/O Padshai Bagh Srinagar now HMT Srinagar (presently in Pakistan) 3. Mohammad Shafiq Bhat @ Shafiq Molvi S/o Late Gh. Qadir R/O Deyarwani Batamalo Srinagar. 4. Waseem Khan S/O Late Gh Mohammad R/o Deyarwani, Batamalo, Srinagar. 5. Tehseen Ahmad Batloo @ Junaid S/O Ali Mohammad R/O Zaindar Mohala, Tankipora Habakadal Srinagar for the commission of offences punishable U/S 16,18,20 Unlawful Activities (Prevention) Act, 1967, in case FIR No. 51/2018 of Police Station Kothibagh.

By order of the Government of Jammu and Kashmir.

Sd/-
Principal Secretary to the Government
Home Department

Dated: 18.10.2019

No. Home/Pros/161/2019

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanc/S/59281-83 dated 01.10.2019. 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.

U R M
Under Secretary to the Government
Home Department