

Government of Jammu and Kashmir

Home Department,
Civil Secretariat, Jammu

NOTIFICATION

Jammu, the 24th March, 2020.

S.O 110-Whereas, on 27-5-2019 Police Station Kralgund received an information from reliable sources that at village Babagund Langate unknown terrorists fired upon a person namely Abdul Majeed Shah S/O Ghulam Hassan Shah R/O Babagund with automatic weapons injuring him critically; and

2. Whereas, a case FIR No. 34/2019 U/S 7/27 A. Act, 16 ULA (P) Act 1967, came to be registered in Police Station Kralgund and investigation was taken up; and

3. Whereas, subsequently Abdul Majeed Shah S/O Gh. Hassan Shah succumbed to his injuries at Sub District Hospital Langate; and

4. Whereas, place of occurrence was inspected, site plan was prepared and during inspection one empty Pistol cartridge was recovered from the site and statement of witnesses were recorded U/S 161 & 164-A Cr.PC; and

5. Whereas, during investigation, two suspects namely Aqib Javaid Bhat S/O Javaid Ahmad Bhat R/O Babagund Langate and Feroz Ahmad Dar S/O Ghulam Mohi-ud-din Dar R/O Khanu Babagund were called to the Police Station Kralgund for questioning; and

6. Whereas, during investigation, the accused disclosed that they were working as OGWs with LeT militants namely Sajad Ahmad Mir code Haider R/O Brath Sopore, (2) Naseer Ahmad Mir code Talha R/O Brath Kalan and (3) Asif Ahmad War @ Jaffer S/O Ghulam Nabi War R/O Warpora; and



7. Whereas, during further investigation it came to the fore that the aforementioned militants and the OGWs had hatched criminal conspiracy to kill Abdul Majeed Shah who was suspected to be an informer; and

8. Whereas, on 27-5-2019 the accused fired upon Abdul Majeed Shah when he was coming out from his house for evening prayer and the accused taking advantage of the darkness, fled away from the spot after firing upon the person namely Abdul Majeed Shah; and

9. Whereas, two accused terrorists namely Naseer Ahmad Mir code Talha S/O Mohd Yousuf Mir R/O Brath Sopore and Asif Ahmad War S/O Ghulam Nabi War R/O Warpora both terrorists of LeT outfit were eliminated in an encounter at Dangerpora and accordingly were dropped from the case; and

10. Whereas, based on evidence collected, statement of witnesses recorded and other material placed on record, the below mentioned accused were found involved in the commission of offence under relevant sections of UA(P) Act as shown against each:-

S.No	Name of Accused	Offence
01	Aqib Javaid Bhat S/O Javaid Ahmad Bhat R/O Babagund Langate	13,16,18,19 ULA (P) Act.
02	Feroz Ahmad Dar S/O Ghulam Mohi-ud-din Dar R/O Khanu Babagund	13,19,39 ULA (P) Act
03	Sajad Ahmad Mir code Haider R/O Brath Sopore (Active Militant)	18,20,38 ULA (P) Act

11. Whereas, Sajad Amin Mir code Haider R/O Brath Sopore is an active militant and therefore, proceedings under section 512 Cr.PC have to be initiated against him; and

12. 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 accused; and

13. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the 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 Government hereby accords sanction for launching prosecution against the above mentioned accused at para 10 for the commission of offences as indicated against each, in case FIR No. 34/2019 of Police Station Kralgund.

By order of the Government of Jammu & Kashmir.

Sd-/

Principal Secretary to the Government
Home Department

No. Home/Pros/230/2019

Dated: 24 .03.2020

Copy to:-

1. Director General of Police, J&K Srinagar. 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