

Government of Jammu and Kashmir  
Home Department  
Civil Secretariat, Jammu

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NOTIFICATION

Jammu, the 24<sup>th</sup> April, 2020

S.O -136 Whereas, on 04-11-2019 Police Station Kishtwar received a reliable information that a person namely Asif Mustafa S/O Ghulam Mustafa Sheikh R/O Sangrambhatta Kishtwar had made a hideout in his residential house where some arms/ammunition of a militant group of HM outfit was lying in connivance with some active militants of the area; and

2. Whereas, during search of the residential house of accused the said hideout was busted and 02 AK-47 Magazines, 01 Pistol, 01 Grenade, 01 Wireless Set, 52 AK-47 Rounds, 02 empty cartridges and 09 posters of HM outfit were recovered from the residential house of the said accused; and

3. Whereas, a Case FIR No. 251/2019 U/S 13, 18,19, 23,38,39 Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station Kishtwar and investigation was taken up; and

4. Whereas, during the course of investigation the accused Asif Mustafa was arrested. The arrest/recovery memos were prepared. The recovered arms/ammunition were sent to CFSL Chandigarh for ballistic examination; and

5. Whereas, during the further course of investigation it was established that the accused was providing food/shelter and other logistic support to the terrorist namely Osama Bin Javid S/O Javid Ahmad Wani R/O Sounder Dachan and Zahid Hussain S/O Ghulam Mohammad R/O Krosa Dachan active in the jurisdiction, both of whom have been killed subsequently; and

6. Whereas, during the course of investigation the statement of material witness were recorded U/S 164-A Cr. PC which corroborated the involvement of accused Asif Mustafa with the terrorist; and

7. Whereas, on the basis of investigation, statement of material witnesses recorded and other evidence collected, the investigating officer has established prima facie case against the accused Asif Mustafa S/O Ghulam Mustafa R/O Sangrambhatta Kishtwar for commission of offences punishable under section 13,18,19,23,39 of Unlawful Activities (Prevention) Act, 1967:

8. 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 above accused: and

9. 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 for the commission of offences punishable under section 13,18,19,23,39 in case FIR No. 251/2019 of Police Station Kishtwar.

By order of the Government of Jammu & Kashmir.

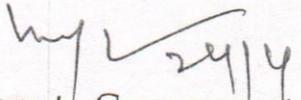
Sd/-  
Principal Secretary to Government  
Home Department.

No:-Home/Pros/ 251/2019

Dated:- 24-04-2020

**Copy to the:-**

1. Joint Secretary, J&K Ministry of Home Affairs, GOI
2. Director General of Police, J&K Jammu. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
3. Secretary to Government, Deptt. of Law, Justice & PA (w.7 s.c.)
4. Private Secretary to Principal Secretary to the Government, Home Department.
5. Stock file.

  
Special Secretary to Government  
Home Department.