

Government of Jammu and Kashmir
Home Department,
Civil Secretariat, Jammu

NOTIFICATION

Jammu, the 11th January, 2020.

S.O, 20 -Whereas on 03-06-2019, Police Station Pantha Chowk, Srinagar received information through reliable sources that some unknown persons has fired upon one Sameer Ahmad Wani S/O Mohammad Yousuf Wani R/O Khanmoh at Pantha Chowk outside the residence of his relative namely Abdul Ahad Sofi S/O Ghulam Ahmad Sofi R/O Sofi Mohalla, Pantha Chowk. The said injured person was later on declared brought dead at the hospital; and

2. Whereas, a case FIR No. 27/2019 U/S 302 RPC, 7/27 A. Act has been registered in P/S Pantha Chowk and investigation of the case was taken up; and

3. Whereas, during the course of investigation, site plan has been prepared and statements of material witnesses have been recorded under section 164-A Cr.PC which reveals that on 03-6-2019 Sameer Ahmad Wani alongwith Tassaduq Amin shah (both affiliated with banned LeT) had come to meet Abdul Wahid Sofi (an OGW) at his residence. During meeting they had arguments on some issue. While the two were leaving the house of Abdul Wahid Sofi (OGW), Tassaduq fired on Sameer Ahmad by his illegally acquired Pistol due to which he got injured. The said Tassaduq fled away from the spot alongwith the illegal pistol. It has also surfaced that Sameer Ahmad Wani & Tassaduq Amin Shah were affiliated with terrorist organization LeT and Abdul Wahid Sofi was providing shelter/transportation and logistic support to them and he too was working as

OGW. On this, offences under section 16, 18 Unlawful Activities (Prevention) Act, have been invoked in the instant case.

4. Whereas, accused Abdul Wahid Sofi S/O Abdul Ahad Sofi R/O Sofi Mohallah Pantha Chowk, Srinagar was arrested in connection with the case on 17-09-2019. Call detail records (CDR) and Subscriber details of accused person Abdul Wahid and Sameer Ahmad have been obtained and analyzed, it has surfaced that both accused persons were together in the house of the former on the day and date of incident which has been corroborated by the statement of witnesses recorded during the investigation.

5. Whereas, on the basis of evidence, oral and documentary, collected during investigation a prima facie case is established U/S 18,19 Unlawful Activities (P) Act against accused namely Abdul Wahid Sofi S/O Abdul Ahad Sofi R/O Sofi Mohalla Pantha Chowk, Srinagar while the other two accused have died.

6. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently scrutinized the Case Diary file and relevant documents relating to the case and has come to the conclusion that prima facie case is made out for prosecution against the accused; and

7. Whereas, after perusing the Case Diary, file containing 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 accused person for 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 accused person namely Abdul Wahid Sofi S/O Abdul Ahad Sofi R/O Sofi Mohalla Pantha Chowk, Srinagar for the commission of offences punishable U/S 18,19 of ULA(P) Act in the case FIR No. 27/2019 P/S Pantha Chowk, Srinagar.

By order of the Government of Jammu & Kashmir.

Sd/-

Principal Secretary to the Government
Home Department.

No:-Home/Pros/227/2019

Dated:- 11 -01-2020

Copy to:-

1. Director General of Police, J&K Jammu. This has reference to his letter No. Legal/Sanc-134/S/2019/73224-26 dated 14-12-2019. The CD file in original is returned for acknowledgement of receipt.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs (with 7 SC)
3. Private Secretary to principal Secretary to the Government, Home Department.
4. Stock file.


(Umesh Sharma)

Under Secretary to the Government
Home Department.