



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

**NOTIFICATION**

**Jammu, the 1<sup>st</sup>, February, 2019**

SRO 97 .-Whereas, on 12/08/2018, Police Station Batamaloo received a docket from SHO Police Station Batamaloo to the effect that he along with nafri of Police Station, party of police Component Srinagar under the supervision of Sub Divisional Police Officer Shaheed Gunj, Srinagar started search on the information from reliable sources regarding the presence of some suspected persons in Diyarwani Batmaloo area. During search of the house belonging to one Mohammad Shafiq Bhat (Ex Militant-Accused No.1{A-1}) , S/O Ghulam Qadir Bhat R/O Dayarwani Batamaloo, (where the militants were hiding in a hideout), the hiding militants indiscriminately fired upon the search party, with the intention to kill them, resulting in serious injuries caused to police personnel namely HC Shakeel-Ul- Rehman No. 329/IRP 9th BN, SgCt. Parvaiz Ahmad No. 552/IRP 6th BN and CRPF personnel namely ASI Anoop Singh and Ct. Ram Kumar of 73 BN CRPF. The injured Police/CRPF personnel were shifted to 92 Base Hospital Badamibagh Srinagar for treatment, wherefrom SgCt. Parvaiz Ahmad No. 552/IRP 6th BN succumbed to his injuries. However the militants escaped from the spot taking advantage of the darkness; and

2. Whereas, a case FIR 173/2018 U/S 302, 307, 34 RPC, 7/27 I A Act, 15,16,18,19,20 ULA (P) Act was registered in Police Station Batamaloo, Srinagar and investigation set into motion; and

3. Whereas, during the course of investigation, the dead body of the deceased police official was taken into possession for conduct of medico legal formalities/post mortem. As per medical opinion/ post mortem report, the cause of death was ascertained as death by the bullet injuries. While searching the hideout made in the house of Accused No.1(A-1), huge quantity of arms ammunition was recovered from the hideout and the same was seized/ sealed on spot besides conducted the photography/videography of hideout. During preliminary investigation, involvement of the accused namely Mohamad Shafiq Bhat (A-1) S/o Ghulam Qadir Bhat and Waseem Ahmad Khan (A-2) S/o Ghulam Mohammad Khan R's/o Diyarwani Batmaloo was established for harbouring the militants in the house and for their stay in the house along with militants. Both the accused persons were apprehended on spot and thoroughly interrogated/questioned to unearth the real facts/circumstances of the incident. During questioning, the accused namely

Mohammed Shafiq Bhat alias Shafiq Molvi(A-1) disclosed the identity of escaped militants as 1-Umar Rashid Wani 2-Umar Majeed Ganie @ Hanzulla 3-Aqib Nazir @ Arhaan residents of Kulgam. Accordingly disclosure memo was prepared and correspondence was made with Superintendent of Police, District Kulgam to ascertain their particulars/involvement and affiliation with militant ranks. The report received from the concerned police revealed that the above 3 accused are the residents of District Kulgam and are active terrorists having affiliation with banned Hizbul Mujahideen outfit and as per Police Station records, involved in several militancy related incidents of District Kulgam and Shopian;and

4. Whereas, during further investigation accused Mohd Shafeeq Bhat @ Shafiq Molvi (A-1) and Waseem Ahmad Khan (A-2) R/o's Diyarwani Batamaloo disclosed terror conspiracies hatched by accused persons on Police/Security forces;and

5. Whereas, subsequently on their disclosure, disclosure memos' of both accused persons were drafted and articles including sports bag, clothes worn by militants during incident and vehicle Etios/ motor cycles were recovered on their instance and seized in the instant case. Later on, the seized articles stands transferred/shifted from the instant case to case FIR No.93/2018 of PS Shaheedgunj as per orders of the Hon'ble Court. The arrested accused person further disclosed that on 17/05/2018, the above mentioned three terrorists along with Waseem Khan A-2 , Tehseen Ahmad Batloo @ Junaid A-10 R/o Tankipora Habakadal arranged a meeting in presence of Shafeeq Molvi A-1 in his house for snatching arms and ammunition from Police Guard deployed at Hotel Hill Skirt at Dalgate. On the next day, as per plan, they attacked the said guard and fled away along with arms and ammunition from the custody of Police Guard. With regard to the incident, case FIR No.39/2018 U/S 392 RPC, 30-Police Act, 3-PEPO, 7/25 IA Act stands registered in Police Station Ram Munshi Bagh, Srinagar and the said case is under investigation. Confirming the disclosure later on, one of the INSAS rifles among the snatched weapons was recovered from the possession of militant Umar Rashid Ganie A-8 who got killed in an encounter in District Anantnag. During the course of investigation, the arrested accused made further revelations that the above mentioned terrorists along with some other OGWs/co-conspirators/associates namely Bilal Ahmad Bhat (A3) (employee of GMC Sgr), Asif Sultan Saida (A-5) (Press reporter) and Ms Shazia @ Pari (A-4) R/o Kamad Dailgam have been affiliated with H.M outfit and were involved in providing support to these terrorists to carry out their activities in the Srinagar City particularly in Batamaloo area through terrorist Abbass Sheikh (A-6);and

6. Whereas, accused lady Mst Shazia @ Pari (A-4) D/o Mohammad Yaqoob Shah R/o Kamad Anantnag and Bilal Ahmad Bhat (A-3) S/o Mohammad Yousuf R/o Kund Qazigund were arrested on 23.08.2018 and Asif Sultan Saida (A-5) S/o Mohammad Sultan R/o Firdousabad Batmaloo on 31.08.2018

for further questioning. During investigation/ questioning, the accused lady Mst. Shazia @ Pari (A-4) D/o Mohd Yaqoob R/o Kamad Dailgam Anantnag disclosed some incriminating statements against the above terrorists and associates for hatching a criminal conspiracy to execute their terrorist acts in Srinagar City and it also came to fore that the mentioned accused A1 to A5 are associates/conspirators and involved in providing support to the militants; and

7. Whereas, during further investigation photo identification parade of the arrested accused persons and absconded militants was also got conducted in presence of Executive Magistrate through independent witness. During investigation statements of the wife and son of the accused Mohd Shafiq Bhat @ Shafiq Molvi (A-1) were also recorded who too confirmed the presence of militants in their house/ hideout. The accused Mst. Shazia made further disclosure that Asif Sultan Saida- A-5 is also main worker of HM outfit and is a close associate of Abass Sheikh A-6 R/o Qaimoh Kulgam who is an active terrorist of the organization and on her disclosure she revealed that incriminating material can be gathered from the residence of Asif Sultan including the presence of terrorists. During the course of investigation search was conducted on the basis of disclosure statement made by the accused lady and during search incriminating material i.e. (17 sheets of the letter pads of banned HM outfit) were recovered from the house of Asif Sultan and the same seized as evidence in the presence of witnesses. Necessary memos to this effect were prepared. Statement of witnesses acquainted with facts and circumstances were also recorded. During the course of investigation, the arrested lady namely Ms Shazia @ Pari D/o Mohammad Yaqoob Shah R/o Kamad Anantnag voluntarily disclosed her willingness to show the places, persons along with dates (through pointing out memo) where she had met Abbass Sheikh A-6 , an HM terrorist and associates A1 to 5 in Batamaloo , Karan Nagar and Chattabal area of City Srinagar thereby establishing the chain of events and transactions associated in the instant terror case; and

8. Whereas, during the course of investigation, some independent witnesses stands recorded U/S 164-A Cr.PC and certified copies of the recorded statements were obtained from the concerned court which reveals the involvement of Ms Shazia @ Pari (A4), Asif Sultan(A-5) and Bilal Ahmad Bhat (A-3) for providing shelter, support and assistance to the terrorists in furthering their terror activities and chain of events prima fascia establishing there involvement in the terror related conspiracies. Besides, also surfaced evidence regarding the recovery of letter pads on the instance of Ms Shazia (A-4 ) from the house of accused Mr. Asif Sultan(A-5) which indicates the involvement of the accused persons and chain of events connected for providing all types of support to the terrorists under a hatched criminal conspiracy for furtherance in terrorism activities. While as some other incriminating material also recovered from the possession of Asif Sultan (A-5) whose facebook profile was perused

which revealed that the said accused is circulating/posting/propagating the messages of banned HM outfit. The belongings recovered from the possession of accused Asif Sultan (A-4) have been sent to FSL Srinagar for expert opinion;and

9. Whereas, that during the course of investigation on the strength of statement of witnesses recorded U/S 161 and 164-A Cr.PC and evidences collected, the offences under section 302,307,326,120-B,34 RPC, 16,18,19,20,38(2), 39 (2) ULA(P) Act, 7/27 I.A Act have been prima facie established against the accused conspirators. Among the accused Umar Majeed Ghanie (A-7) and Umar Rashid Wani (A-8) have been eliminated by security forces/ Police during encounter in the two separate incidents at Anantnag and Shopian while as the other three accused terrorists namely Aqib Nazir @ Arhan S/o Nazir Ahmed R/O Zangalpura, Kulgam (A-9), Tehseen Ahmad Batloo (A-10) @ Junaid R/o Tankipora HabbaKadal and Abbass Sheikh(A-6) R/o Qoimoh, Kulgam are still at large/ absconding; 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 case is prima facie fit for accord of sanction for launching prosecution against the 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 prima facie sufficient material and clinching evidence available against the accused persons for their prosecution under the aforesaid provision of law.

12. 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 accord sanction for launching prosecution against the following accused persons for the commission of offences shown against each arising out of FIR No. 173/2018 of Police Station Batamaloo:

S.No	Name of accused person(s)		u/s
1.	Mohammad Shafeeq Bhat @ Shafeeq Molvi S/o Ghulam Qadir Bhat R/o Diyarwani, Batamaloo, Srinagar.	A1	16,18,19,20,38 and 39 of UAPA.
2.	Waseem Khan S/o Late Ghulam Mohammad R/o Diyarwani, Batamaloo, Srinagar.	A2	16,18,19,20,38 and 39 of UAPA.
3.	Bilal Ahmad Bhat S/o Mohammad	A3	16,18,38 and 39 of

	Yousuf Bhat R/o Kund, Qazigund.		UAPA.
4.	Mst. Shazia Yaqoob @ Pari D/o Mohd Yaqoob R/o Kamad, Anantnag.	A4	16,18,19,38 and 39 of UAPA.
5.	Asif Sultan S/o Mohd Sultan R/o Firdous Abad, Batamaloo.	A5	16,18,20,38 and 39 of UAPA.
6.	Abbas Sheikh S/o Ghulam Hassan Sheikh R/o Qoimoh, Kulgam.	A6	16,18,19,20,38 and 39 of UAPA.
7.	Aqib Nazir @ Arhaan S/o Nazir Ahmad Mir R/o Zangalpora, Kulgam.	A9	16,18,20,38 and 39 of UAPA.
8.	Tehseen Ahmad Batloo @ Junaid S/o Ali Mohammad R/o Zaindar Mohalla, Tankipora, HabbaKadal, Srinagar.	A10	16,18,19,20,38 and 39 of UAPA.

By Order of the Government of Jammu and Kashmir.

**Sd/-**

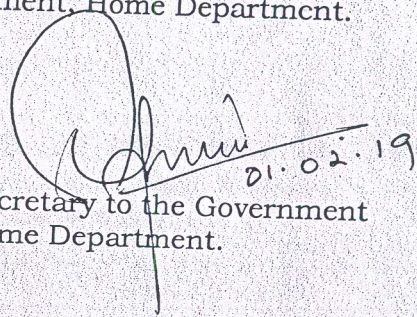
Principal Secretary to the Government  
Home Department

Dated:- 01.02.2019

No. Home/Pros/ 02/2019

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.(s) Legal/San-115/S/2018/3018-20 dated 14.01.2019 & Legal/Sanc-115/S/2018/6749-51 dated 28.01.2019. 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. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

  
Under Secretary to the Government  
Home Department.