



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

NOTIFICATION

Jammu, the 15th April, 2019

SRO:-286 Whereas, on 10/11/2018 Police Station Nowgam Srinagar received an information through reliable sources to the effect that one Suhail Ahmad Dar S/O Gh. Hassan Dar R/O Safnagri Shopian has provided food and shelter to some unknown HM terrorists in his rented room located near Candid School Nowgam. These unknown militants were hiding there and were eager to carry terrorist attack on security forces; and

2. Whereas, a case FIR No. 109/2018 U/S 18, 19 ULA (P) Act, 1967 was registered at Police Station, Nowgam, Srinagar and investigation was taken up; and

3. Whereas, during the course of investigation, search was conducted and during search, two terrorists, who were hiding in the rented accommodation of accused Suhail Ahmad Dar took advantage of darkness, and managed to escape from the spot. However accused Suhail Ahmad Dar S/O Gh. Hassan Dar R/O Safnagri Shopian (Accused No. 01) was apprehended from his rented accommodation and during search, one mobile phone J7 NXT-SAMSUNG was recovered from his possession and seizure memo was prepared. The accused on questioning disclosed that he was in touch with one active terrorist, namely, Aadil Bilal Bhat @ Aadil Hizbi S/O Bilal Ahmad Bhat R/O Malangpora Pulwama (Accused No. 03) through BBM Mobile Application and on 10.11.2018, he provided food and shelter to Shahid Ahmad Baba S/O Mushtaq Ahmad Baba R/O Drubgam Pulwama (Accused No. 02) and Aadil Bilal Bhat @ Aadil Hizbi S/O Bilal Ahmad Bhat R/O Malangpora Pulwama (Accused No.03) in his rented accommodation situated at Nowgam. He further disclosed that after taking meals these terrorists came to know that security forces had cordoned the area and both the terrorists fled away along with their illegal arms/ammunition by taking advantage of darkness. However, they left two pair of shoes (Black colour), a cricket bag and one cell phone Galaxy J3 (6) which was formatted by Accused No. 01 on the directions of Accused No. 03 while the cordon was being laid by security forces. Accordingly, the disclosure

memo was prepared and placed on record, and on the disclosure of accused, Suhail Ahmad, two pairs of shoes (black colour), One Cricket Kit Bag and One cell Phone was recovered and seizure memo was prepared. During investigation site plan was prepared. Statement of witnesses acquainted with the facts and circumstances were recorded under section 161 Cr.PC besides statement of witnesses were recorded under Sec.164-A Cr.PC. The recovered/seized cell phones (belonging to Accused No. 01 and 03) were sent to CFSL Chandigarh for analysis and opinion thereof is awaited. During the course of investigation statement of house owner was recorded who deposed that he had provided one room to accused No. 01 as well as his room partner namely Mohammad Ismail Ganie S/O Late. Wali Mohammad Ganie R/O Binner Baramulla on rent basis. The statement of Mohammad Ismail (room partner of Accused No. 01) has also been recorded who has also corroborated that accused No. 01 had provided food and shelter to two terrorists in his rented room. Accordingly, identification of photos has been conducted before the Executive Magistrate, Pantha Chowk, Srinagar, where, Mohammad Ismail (Room Partner of Accused No. 01) has identified two terrorists (Accused No. 02 and 03) who had visited the rented room of Accused No. 01 on the day of occurrence. During further course of investigation, it surfaced that Aadil Ahmad Bhat @ Aadil Hizbi S/O Bilal Ahmad Bhat R/O Malangpora Pulwama (Accused No. 03) was killed in an encounter in Sharshali Khrew Pampore on 29-11-2018 and death certificate of said militant has been obtained from Police Station Pulwama. Besides, it has also surfaced that Accused No (02) was also killed during the intervening night of 31/01-02-2019 in an encounter at his native village Drubgam, Rajpora, Pulwama, the FIR copy of the said encounter has been obtained from Police Station Rajpora Pulwama; and

4. Whereas, evidence collected during investigation prima facie establishes a case u/s 18, 19 UAP Act against accused 1. Suhail Ahmad Dar S/O Gh. Hassan Dar R/O Safnagri Shopian 2. Shahid Ahmad Baba S/O Mushtaq Ahmad Baba R/O Drubgam Pulwama and 3. Aadil Bilal Bhat @ Aadil Hizbi S/O Bilal Ahmad Bhat R/O Malangpora Pulwama and investigation concluded as proved. However, accused No. 02 & 03 have been neutralized and no sanction is required against them; and

5. 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 for commission of offences

punishable under Section 18 & 19 of the Unlawful Activities (Prevention) Act, 1967; and

6. 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 his prosecution under the aforesaid provisions of law.

7. 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 Suhail Ahmad Dar S/O Gh. Hassan Dar R/O Safnagri Shopian for commission of offences punishable U/S 18 and 19 of Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 109/2018 of Police Station Nowgam.

Sd/-

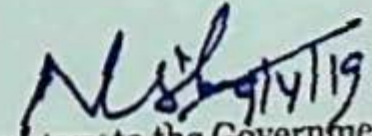
Principal Secretary to the Government
Home Department

Dated: 15.04.2019

No. Home/Pros/21/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-141/S/2018/796-98 dated 21/02/2019. 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.


Under Secretary to the Government
Home Department