

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

Phone.No. 0191-2547169-(J)
0194-2506262-(S)

NOTIFICATION

Srinagar, the 17 August, 2020

S.O-255 Whereas, on 20-8-2019 Police Station Baramulla received reliable information about the presence of terrorists in Old town Baramulla who were suspected to be carrying out terrorist activities; and

2. Whereas, cordon and search operation was carried by a joint team of security forces and during search, the hiding terrorists hurled grenades on the search party resulting in injuries to three Police Personnel namely SI Amardeep Parihar (2) Const. Ishfaq Ali Rather and SPO Bilal Ahmad and a civilian, subsequently the SPO Bilal Ahmad succumbed to injures; and

3. Whereas, the security forces retaliated the fire and during ensuing encounter terrorist identified as Momin Rasool Gojree S/O Ghulam Rasool Gorjee R/O Syed Kareem Old Town Baramulla was neutralized and during search one Pistol, one Pistol Magazine and five rounds were recovered from the spot; and

4. Whereas, during encounter two terrorists identified as Mohammad Iqbal Naikoo S/O Ab Ahad R/O Suhail Colony Baramulla

and Uzair Amin Bhat S/O Mohd Amin Bhat R/O Chasti Colony Bagh-I-Islam Baramulla escaped from the encounter site alongwith one AK 47 rifle of the injured SI Amardeep Parihar; and

5. Whereas, a Case FIR No. 145/2019 U/S 13,16,18,20,23,39 was registered in Police Station Baramulla and investigation was set into motion.

6. Whereas, during investigation the site plan of place of the occurrence and seizure memo of recovered arms/ammunition was prepared, statement of witnesses acquainted with the facts and circumstances were recorded under the relevant provisions of law; and

7. Whereas, the accused terrorist Mohammad Iqbal Naikoo was arrested by Baramulla Police alongwith another terrorist Adil Ahmad Dar R/O Ganie Maham Baramulla in a separate case FIR No. 147/2019. The AK47 rifle taken away from SI Amardeep Parihar was recovered from his possession and one Chinese pistol was recovered from the possession of Adil Ahmad Dar; and

8. Whereas, during investigation the custody of accused Iqbal Naikoo was changed in the instant case and during investigation he disclosed that he was an active terrorist of JeM outfit and disclosed the involvement of another accused namely, Shakeel Ahmad Ganie S/O Gh. Mohammad Ganie R/O Trikanjan Boniyar; and

9. Whereas, the accused Shaleel Ahmad Ganie was arrested in the case and during investigation two grenades were recovered from his possession and it was revealed that he was in touch with one Pakistani

terrorist namely Abu Talha who had provided him two pistols and two grenades for carrying out the terrorist activities in the area; and

10. Whereas, accused terrorist namely Uzair Amin Bhat S/O Mohammad Amin Bhat R/O Chasti Colony Bagh-I-Islam was killed during an encounter at Shopian and has been dropped from the case; and

11. Whereas based on the investigation, statement of witnesses recorded including material witnesses and other evidence collected during the course of investigation, the investigation officer has established prima facie case against the following accused persons for commission of offences shown against each under unlawful Activities (Prevention) Act, 1967 as under:-

S.No	Name of the accused	Offence
1	Mohammad Iqbal Naikoo S/O Ab. Ahad R/O Old Town Baramulla	16,18,20,23 ULA (P) Act
2	Shakeel Ahmad Ganie S/O Gh. Mohammad Ganie R/O Bachee Tirkangin Bonyar.	13,18,23,39 ULA (P) Act

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 above 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 for the commission of offences punishable under section 13,16,18,20,23,39 of ULA (P) Act, 1967 in the case FIR No. 145/2019 of Police Station Baramulla.

By order of the Government of Jammu & Kashmir

Sd/-

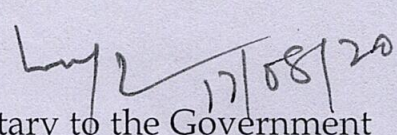
Principal Secretary to the Government
Home Department

No. Home/Pros-75/S/2020

Dated: 17 .08.2020

Copy to:-

1. Joint Secretary (J&K), Ministry of Home Affairs, GOI.
2. Director General of Police, J&K Srinagar. The CD file in original is returned herewith.
3. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs. (w.7.s.c.)
4. Private Secretary to Principal Secretary to the Government, Home
5. Stock file.


Special Secretary to the Government
Home Department