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**COURT OF ADDITIONAL SESSIONS JUDGE,
(DESIGNATED SPECIAL COURT UNDER SECTION 22 OF THE N.I.A ACT) BARAMULLA**

File No. 1954/2022
CNR No. JKBA010020562022
Date of Order: 01-12-2022

UT of J&K through SHO P/S Baramulla,
Case FIR No. 156/2022 under Section 13 ULA (P) Act

V E R S U S

- 1- Mohd Yaseen Shah S/o Tariq Ahmad Shah R/o Janbazpora
- 2- Bilal Ahmad Shalla S/o Gh. Qadir Shalla R/o Stadium Colony, Baramulla.
- 3- Mohammad Arif Channa S/o Nazir Ahmad Channa R/o Stadium Colony, Baramulla.
(Accused)

In the matter of: Application in terms of Section 43(D) ULA(P) Act for extension of
Investigation period.

In the matter of : Application for grant of remand.

ORDER

Through the medium of the instant report filed by the learned PP in terms of Section 43-D of Unlawful Activities (Prevention) Act, 1967 (hereinafter as the ULA(P) Act for short) accompanied with the separate report of the I.O communicated by him to the learned PP, the extension in the period of investigation in the above titled case FIR is sought beyond the period of 101 days in respect of accused whilst the accused being in custody on the grounds inter-alia:-

- i) Government sanction is required under UAPA Act from the Competent Authority in the instant case.

Register.

Perused the instant report of the learned PP. Also perused the accompanied report of the I.O. The accused is on judicial remand in the Sub Jail Baramulla till 01-12-2022 as per the remand order dated 18-11-2022 of this Court. Accused who were produced were put to notice through video conferencing, however they submitted that they are in good health condition.

In the light of the aforementioned perusal and especially having regard to the involvement of the accused in heinous offences, this court is of the considered opinion that the learned PP as well as IO of the case who claimed that apart from being heinous offences the Government Sanction under ULA(P) Act is also required and is awaited as such has made out a genuine case for extension of the period of investigation. The extension if granted is likely to enable the I.O of the case to conclude the investigation and to also get the required sanction from the Government.

Accordingly the application for extension is allowed and the period of investigation in the case whilst the accused being in custody (remand period) is extended for a further period with effect from 01-12-2022. The I.O of the case shall avail the opportunity and ensure the

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fair and logical conclusion of the investigation with the presentation of the charge report/challan before the competent court.

A separate application has been moved by Sh. ASI Farooq Ahmad No. 57/B I.O of the case for grant of judicial remand in favour of the accused.

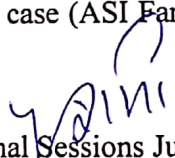
Perused the application. Also perused the CD file concerned. **Register.**

Heard learned PP. Perusal of the application and the CD file reveals that the accusation against the accused is well founded and the investigation of the case is going on. The accused are alleged to have committed the offences punishable under sections 13 ULA(P) Act arising out of case FIR No. 156/2022 of Police Station Baramulla. The accused has been produced before this court through Electronic Video Linkage from Sub Jail Baramulla. The accused stated to be in sound state of his health.

Application is allowed and the accused is remanded to judicial custody in the Sub Jail Baramulla for a further period with effect from 01-12-2022 to 15-12-2022 **both days inclusive**. Superintendent of Sub Jail Baramulla is accordingly directed to lodge the accused in his jail during the period of remand. The accused shall be subjected to routine medical checkups at the prisons Health Centre after every 48 hours and also if and when needed.

Both the applications are accordingly disposed of. Copies of this order be furnished to the Superintendent of Sub Jail Baramulla and also to the I.O of the case (ASI Farooq Ahmad No. 57/B) for information and necessary action.

Announced:
01.12.2022


Additional Sessions Judge
(Designated Special Court)
Baramulla