

GAHC010181132023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Crl.)/713/2023

JOHN KULLU
S/O LATE STANISLAS KULLU
PRESENTLY RESIDING AT
QUARTER NO. 2, TYPE 4, BSNL QUARTER COMPLEX, NABAGRAHA ROAD,
CHENIKUTHI, GUWAHATI -781003, DIST. KAMRUP (M), ASSAM

VERSUS

THE CENTRAL BUREAU OF INVESTIGATION
REPRESENTED BY STANDING COUNSEL CBI

Advocate for the Petitioner : MS. R B BORA

Advocate for the Respondent : SC, CBI

Linked Case : AB/2531/2023

JOHN KULLU
S/O LATE STANISLAS KULLU
PRESENTLY RESIDING AT
QUARTER NO. 2
TYPE 4
BSNL QUARTER COMPLEX
NABAGRAHA ROAD
CHENIKUTHI
GUWAHATI -781003

DIST. KAMRUP (M)
ASSAM

VERSUS

THE CENTRAL BUREAU OF INVESTIGATION
REP. BY THE RETAINER COUNCIL
CBI

Advocate for : MR. R DE
Advocate for : SPL. PP
C.B.I. appearing for THE CENTRAL BUREAU OF INVESTIGATION

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

16.08.2023

Heard Ms. R.B. Bora, learned counsel for the applicant. Also heard Mr. M. Haloi, learned Standing Counsel, CBI.

By this interlocutory application, the applicant, namely John Kullu, has prayed for extension of the time period for appearing before the Investigating Officer in terms of the order, dated 08.08.2023, passed in AB No.2531/2023.

In Paragraph No.4 of the petition the applicant has averred supported by affidavit as hereinbelow extracted-

“That, the Applicant states that he along with R.K.Sinha, Ranjit Kumar Basumatary and Bishnu Prashad Brahma had gone to the CBI office at Betkuchi, Guwahati for recording their statements as directed by the Hon'ble Court in Order dated 08.8.2023 passed in A.B.No. 2531/2023 and other respective three Anticipatory bail applications filed by the other three persons. But they were not allowed to enter into the office on the ground that the Investigating Officer of the case is out of station and they were asked to come and record their statements after 13th day of August, 2023. Hence, having no other alternative, the Petitioner returned from the CBI office without his statement being recorded. It is pertinent to mention herein that the seven days period will expire on 14.08.2023 and in terms of

the order of the Hon'ble Court, the interim pre- arrest bail order shall have no force. It is pertinent to mention herein that the Petitioner's son aged about 19 years is suffering from Bone Tuberculosis since last few years and he needs regular treatment as well as physiotherapy as he is unable to walk without help. Be it stated that although his son has been treated in many hospitals, for better treatment, his son is to be taken to Chandigarh on 12.08.2023 and hence this application is being filed praying for extension of time for appearance before the Investigating Officer for the purpose of recording his statement in the interest of justice."

Upon hearing the learned counsel for both sides and considering the grounds cited in the application along with the documents annexed thereto, it is provided that the applicant shall appear before the I.O. within 7 (seven) days from today as directed by this Court vide the interim pre-arrest bail order, dated 08.08.2023, passed in AB No.2531/2023.

Let the connected A.B. No.2531/2023 be listed on **25.08.2023**.

With the above direction, the interlocutory application stands disposed of.

JUDGE

Comparing Assistant