

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

MC (Cril. Petn.) No. 17 of 2024

Central Bureau of Investigation Director

.... Applicant

-Versus-

Yambem Ningthem Singh

.... Respondent

**B E F O R E
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU**

07.03.2024

Mr. W. Darakishwor, learned Sr. PCCG appears for the applicant.

The present application has been filed praying for staying/suspending/keeping in abeyance/not to make effective of the impugned order dated 28.02.2024 in Cril. Misc. (B) Case No. 12 of 2024 (arising out of A.B No. 28 of 2017) passed by the Special Judge (P.C Act), Imphal West, Manipur, till the disposal of the aforesaid Criminal Petition.

The relevant paragraph for staying of the operation of order dated 28.02.2024 in Cril. Misc. Case No. 12 of 2024 passed by the Ld. Special Judge (P.C. Act), Imphal West, Manipur is as follows :

"13. CBI, meanwhile, is directed to contact Indian Embassy, International Police Cooperation Unit i.e. IPCU, New Delhi, Passport Authorities in India and UAE etc. and any other appropriate authority to make arrangements for/ensure that :-

a) The petitioner is forbidden to leave UAE, once he reaches UAE, except for return to India;

b) *The petitioner can be extradited to India if and when he fails to leave UAE for India after expiry of the stipulated time."*

Further, the learned Sr. PCCG for the applicant draws the attention of this Court to the fact that as per the order dated 28.02.2024 in Cril. Misc. Case No. 12 of 2024 passed by the Ld. Special Judge (P.C. Act), Imphal West, the accused is about to leave the country any time, within a period of 20 (twenty) days from the date of passing the impugned order.

The learned Sr. PCCG for the applicant further draws the attention of this Court to the order dated 01.03.2024 passed in Cril. M.C. No. 30 of 2024 of the Special Judge (PC Act), Imphal West, which is reproduced below :

*"IN THE COURT OF THE SPECIAL JUDGE (PC Act), IMPHAL WEST,
MANIPUR*

Cril. Misc. Case No. 30 of 2024

Ref:- (1) Cril Misc. Case No. 12 of 2024;

(2) RC DST/2019/A/0011;

u/S 420/409/406/403/120-B/34 IPC and 13(1)(c) of PC Act, 1988

Central Bureau of Investigation

-Versus-

Yambem Ningthem Singh, aged about 68 years, S/o (L) Y Tombi singh of Uripok Yambem Leikai, PO and PS Imphal, Imphal West District, Manipur at present Mantripukhri Lamlongei, PS Heingang, Imphal East District, Manipur.

...Accused

Deepak Phalswal, Inspector of Police, CBI, STB, New Delhi

.....Applicant

O R D E R

01-03-2024

This is an application filed by the above named applicant praying for keeping the Order dated 28-02-2024 passed in Cril. Misc. Case No. 12 of 2024 in abeyance.

Register it.

Heard the Ld. PP, CBI and perused the materials on record.

Ld. PP, CBI submitted that vide Order dated 28.02.2024 passed in Cril. Misc. Case No. 12 of 2024, the accused namely Yambem Ningthem

Singh has been allowed to leave India for a period of 20 days for his treatment at Cleveland Clinic, Abu Dabi, United Arab Emirates. Ld. PP, CBI further submitted that CBI wishes to challenge the said Order before the Hon'ble High Court of Manipur and hence prays the Court for keeping the said Order in abeyance for 15 days.

On hearing the Ld. PP, CBI and on perusal of the application, I am of opinion that it will be proper to consider the matter after giving notice to the accused.

*Hence, issue notice to the accused person.
Fix 08-03-2024 for hearing.*

*Sd/-
(RK Memcha Devi)
Special Judge (PC Act),
Imphal West"*

The learned Sr. PCCG for the applicant submits that inspite of his prayer to keep the proceeding of the order dated 28.02.2024 in abeyance to enable him to file application before the High Court, the Ld. Special Judge (PC Act), Imphal West refused to keep the order in abeyance.

In the facts & circumstances and considering the seriousness of the case involved, the operation of the order dated 28.02.2024 in Cril. Misc. Case No. 12 of 2024 passed by the Ld. Special Judge (PC Act), Imphal West is stayed till the next date of hearing.

Accordingly, the present MC (Cril. Petn.) No. 17 of 2024 is disposed of.

Furnish an extract copy of this order to the Ld. Special Judge (PC Act), Imphal West.

JUDGE

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MEITEI

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by OINAM
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Date: 2024.03.08
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