

GAHC010061092024



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

Case No. : WP(C)/1649/2024

DHIRAJ DEY
S/O LATE CHANDAN NAGAR, BISHNU RABHA PATH, PS HATIGAON,
GUWAHATI DIST KAMRUP M ASSAM 781034

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HOME DEPARTMENT, DISPUR GUWAHATI 781006

2:THE DEPUTY COMMISSIONER
KAMRUP M GUWAHATI 781036

3:THE EXECUTIVE MAGISTRATE
SRI DHUBRAJYOTI HAZARIKA
ACS KAMRUPM GUWAHATI 781036

4:THE COMMISSIONER OF POLICE
PANBAZAR
KAMRUP M GUWVAHATI 781001 ASSAM

5:THE DEPUTY COMMISSIONER OF POLICE
WEST POLICE DISTRICT JALUKBARI
KAMRUP M GUWAHATI ASSAM 781014

6:THE OFFICER IN CHARGE
GORCHUK POLICE STATION
KAMRUPM GUWVAHATI 78103

Advocate for the Petitioner : MR H BARUAH

Advocate for the Respondent : GA, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

28.03.2024

It is the case of the petitioner that the Executive Magistrate in exercise of its power under Section 145 of Cr.P.C., by order dated 26.09.2023, directed the Officer-in-Charge, Gorchuk Police Station to cause an enquiry to the matter and submit a report at the earliest. Similar direction was also earlier issued on 02.07.2022. However, Ms. S Sarma, learned counsel for the respondent on instruction submits that the report is being sent to the Magistrate today itself. She has also produced a copy of the communication/ instruction furnished to her by the DCP, West Guwahati Police District in this regard.

In view of such submission, the grievance of the petitioner is redressed. The learned counsel for the petitioner submits that he may be allowed to withdraw the writ petition with a liberty to approach this court, if cause of action arises.

Prayer is allowed.

Accordingly, the writ petition stands closed with liberty as sought for.

A copy of the instruction dated 28.03.2024 is kept on record and marked as Document as 'X'.

JUDGE

Comparing Assistant