

GAHC010067292018



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

Case No. : WP(C)/2202/2018

JAKIR HUSSAIN
S/O ABDUL MUNNAF
R/O HOUSE NO. 10 SHANTI PATH, BARSOJAI, BHETAPARA
P.O. HATIGAON, DIST. KAMRUP (M), ASSAM,

VERSUS

THE STATE OF ASSAM AND 6 ORS.
TO BE REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
ASSAM DEPARTMENT OF HOME, DISPUR, GUWAHATI-06.

2:THE DIRECTOR GENERAL OF POLICE ULUBARI

ASSAM POLICE HEADQUARTER
ULUBARI
GUWAHATI -7.

3:THE COMMISSIONER OF POLICE GUWAHATI CITY

PANBAZAR
GUWAHATI -1.

4:THE OFFICER IN CHARGE

DISPUR POLICE STATION

DISPUR
GUWAHATI -6.

5:MAHINDRA AND MAHINDRA FINANCIAL SERVICES LTD.
HAVING ITS CORPORATE OFFICE AT 2ND FLOOR SADHANA HOUSE
570

P.B. MARK WORLI MUMBAI
(TO BE REP. BY ITS CHAIRMAN AND PRESIDENT).

6:MANINDRA AND MAHINDRA FINANCIAL SERVICE LTD.
HAVING ITS REGISTERED OFFICE GATEWAY BUILDING APOLLO BUNDER
MUMBAI- 4000111.

7:MAHINDRA AND MAHINDRA FINANCIAL SERVICES LTD.
3RD FLOOR KUSOM PLAZA
G.S. ROAD OPPOSITE TO DISPUR PETROL PUMP
DISPUR
GUWAHATI-6

Advocate for the Petitioner : MR A R BHUYAN

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

11.03.2024

1. Heard Mr. A. R. Bhuyan, learned counsel for the petitioner. Also heard Mr. D. Nath, learned Senior Government Advocate for the State of Assam and Mr. M. Sarma, learned counsel for the respondent No. 5, 6 and 7.
2. The grievance raised in this writ petition is inaction and delay on the part of the investigating authorities in investigating Dispur Police Station Case No. 1187/2015 registered under Sections 420/468/471 of IPC.

3. The said Police Station case was registered on an F.I.R. lodged by the petitioner. The petitioner lodged the aforesaid Ajahar before the Officer-in-Charge, Dispur Police Station on 18.06.2015 with an allegation that his signature was forged and the documents, which had been earlier submitted by him for the purpose of availing a loan from Mahindra & Mahindra Finance Limited, Ganeshguri Branch were utilized to project him as a guarantor of one Santanu Basumatary in connection with loan availed by the said Santanu Basumatary.
4. Thereafter, under the intervention of this Court, the investigation proceeded and this Court directed the I.O. to submit status report time to time. In terms of this Court's order dated 12.02.2024, Mr. D. Nath, learned Senior Government Advocate, State of Assam has submitted a status report prepared by the SI of the Dispur Police Station dated 11.03.2024, which goes to show that as there is allegation of forgery, the investigating officer obtained the specimen signature of the complainant i.e. the present petitioner Md. Zakir Hussain and three other persons and same has been sent to the Directorate of Forensic Science Laboratory, Kahilipara for examination on 23.02.2024.
5. Considering the status report, this Court is of the view that the investigation has substantially been progressed. Accordingly, in the considered opinion of this Court, there should not be any further grievance of the petitioner.
6. Accordingly, this writ petition stands closed.
7. A copy of the status report submitted by the SI of the Dispur Police Station dated 11.03.2024 is kept on record and marked as document "X".

8. While parting with the record, it is made clear that closure of this writ petition shall not debar the petitioner to approach the appropriate forum if any further grievance arises as regards the investigation.

JUDGE

Comparing Assistant