

GAHC010091742024



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

Case No. : WP(C)/2520/2024

MONORAJ LANGTHASA

S/O- LATE KANTOMI LANGTHASA, PERMANENT RESIDENT OF DHANSIRI,
P.O. AND P.S. DIPHU, PIN- 782470, DISTRICT- KARBI ANGLONG, ASSAM,
PRESENTLY RESIDING AT VALLEY VIEW, P.O. AND P.S. DIPHU, PIN- 782462,
DISTRICT- KARBI ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER TO THE GOVERNMENT OF
ASSAM, HOME AND POLITICAL DEPARTMENTS, DISPUR, GUWAHATI-
781006

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEAD QUARTERS
ULUBARI
GUWAHATI- 781007

3:THE SUPERINTENDENT OF POLICE
KARBI ANGLONG
P.H.E COLONY
DIPHU
IN THE DISTRICT OF KARBI ANGLONG
ASSAM
PIN- 782462

4:THE OFFICER IN-CHARGE
DIPHU POLICE STATION
THANA ROAD
P.H.E COLONY
DIPHU

IN THE DISTRICT OF KARBI ANGLONG
ASSAM
PIN- 782462

5:SHRI DEBO PRATIM KONWAR
I/O OF DIPHU POLICE STATION CASE NO. 114/2022
DIPHU POLICE STATION
THANA ROAD
P.H.E COLONY
DIPHU
IN THE DISTRICT OF KARBI ANGLONG
ASSAM
PIN- 782462

6:SHRI SONOT JIDUNG
SON OF LATE DEEPEN JIDUNG
R/O- VILLAGE- UMRANGSO
P.O. AND P.S. UMRANGSO
PIN- 788931
DISTRICT- DIMA HASAO
ASSA

Advocate for the Petitioner : MR. S S S RAHMAN

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 17-05-2024

Heard Mr. M.R. Sodial, learned counsel for the petitioner and Mr. S. Baruah, learned Government Advocate, Assam for respondent nos. 1 to 4.

Mr. Sodial, learned counsel for the petitioner has submitted that as the investigation of the case, Diphu Police Station Case no. 114/2022, instituted on the basis of a First Information Report lodged by the petitioner, has already resulted into a Final Report no. 12/2023, the petitioner would avail appropriate remedy available under the provisions of the Code of Criminal Procedure, 1973 [Cr.PC] including Section 156[3] and in the light of the

principles laid down in *Sakiri Vasu v. State of Uttar Pradesh & Others*, reported in [2008] 2 SCC 409 and *Vishnu Kumar Tiwari v. State of Uttar Pradesh through Secretary Home, Civil Secretariat, Lucknow & Another*, reported in [2019] 8 SCC 27. He has thus submitted that he may be allowed to withdraw the petition, to avail the appropriate remedy permissible under the law.

In view of the above submission made by Mr. Sodial, learned counsel for the petitioner, the writ petition is closed, reserving the liberty to the petitioner, as sought for.

JUDGE

Comparing Assistant