

GAHC010127992023



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

Case No. : WP(C)/3431/2023

NILU DEVI
W/O- SRI BABBAN CHAUHAN, R/O- VILL- JAMPATHAR
CHARIALI/KHERONI CHARIALIA, P.O. AND P.S. KHERONI, DIST.- WEST
KARBI ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HOME DEPTT.,
DISPUR, GHY-6

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI-7
DISTRICT- KAMRUP (M)
ASSAM

3:THE ADDITIONAL DIRECTOR GENERAL OF POLICE (ADMN.)
ASSAM
ULUBARI
GHY-7
DIST.- KAMRUP (M)
ASSAM

4:THE SUPERINTENDENT OF POLICE
WEST KARBI ANGLONG
HAMREN
P.O. AND P.S. HAMREN
PIN- 782446
DIST.- WEST KARBI ANGLONG
ASSAM

5:THE OFFICER-IN-CHARGE
KHERONI POLICE STATION
P.O. AND P.S. KHERONI
PIN- 782448
DIST.- WEST KARBI ANGLONG
ASSA

Advocate for the Petitioner : MR R S CHAUHAN

Advocate for the Respondent : GA, ASSAM

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

24.07.2024

Heard Ms. D Chouhan, learned counsel for the petitioner. Also heard Mr. K Gogoi, learned Government Advocate appearing for the respondents.

The present petition is filed, inter-alia, alleging police inaction in not properly investigating the FIR registered pursuant to an order of learned Magistrate First Class, Hamren on being approached by the present petitioner. This court under its order dated 16.06.2023 issued notice.

Mr. Gogoi has obtained instruction from the Superintendent of Police district of Karbi Anglong, Hamren. The aforesaid instruction reveals that pursuant to the order of the learned Magistrate First Class, Hamren dated 29.09.2022 passed in CR case No. 15/2022 preferred by the present petitioner, an FIR was registered as Kheroni PS case No. 20/2022 under Section 448/323/34 IPC and was investigated into. After completion of the investigation, closure report was submitted vide F/R No. 32/2022 dated 30.06.2022 and forwarded to learned jurisdictional Magistrate. The petitioner filed naraji petition before the learned jurisdictional Magistrate and subsequently the learned Magistrate directed for reinvestigation.

In view of the above, nothing survives in the present writ petition to be

adjudicated. Accordingly, same stands closed. However, it is made clear that the petitioner shall be at liberty to approach this court in the event fresh cause of action arises.

The instruction given by the learned Government counsel is kept on record and marked as document 'X'.

JUDGE

Comparing Assistant