

GAHC010180192021



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

Case No. : WP(C)/5830/2021

MAINI MAHANTA AND ANR
W/O- SRI BANI DAS, R/O- 1/2 KKB ROAD, CHENIKUTHI, GHY-03, DIST.-
KAMRUP (M), ASSAM

2: UNIQUE BORAH
S/O- SRI HOMARNOV BORAH
R/O- H.NO. 25
UDAYAN PATH NO. 1
TRIPURA ROAD
BELTOLA
GHY-28
DIST.- KAMRUP (M)
ASSA

VERSUS

THE STATE OF ASSAM AND 9 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, DEPTT. OF
HOME, DISPUR, GHY-06, ASSAM

2:THE DIRECTOR GENERAL OF POLICE
ULUBARI
GHY-07
ASSAM

3:THE OFFICER-IN-CHARGE
PALTAN BAZAR P.S.
GHY
ASSAM

4:THE OFFICER-IN-CHARGE
CHANDMARI P.S.
GHY
ASSAM

5:THE OFFICER-IN-CHARGE
DISPUR P.S.
GHY
ASSAM

6:THE OFFICER-IN-CHARGE
BASISTHA P.S.
GHY
ASSAM

7:THE OFFICER-IN-CHARGE
MANGALDOI P.S.
ASSAM

8:THE OFFICER-IN-CHARGE
LUMDING P.S.
ASSAM

9:JAGADISH LAHKAR
PRESIDENT
VISHWA HINDU PARISHAD
DIST.- DARRANG
ASSAM
PIN- 784147

10:PRASANJIT NAHA
DISTRICT-IN-CHARGE
BAJRANG DAL GHY
KAMRUP (M) ASSA

For the petitioner (s) : Mr. S. K. Das, Advocate

For the respondent (s) : Mrs. U. Das, Addl. Sr. Govt. Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH

03.01.2024

The instant writ petition has been filed for setting aside and quashing the five numbers of First Information Reports (FIRs) lodged

against the petitioners and thereupon being registered by the respective Police Stations. The said FIRs have been registered as (i) Paltan Bazar P.S. Case No.968/2021; (ii) Basistha P.S. Case No.1882/2021; (iii) FIR lodged before the Mangaldai Sadar Police Station; (iv) FIR lodged before Dispur Police Station and (v) FIR lodged before Chandmari Police Station.

2. In the writ petition, there have been no details furnished as regards the FIRs filed in Mangaldai Sadar Police Station; Dispur Police Station and Chandmari Police Station.

3. Be that as it may, upon notice being issued Mrs. U. Das, the learned Additional Senior Government Advocate has produced an instruction to the effect that Chandmari P.S. Case No.663/2021 was registered on being transferred of Dispur P.S. Case No.3675/2021. Thereupon, the Officer-in-Charge, Chandmari P.S. submitted a prayer to the Court to transfer the case to Paltan Bazar P.S. as the offence as mentioned in the FIR is of the same in nature. Accordingly, an order was passed by the learned Court Below for transferring the said Chandmari P.S. Case No.663/2021 to Paltan Bazar Police Station and registered as Paltan Bazar P.S. Case No. 1035/2021. Similarly, Basistha P.S. Case No. 1882/2021 was transferred to Paltan Bazar P.S. as per the order of the learned Court Below and it has been again re-registered as Paltan Bazar P.S. Case No. 1038/2021. Agia P.S. Case No. 149/2021 of Goalpara District was transferred to Chandmari P.S. and the same upon being forwarded was re-registered as Paltan Bazar P.S. Case No. 1153/2021 on the order passed by the learned Court Below. Lumding P.S. Case No. 205/2021 was also transfer to Chandmari P.S and the Officer-in-Charge of Chandmari P.S. forwarded the case to Paltan Bazar P.S., and accordingly, a case was re-registered as Paltan Bazar P.S.

Case No.1154/2021. Thereupon, all these four cases were amalgamated with Paltan Bazar P.S. Case No.968/2021.

4. Under such circumstances, as all the cases have been amalgamated as has been informed to this Court vide the instructions dated 08.12.2021, this Court finds no reason for issuance of any writ in the instant case.

5. Accordingly, the instant writ petition stands closed on the above observation.

6. The instructions so placed by Mrs. U. Das, the learned Additional Senior Government Advocate is kept on record and marked with the letter "X".

JUDGE

Comparing Assistant