

GAHC020001122024



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

Case No. : W.P.(Crl.)/1/2024

MISS TANIA CHANDA
D/O BAKUL CHANDA
R/O GANDHI NAGAR, SHILLONG, MEGHALAYA

VERSUS

THE STATE OF NAGALAND AND 2 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND

2:THE SPECIAL SECRETARY TO THE GOVT. OF NAGALAND
HOME DEPT. NAGALAND
KOHIMA

3:THE UNION OF INDIA
THROUGH THE JOINT SECRETARY (PITNDPS/COFEPOSA) TO THE GOVT. OF
INDIA
MINISTRY OF FINANCE
DEPT. OF REVENUE
6TH FLOR
B-WING JANPATH BHAWAN
NEW DELHI-11000

Advocate for the Petitioner : MOA JAMIR

Advocate for the Respondent : GOVT ADV NL

BEFORE
HON'BLE MR. JUSTICE KAKHETO SEMA
HON'BLE MR. JUSTICE BUDI HABUNG

ORDER

10.05.2024

(K. Sema, J)

Heard Mr. Taka Kichu, learned counsel for the petitioner, Mr. E. Thiba Phom, learned Government Advocate for the State respondent Nos. 1 & 2 and Ms. Asi Kire, learned counsel appearing on behalf of Mr. Yangerwati, learned CGC for the respondent No. 3.

By the Order dated 08.05.2024, the learned Government Advocate was asked to come with proper instructions as to whether the period of detention has been extended after 26.04.2024. Today, Mr. E. Thiba Phom, learned Government Advocate, has placed the copy of the Letter dated 09.05.2023, written by the Staff Officer to Special Secretary (Home), Government of Nagaland, Home Department, Political Branch, stating that no further extension has been issued by the Government beyond 26.04.2024.

In that view of the matter, the Detention Order dated 27.04.2023, issued by the Special Secretary to the Government of Nagaland, in exercise of the powers conferred by Sub-section of Section 3 of the Prevention of Illicit Traffic in Narcotic Drugs & Psychotropic Substances Act, 1988, the Confirmation Order dated 13.07.2023, issued by the Chief Secretary to the Government of Nagaland, and the subsequent Orders dated 18.10.2023 and 24.01.2024 extending the

detention of the detenue, are hereby quashed and set aside.

The denteue shall be set forth at liberty, if not wanted in other cases.

The writ petition stands disposed.

Sd/-
JUDGE

Sd/-
JUDGE

Comparing Assistant