



**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(Cril.) No. 56 of 2026

Ms. Yatei SV, aged about 22 years, W/o Sh. M. Zingreiso, resident of Khamason Phungdhar Village, P.O. & P.S. Ukhrol, Ukhrol District, Manipur-795142 presently detain in Women Foreigners Detention Center, Manipur Central Jail, Imphal.

..... Petitioner

-Versus-

1. State of Manipur represented by Commissioner (Home), Government of Manipur, 1st Floor, South Block, Room No. 77 & 78, Manipur Secretariat Complex, Mantripukhri, P.O & P.S. Heingang, Imphal East District, Manipur – 795002.
2. The Directorate of Police (Prisons), Government of Manipur, Manipur Police Head Quarter, Mantripukhri, P.O. & P.S. Heingang, Imphal East District, Manipur – 795002.
3. The Superintendent of Police, Manipur Central Jail, Imphal.

..... Respondents

BEFORE
**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA
(ORDER)**

(Order of the court was made by Mr. M. Sundar, CJ)

08.09.2026

[1] The following abbreviations/short forms are used in this order for the sake of brevity/convenience and clarity:

Sl. No.	Abbreviations/ Short Forms	Full Form/Expansion
1.	WP	Writ Petition

2.	said representation	representation dated 27.08.2026 from writ petitioner to first respondent, second respondent and Superintendent, Women Foreigners Detention Center, Manipur Central Jail, Imphal (received by all three on the same day i.e., 27.08.2026)
3.	said detention centre	Women Foreigners Detention Center, Manipur Central Jail, Imphal.
4.	Foreigners Act	the Foreigners Act, 1946 (31 of 1946)
5.	NDPS Act	the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985)
6.	FIR	First Information Report
7.	R1	first respondent
8.	R2	second respondent
9.	R3	third respondent
10.	said NDPS Court	Court of Special Judge (NDPS), Ukhrul

[2] Captioned WP has been presented in this Court on 07.09.2026 *inter-alia* with a habeas corpus prayer and the habeas corpus limb of the prayer is predicated on a bail order dated 12.03.2025 made by said NDPS Court in Cril.Misc.(B) Case No. 6 of 2025 (Ref: FIR No. 23(12)2024 UKL PS U/S 18(b)/29 NDPS Act & Section 14 Foreigners Act) and a release order dated 19.03.2025 in Cril.Misc.(B) Case No. 6 of 2025 (Ref: FIR No. 23(12)2024 UKL PS U/S 18(b)/29 NDPS Act & Section 14 Foreigners Act) made by said NDPS Court.

[3] Mr. Tungrei Ngakang along with Ms. Chanreiwon Kashung, learned counsel for the writ petitioner is before this Court.

[4] Short facts are that the writ petitioner who was a Myanmar national married an Indian citizen Mr. M. Zingreiso, son of

M. Yangshi, resident of Khamasom Phungthar Village, Ukhrul District, Manipur (according to writ petitioner the marriage was solemnized on 10.11.2023 as per customary practices of Tangkhul Naga community); that the writ petitioner was arrested on 07.12.2024 (arrested along with 3 (three) other persons) in connection with an 'FIR being FIR No. 23(12)2024 dated 07.12.2024 on the file of Ukhrul Police Station for alleged offences under Sections 18(b)/29 of the NDPS Act and Section 14 of the Foreigners Act' (hereinafter 'said FIR' for the sake of convenience); that thereafter, the matter travelled to said NDPS Court which made the afore-referred bail order dated 12.03.2025 followed by a release order dated 19.03.2025; that the writ petitioner continues to be an inmate of said detention centre though afore-referred release order dated 19.03.2025 made by said NDPS Court directs custody of writ petitioner to be given to Mr. M. Zingreiso, son of M. Yangshi who according to writ petitioner is her spouse.

[5] When the matter was taken up, it came to light that the writ petitioner was a Myanmar national and therefore, clearly a '*foreigner*' within the meaning of Section 2(a) of Foreigners Act but whether she continues to be a foreigner or has obtained Indian citizenship after marrying Mr. M. Zingreiso is not clear and there is no material before this Court in the captioned matter to support either marriage of writ petitioner to Mr. M. Zingreiso on 10.11.2023 or her application or acquiring citizenship of India. Therefore, the short point

is, if writ petitioner is a '*foreigner*' within the meaning of Section 2(a) of the Foreigners Act, her detention in said detention centre cannot be construed as illegal detention. Faced with this situation, Mr. Tungrei Ngakang very fairly submitted that he will give up the habeas corpus limb of the prayer as well as other limbs for the present/abridge the prayer and restrict it to a prayer to direct R1 to dispose said representation within a time frame. This submission is recorded.

[6] Issue notice as regards the afore-referred abridged prayer.

[7] Mr. Th. Vashum, learned Public Prosecutor (State Counsel) present in Court, accepts notice for all 3 (three) respondents and learned counsel points out that the writ petition has been presented in 10 (ten) days from the date of receipt of said representation. Learned State Counsel also pointed out that requisite documents such as documents evidencing marriage, application or acquiring Indian citizenship by writ petitioner (if any) have not been annexed to said representation.

[8] In the light of the abridged prayer, as the perimeter of captioned WP stands vastly descoped, with the consent of learned counsel for writ petitioner and learned State Counsel, main WP was taken up in the Admission Board itself dispensing with the requirement of filing affidavits-in-opposition by respondents.

[9] Before proceeding further, this Court deems it appropriate to scan and reproduce said representation and scanned reproduction of said representation is as follows :

-30- **ANNEXURE**

Directorate of Prisons Manipur
Received No. 248 Date 27/8/2026
Commissioner (Home) Page 1 of 3
Government of Manipur
Date 22/8/2026

To

1. The Commissioner (Home), Government of Manipur
2nd Floor, Room No. 78, South Block,
Manipur Secretariat Complex, Mantripukhri,
P.O. & P.S. Heingang, Imphal East District,
Manipur - 795002.
2. The Director General of Police (Prisons), Government of Manipur
Old Lambulane, Jail Road,
Imphal West, Manipur - 795001.
3. The Superintendent, Women Foreigners Detention Centre
Manipur Central Jail, Imphal.

Received No. 43
Dated 27/8/2026
Jail Department Manipur.

Subject: Representation seeking necessary action for release pursuant to the bail orders dated 12.03.2025 and 19.03.2025 passed by the Learned Special Judge (NDPS), Ukhru.

Respected Sir/Madam,

I, **Ms. Yatei SV @ Thangdei**, aged about 22 years, daughter of Raishang SV, originally a Myanmar national and presently married to **Mr. M. Zingreiso**, son of M. Yangshi, resident of Khamasom Phungdhar, Ukhru District, Manipur, am presently detained at the Women Foreigners Detention Centre, Manipur Central Jail, Imphal, in connection with FIR No. 23(12)2024 of Ukhru Police Station, registered under Sections 18(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 14 of the Foreigners Act. I most respectfully submit this representation seeking your kind and immediate intervention for giving effect to the orders passed by the competent Court and for my release in accordance with law.

1. That I was arrested on 07.12.2024 along with three other accused persons in connection with the aforesaid FIR and have thereafter remained in custody/detention at the Women Foreigners Detention Centre, Manipur Central Jail, Imphal. The other co-accused persons have since been released on bail.
2. That the Learned Special Judge (NDPS), Ukhru, vide order dated 12.03.2025 passed in Cril. Misc. (B) Case No. 6 of 2025, was pleased to grant me default bail in accordance with law.
3. That thereafter, on 19.03.2025, another order was passed by the Learned Special Judge (NDPS), Ukhru, in Cril. Misc. (B) Case No. 6 of 2025, pursuant to an application/representation made by my husband, Mr. M. Zingreiso, son of M. Yangshi, resident of Khamasom Phungdhar, Ukhru District, Manipur, seeking my release.
4. That after hearing the parties, the Learned Court was pleased to direct the Superintendent, Manipur Central Jail, Imphal, to release me into the custody of my husband, who is an Indian citizen. Thus, the competent Court has already passed a specific order providing for my release and handing over to my said husband.
5. That pursuant to the said orders, I have furnished the requisite surety to the satisfaction of the Learned Court and the necessary release order has also been issued. However, despite the subsistence of the aforesaid judicial orders, I continue to remain detained at the Women Foreigners Detention Centre, Manipur Central Jail, Imphal.
6. That the continued detention despite the fact that the competent Court has already granted me bail and directed my release into the custody of my husband. I respectfully submit

- that the judicial order granting bail and directing release deserves to be given effect to in accordance with law.
7. That in this regard, the Superintendent/Office of the DGP (Prisons), Manipur, vide communication dated 20.03.2025, addressed to the Joint Secretary (Home), Government of Manipur, had already sought information and necessary action regarding my release. The said communication enclosed/forwarded the letter dated 19.03.2025 issued by the Superintendent, Manipur Central Jail, Imphal, to the Additional Director General of Police and Additional Charge IGP (Prison), Manipur, specifically bringing to their notice the existence of the Court's order directing my release.
 8. That despite the aforesaid communications and the orders passed by the Learned Court, I continue to remain in detention till date, and the necessary administrative action concerning my release/handing over has not yet been completed.
 9. That I have already undergone prolonged detention since 07.12.2024 and have continued to remain in detention even after the grant of default bail and the specific direction for my release into the custody of my husband. My continued detention is causing me severe hardship, anxiety and mental distress.
 10. That I respectfully submit that I am married to Mr. M. Zingreiso, an Indian citizen, who has already approached the competent Court and undertaken to take custody of me pursuant to the order dated 19.03.2025.
 11. That in the circumstances, I most respectfully seek immediate intervention of the competent authorities so that the judicial orders dated 12.03.2025 and 19.03.2025 are duly implemented and I am not subjected to continued detention contrary to the order of the competent Court.

PRAYER

In view of the facts and circumstances stated hereinabove, I most respectfully pray that your good office may graciously be pleased to:

- a) Take immediate necessary action for giving full effect to the bail order dated 12.03.2025 and the subsequent order dated 19.03.2025 passed by the Learned Special Judge (NDPS), Ukhru, in Cril. Misc. (B) Case No. 6 of 2025;
- b) Issue appropriate directions to the concerned authorities for my immediate release/handing over in accordance with the aforesaid judicial orders and applicable law;
- c) Permit and facilitate my release into the custody of my husband, Mr. M. Zingreiso, as specifically directed by the Learned Special Judge (NDPS), Ukhru, subject to such lawful conditions as may be considered necessary; and
- e) Pass such other order, direction or take such further action as may be deemed fit and proper in the interest of justice.

I shall remain highly obliged for your kind, urgent and sympathetic consideration of this representation and for taking necessary action at the earliest.

Date: 27.08.2026
Place: Imphal

Yours faithfully,

Yatei
Ms. Yatei SV @ Thangdei
Aged about 22 years
D/o Raishang SV
Presently detained at:
Women Foreigners Detention Centre,
Manipur Central Jail, Imphal.

TESTED

Yatei
27/8/26
Jailor
Manipur Central Jail
Imphal

Enclosures

1. Copy of the bail orders dated 12.03.2025 and 19.03.2025 passed by the Learned Special Judge (NDPS), Ukhru.
2. Copy of the order/memo dated 19.03.2025 directing release into the custody of the husband.

[10] In the light of the narration and discussion thus far, the following order is made :

- (i) Mr. M. Zingreiso, son of Mr. M. Yangshi who according to the writ petitioner is her spouse or the writ petitioner herself will send an additional representation/further representation *qua* said representation annexing relevant documents particularly documents evidencing marriage, application or acquiring of Indian citizenship (if any) and other documents which are relevant. This shall be done by Mr. Mr. M. Zingreiso or the writ petitioner herself by a fortnight from today i.e., on or before 22.09.2026 (if so advised and if so desired). To be noted, 22.09.2026 is the date on which the additional/further representation (if any) shall be delivered in the office of R1 under due acknowledgement;
- (ii) R1 is directed to consider said representation and additional/further representation (if any) on its own merits and in accordance with law dispose of the same as expeditiously as his official business would permit but in any event

by 8 (eight) weeks from 22.09.2026 i.e., on or before 23.11.2026;

(iii) If no additional/further representation is received, R1 shall consider said representation and dispose of the same on its own merits and in accordance with law on or before 23.11.2026;

(iv) Disposal of said representation and/or said representation together with additional/further representation in the aforesaid manner shall be duly served on the writ petitioner within 5 (five) working days from the date of disposal under due acknowledgment;

(v) If the writ petitioner and/or anyone else concerned with the matter is either aggrieved or not satisfied with the disposal of said representation alone or said representations together with additional/further representation by R1 in the aforesaid manner, it will be open to the writ petitioner and/or any other person concerned with the matter/concerned for the writ petitioner to assail the same in a manner known to law including coming to this Court again. In this regard all the rights and contentions of the writ

petitioner and/or any other person concerned with the matter/concerned for the writ petitioner stand preserved. If such a scenario unfurls, the matter will be considered on its own merits and in accordance with law untrammelled by instant order;

(vi) This Court deems it appropriate to make it clear that it is open to R1 to call for further documents either from the writ petitioner or from Mr. M. Zingreiso if any document is considered necessary for disposal of said representation and/or further/additional representation.

[11] Before writing the concluding paragraph of this order, this Court deems it appropriate to write that instant order will not serve as a precedent either for seeking *mandamus* by approaching this Court immediately on the heels of a representation without giving adequate/ample time to the State to consider the same or with regard to giving a further additional representation on a future date and seeking a direction for disposal of the same. It has become necessary to make this clear as instant order has been made owing to the peculiar facts and circumstances of the case, more particularly the manner in which the writ petitioner is circumstanced and also taking note of the fact that the writ petitioner is being represented by Mr. Tungrei Ngakang, learned counsel as a Panel Counsel on the matter

being referred to him by High Court Legal Services Committee (HCLSC).

[12] Ergo, the sequitur is, captioned WP is disposed of in the aforesaid manner albeit with observations, directions and preservation of rights and contentions in the aforesaid manner. There shall be no order as to costs.

JUDGE

CHIEF JUSTICE

FR/NFR

Sushil

P.S. I : Upload forthwith

P.S. II : All concerned will stand bound by instant order vide web copy uploaded in High Court website inter-alia as the same is QR coded.