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

**WP(C) No. 132 of 2018**

***Shri Thokchom Shyamchand Singh***, aged about 53 years, S/o late Th. Kullachandra Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

***…Petitioner***

***- Versus -***

1. The State of Manipur through the Principal Secretary (Home), Government of Manipur, South Block, Manipur Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur.
2. The Director General of Police, Manipur, P.O. & P.S. Imphal, Imphal West District, Manipur.
3. The Superintendent of Police, Imphal West District, P.O. & P.S. Imphal, Imphal West District, Manipur.
4. The Officer-in-Charge, Lamphel Police Station, Imphal West District, Manipur.

***…Respondents***

5. Shri Yumnam Ibomcha Singh, aged about 45 years, S/o late Y. Modhu Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.
6. Smt. Yumnam Ongbi Shanti alias Sabitri Devi, aged about 43 years, W/o Y. Chandramani Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.
7. Km. Yumnam Ashalata Devi, aged about 30 years, D/o Y. Chandramani Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.
8. Shri Yumnam Benerjit Singh, aged about 19 years, S/o Y. Chandramani Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**9.** Shri Yumnam Mani Singh, aged about 32 years, S/o not known, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**10.** Shri Yumnam Chaoba Singh, aged about 41 years, S/o not known, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**11.** Shri Yumnam Sana Singh, aged about 30 years, S/o not known, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**12.** Shri Yumnam Ongbi Laitabi Devi, aged about 62 years, W/o not known, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**13.** Smt. Yumnam Bimola Devi, aged about 50 years, W/o Y. Rajen Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**14.** Shri Nandeibam Ibobi Singh, aged about 67 years, S/o late N. Gouramani Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**15.** Shri Thokchom Dijenkumar Singh, aged about 45 years, S/o Th. Babudhon Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**16.** Smt. Yumnam Pramo Devi, aged about 48 years, W/o Y. Ibohal Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**17.** Shri Yumnam Chandramani Singh, aged about 42 years, S/o late Y. Modhu Singh, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

**18.** Shri Yumnam Abungcha Singh, aged about 35 years, S/o not known, a resident of Sagolband Heinoupok Awang Leikai, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur.

***…Private Respondents***

**B E F O R E**
**HON'BLE MR. JUSTICE KH. NOBIN SINGH**

**O R D E R**

**28.1.2020**

**[1]** Heard Shri M. Rakesh, learned Advocate appearing for the petitioner and Shri Niranjan Sanasam, learned Government Advocate appearing for the respondents.

**[2]** By the instant writ petition, the petitioner has prayed for issuing a writ of mandamus or any other appropriate writ to direct the respondents to transfer the investigation of the criminal case under FIR No.6 (1) 2018 Lamphel P.S. U/S 341/352/452/120-B IPC to a well qualified senior investigating officer not below the rank of Sub-Divisional Police Officer. According to the petitioner, he is a regular employee working as an Assistant Engineer at the All India Radio, Imphal. The petitioner constructed a new house at Sagolband Heinoupok Awang Leikai, Imphal West District, Manipur after having purchased the homestead land in the year 2015. Thereafter, in the month of January, 2017, the petitioner along with his family members started staying at the newly constructed house although the petitioner and his family members were earlier staying at his parental house located at Wahengbam Leikai, Imphal. On 14/1/2018, at about 7.00 a.m., the private respondent No.5, in an inebriated state, came to the petitioner's house and started shouting by saying that he would dismantle the petitioner's house and that the petitioner and his family members should vacate the place. Since the private respondent No. 5 is a neighbour staying on the southern side of the petitioner's house, the

petitioner managed to drop private respondent No. 5 to his house so that he could take rest in his house. After sometime the private respondent Nos.6 & 7 who are sister-in-law of the private respondent No.5 and daughter of the private respondent No.5's younger brother, came out and started hurling abusive words to the petitioner. While doing so, the petitioner's daughter came out from the house and made an appeal to them not to use abusive language. Instead of listening to the appeal made by the petitioner's daughter, she was beaten by pushing and pulling her hair. Over and above, the attackers also beat the petitioner's wife. In order to control the situation, the petitioner managed to pull out his daughter and his wife from the clutch of the assailants. While doing so, the petitioner was kicked by the private respondent No.8 who is the son of the younger brother of the private respondent No.5.

**[3]** While the petitioner was trying to evacuate his wife and daughter to the hospital for medical examination, the private respondent Nos. 5, 13 & 16 prevented the petitioner from proceeding further by stopping the car of the petitioner. Over and above, the private respondent Nos. 5, 13 and 16 made an alarm for informing the local people in order to create an unruly mob. Consequently, an unruly mob started gathering in and around the petitioner's house. During that time, the petitioner's younger brother rushed to the place of the incident to extend assistance to the petitioner. However, he was also beaten by the private respondent No. 9.

**[4]** In the evening at around 5.30 p.m. of the same day, the unruly mob under the leadership of the private respondent Nos. 9, 10, 11 & 12

organized a public meeting using PA system. At the same time, the petitioner and his family members were forced to attend the meeting, which was held at Heinoupok Meira Sanglen. There were about 250 individuals who participated in the said unruly mob. In the said gathering, almost all the private respondents mentioned above attended and expressed their views. The private respondent No.11 who is a practicing lawyer, incited the gathering to expel the petitioner and his family members from the village. He categorically mentioned that no court of law and police could interfere into their decision and that he would face every eventuality being a successful lawyer.

**[5]** After some deliberation among themselves, the said unruly mob decided that the petitioner and his family should be expelled from the village forthwith by alleging that he had assaulted the private respondent Nos.6 & 7. The private respondent Nos. 14 & 15 took the signature of the petitioner before expelling him. Thereafter, the said unruly mob expelled the petitioner and his family from the village. Having no other alternatives, the petitioner and his family left their house. It is also a fact that the petitioner had already informed the respondent No. 4 about the unruly mob created by the private respondents and as such, a team of police personnel headed by the respondent No. 4 started loitering in and around the village. However, the respondent No.4 did not do anything when the private respondents banished the petitioner and his family members in presence of the police personnel of Lamphel Police Station.

**[6]** At present, the petitioner and his family members are taking shelter at the house of his relatives. On 18/01/2018, the petitioner attempted to enter into his house to collect certain wearing apparels but he was assaulted by the private respondent No. 6 and he was threatened not to visit at his house again and that, he would face dire consequences if he show his face again at the village.

**[7]** On 19/01/2018, the petitioner filed a complaint petition before the Court of Chief Judicial Magistrate, Imphal West against the private respondents stating the above aforesaid facts. In his complaint petition, the petitioner had already lodged a report with the respondent No. 4. However, he failed to register a criminal case without assigning any reason. Thereafter, the learned Chief Judicial Magistrate, Imphal West held that a cognizable offence was made out and it required investigation by the police and accordingly, the complaint/ petition was forwarded to the respondent No.4 for investigation. The respondent No.4 did not register the criminal case as directed by the Chief Judicial Magistrate, Imphal West without delay. However, after repeated request being made by the petitioner, the respondent No.4 registered a criminal case on the basis of the complaint/ petition forwarded by the learned Chief Judicial Magistrate, Imphal West belatedly on 22/01/2018 being FIR No. 6(1) 2018 Lamphel P.S. U/S 341/352/452/120-B IPC. After the registration of the said FIR, the respondent No.4 did not swing into action for causing investigation into the complaint in accordance with the procedure established by law. The petitioner visited the Lamphel Police Station repeatedly to peruse the

complaint lodged by him. However, the petitioner could not see any positive outcome and on top of that, the petitioner's statement was yet to be recorded under Section 161 of CrPC, 1973. Being aggrieved by the inaction on behalf of the State respondents, the instant writ petition was filed by the petitioner.

**[8]** An affidavit-in-opposition has been filed by respondent No.4 raising an objection as regards the maintainability of the writ petition on the ground that if the complainant/petitioner is not satisfied with the improper investigation of the criminal case, the complainant/petitioner has an alternative remedy of approaching the concerned Magistrate under Section 156(3) of CrPC. It has also been stated that on 14/01/2018, the petitioner had reported of an incident of assault on the petitioner's wife following which the police party including lady personnel had immediately rushed to the spot and intervened before any serious damage was done. Both the parties were brought at the police station and it was learnt that some tussle had taken place between the parties, most of whom were female. Both parties had had some bruises and some pulling of each other's hairs had also taken place. However, there were no serious injuries on either side. Later, after taking things out, both parties had requested the then Officer-in-charge to allow them to try and settle the matter amongst themselves at the club level before any action from the police side. The direction of the Hon'ble Chief Judicial Magistrate, Imphal West vide his order dated 19/1/2018 to investigate into the matter was received by Lamphel Police Station on 21/01/2018 and an FIR was registered the very next day. As for

the recording of the petitioner's statement under Section 161 of CrPC, he was repeatedly communicated for his appearance through his wife over his mobile phone but no response was received from his end. Later, on 10/04/2018, he was summoned and accordingly, he appeared the next day and accordingly, his statement was recorded. The petitioner's allegation against the OC Lamphel and Lamphel Police Station is completely unfounded and baseless.

**[9]** In the rejoinder affidavit filed by the petitioner wherein the averments made in the counter affidavit have been denied. It has been stated by him that a criminal case under FIR No. 6(1)2018 Lamphel P.S. U/S 341/352/452/120-B IPC was registered on the basis of the order dated 19/01/2018 passed by the learned Chief Judicial Magistrate, Imphal West. Thus, the question of approaching the learned Magistrate under Section 156(3) Cr.PC does not arise at all. The respondent No.4 did not do anything when the private respondents banished the petitioner and his family members in the presence of the police personnel of Lamphel police station. It has also been denied that there was no response from the petitioner when he was repeatedly called through his wife's mobile phone and the petitioner visited the Lamphel Police Station as and when summoned by it. The Investigating Officer summoned the petitioner only after this Hon'ble Court issued notice to the respondents. The investigating officer miserably failed to complete the investigation till date and that no positive steps were taken up to complete it.

**[10]** When the matter is taken for consideration today, the learned counsel appearing for the petitioner submits that instant writ petition can be disposed of in terms of order dated 14.10.2019 passed by this Court in writ petition being WP(C) No.287 of 2019, the paragraph 8 to 10 thereof read as under

> ***"[8]*** *Mob lynching or mob violence is one of the worst forms of crime committed by a group of people in a locality without any botheration of its consequence. According to them, there might be various causes or reasons which may not be just or legal, on the basis of which such said crime is committed by them, out of which one is commonly or generally said to be due to the delay in the delivery of justice or the administration of justice. In order to understand the criminal administration of justice in a simple way, it can be broadly divided into two - one, for the men and women and two, for the children.*
>
> ***Crime committed by men and women:***
>
> *The administration of justice is, in a sense, a legal process which can be said to be complete in respect of a case when the judgment and order is delivered by a Judge. The administration of justice involves three stakeholders or for that matter, three organs of the Government - one, the Legislature; two, the Executive and three, the Judiciary. The role of the Legislature is to make the law. It is for the Executive to implement it and the Judiciary will interpret the law as and when it is brought to the notice of the Court. The Executive and the Judiciary are, by and large and directly, concerned and involved with the administration of justice. Two Departments of the Executive namely, the Home Department and the Law Department play a vital role towards implementing the law, of which the role of the Home Department is paramount. The legal process of the administration of justice involves many stages which can be broadly divided into four. The first stage commences from the day when a case is registered by the police till the completion of the investigation thereof. The second stage*

*starts when a charge sheet is filed in the Court after the investigation is over and continues till when the recording of the evidence is completed or in other words, till when the examination of witnesses is completed. The third stage is the one where the hearing of the case takes place in the Court and the fourth stage is the period during which the judgment and order is prepared and delivered by the Judge.*

***First Stage*** *- As long as a case is not registered, the police cannot investigate it properly and effectively but there are cases which have been brought to the notice of this Court complaining that the police have refused to register a case. These days, it appears to be a common phenomenon or the attitude of the police which shall be avoided and the police shall be sensitized about it. In the case of* ***Lalita Kumari Vs. Government of Uttar Pradesh, (2014) 2 SCC 1,*** *it has been held by the Hon'ble Supreme Court that in case of any complaint being lodged with the police as regards the cognizable offence, the police is duty bound to register a case. After a case being registered, the police will commence its investigation. A lot of time is consumed by the police during investigation for many reasons, some of which mention may be made, are that there is no enough Investigating Officers at the police station and that the forensic reports are not received by the police in time. Even after the law being laid down by the Hon'ble Supreme Court in some cases, the State Government appears to have not insulated the function of the police of maintaining law and order from that of the investigation. The consequence is that the charge sheet is not filed in time, because of which the trial gets delayed and many a times, the accused are to be released on bail after the statutory period thereof is over. It is the State Government and not the Judge concerned, which has to take immediate and appropriate actions so as to overcome this problem in future.*

***Second Stage*** *- It is the stage of recording evidence or examining the witnesses. It is the prosecution and not the Judge concerned, which has to produce the witness before the Court to*

*prove the guilt of the accused. The prosecution means nothing but the State Government. Even if a case is listed before a Court, the statement of the witness cannot, sometimes, be recorded due to non-availability of the witness on the date fixed for the evidence. It is at this stage during which a maximum time is consumed by the Court. In this regard too, it is the prosecution and in other words, the State Government and not the Judge concerned, which has to produce its witness, in the absence of which the Judge cannot proceed further with the trial. The main problem that is being faced commonly and frequently by the Courts, at the second stage, in the State is the inability on the part of the State Government and in particular, the Home Department, to execute the warrant for years together. Similar is the case with the summons to be served upon the witnesses. Recently, a list of about forty cases pending in the State of Manipur, for more than twenty-five years, has been sent to this Court by the Hon'ble Supreme Court with the direction that immediate and appropriate steps be taken to ensure that the same are disposed of at an early date and on perusal thereof, it is found that many of them have been pending for such a long time for want of execution of the warrants. It is, therefore, the right time for the State Government to inquire into the causes of such inability and the remedial measures thereof are timely & promptly taken by it so that the legal process will become faster and can be made even faster than the earlier one. What a Judge can do at this stage is minimal and limited as stated hereinabove.*

***Third Stage*** *- It is at this stage that the arguments of both the public prosecutor and the private advocate are to be heard at length and sometimes, it takes time for the Court to conclude it for one reason or the other. The frequent adjournment sought for by the private advocate or the public prosecutor is one of the problems which generally lead to the delay of the conclusion of the argument. But it may be noted that the time taken during the*

*course of hearing is not so long as that of the first or the second stage mentioned above.*

***Fourth Stage*** **-** *After the hearing is over, the Judge will normally reserve his/ her judgment and order and while writing it, some time is taken by him/ her. It may be noted at this juncture that a Judge will write his/ her judgment and order only after the hearing is over and not prior to that. In other words, a Judge cannot write his/ her judgment and order before the completion of the aforesaid three stages. Here lies the responsibility of the Judge to do it within a reasonable time which can be hardly few months.*

***[9]*** *The term "**Court**" does not mean the Judges only and it involves and includes the Court building and staff of the Court as well or in other words, the infrastructure and the manpower which are to be provided by the State Government. As has been observed hereinabove, a Judge cannot write his judgment unless and until the hearing is over. It is a lengthy legal process commencing from the registration of a case till the conclusion of the hearing and during this long period, the role of a Judge is minimal and limited and he/ she cannot do much without the co-operation being extended to him/ her by the prosecution and the private advocates. A Court needs a building and its sufficient staff and judges, in the absence of which the delivery of justice will automatically get delayed for no fault of the Judges. In the State of Manipur, the sanctioned strength of the judges, as on date, is fifty only plus five judge co-terminus with the fourteen finance award which is valid till 31-03-2020 as compared with the sanctioned strength of the judges in the State of Tripura which is about hundred & ten judges. The final stage for encadrement of four posts of Judicial Officer Grade-III created by the State Government recently, to work as the Principal Magistrates of the Juvenile Justice Boards, is in the pipeline. Out of the sanctioned strength of fifty Judges, four posts of Judicial Grade-II which are, at present, lying vacant for want of eligible officers for promotion from the post of Judicial Officer Grade-III, while three posts of*

*Judicial Officer Grade-I which are lying vacant for want of eligible candidates for appointment by direct recruitment, may not be available for service in the near future. Similar is the case with the four posts of Judicial Officer Grade-III, created recently to work as the Principal Magistrates of the Juvenile Justice Boards, because their services will not be available, at least, for a year as they will have to undergo requisite training. On top of that, the unfortunate part is that the five Judicial Officer Grade-I will retire by the early part of the next year except one who will retire in the later part of the next year. The working strength of the Judges, by the end of the next year, will be reduced to less than forty Judges who will not be able to cope up with the present volume of works towards the administration of justice. Consequently, the administration of justice may have to remain a far dream. The solution for these problems lies mainly in the hands of the State Government and not in the hands of the Courts alone. There is a misconception in the mind of the general public in the State that the justice is not delivered in time for which the Judges shall be held responsible. It is no doubt true that the delivery of justice, in a sense, is nothing but the pronouncement of a judgment and order in a case by a Judge but a Judge cannot write his/ her judgment and order whenever he/ she feels like without the legal process being completed as aforesaid. He/ she has to start writing his/ her judgment and order only after the hearing/ argument is over and not prior to that at all, as has been observed hereinabove, the role of a Judge is minimal in the sense that it is the State Government through the prosecution, and not the Judge, which has to produce the materials/ evidences to prove the guilt of the accused. Therefore, it is incumbent upon the State Government to take pro-active actions to enhance the effective functioning of the police and the prosecution so as to get the legal process completed in time. As long as the legal process is not completed, the administration of justice will remain unmateralised. If the State Government fails to discharge its duties and functions effectively in this regard, the*

*delay in the administration of justice may continue to occur leading to the occurrence of such unfortunate incidents like mob lynching or mob violence.*

***Crime committed by the children:***

*Prior to the enactment of the Juvenile Justice (Care and Protection of Children) Act, 2000 (hereinafter referred to as the **"Juvenile Justice Act"**), both the crimes committed by the men & women and the children were being dealt with by the normal criminal Court. After the Juvenile Justice Act being enacted by the Parliament, the crime committed by the children has been carved out of the common and legal process of criminal administration of justice. The term "**accused**" is no longer used in respect of the children and in its place, the expression "**Child in Conflict with law**" has been used therein. The duty and the responsibility to deal with the child in conflict with law have been entrusted to the Juvenile Justice Board whose role is different from that of the ordinary Court. A special training is required to deal with the child in conflict with law. Only an Investigating Officer who is well versed & trained with the technicalities of dealing with the child, shall investigate the case involving a child. Whenever a child in conflict with law is apprehended, he is required to be kept in the **observation home** and not in the **jail**. Since the Juvenile Justice Boards are institutions like Courts, they require adequate infrastructure and sufficient staff, members & Judges of the Board which are not adequately available with the present Juvenile Justice Boards in the State. The independent and separate Principal Magistrates for the Juvenile Justice Boards which have been established formally in all the districts of Manipur, are not available at all with the result that the existing Judicial Officers Grade-III are given the additional charge of the Juvenile Justice Boards, even though they are already overburdened with their normal works in the Courts. Since the Courts and the offices of the Juvenile Justice Boards are situated at different places, the Judicial Officers who are given the charge of both, are required to make frequent moves from one place to*

*another disturbing their functioning in the Courts. Most of the time, the Juvenile Justice Boards who have to sit at 2 pm after the Judicial Officers leaving their normal work in the Courts, are compelled to hold sitting upto 7 pm creating a lot of inconvenience to themselves as well as the staff, private Advocates, APPs and the general public. In one of its judgment and order, the Hon'ble Supreme Court has observed that the Juvenile Justice Boards shall hold their sitting regularly which is impossible in the State of Manipur for the reasons stated hereinabove. The State Government needs to keep in mind this aspect as the number of crimes committed by the children is increasing day by day and the Juvenile Justice Boards, in its present form, will not be able to tackle it effectively. The Juvenile Justice Boards are, presently and in fact, functioning only for namesake, as the requisite infrastructure and the manpower have not yet been provided by the State Government. As per the list furnished by the Registry of the High Court, there are five observation homes in the State, out of which only the observation home situated at Takyel, Imphal, is stated to be run and managed by the State Government but the unfortunate part thereof is that the staff working at the observation home at Takyel i.e., the employees who have been working there for the last many years, have not yet been appointed on regular basis. The State Government needs to pay its attention to it without any further delay. The remaining four observation homes are being run by the NGOs with the assistance provided either by the Central Government or by the State Government. These observation homes lack adequate security and infrastructure and even the money earmarked for them, are also not released in time by the State Government as alleged by them. On top of that, in some of the districts, there is no observation home at all as a result of which when a child in conflict with law is apprehended by the police in these districts, he or she is to be kept in the observation home, Imphal. On the date on which the case is listed for further proceedings before the Juvenile Justice Board,*

*the child being kept at observation home, Imphal, is required to be taken to the Board which puts a lot of inconvenience to the persons running the NGOs or the child friendly police stations. Many a times, the proceedings are to be deferred due to non-production of the child in conflict with law before the Board in time. Therefore, the observation homes are required to be established by the State Government in all the districts at the earliest possible and that too, they shall be run by the State Government itself keeping in mind the security of the child in conflict with law. It may be noted that the Juvenile Justice Act was enacted by the Parliament as back as in the year, 2000 with the amendments being made from time to time. Therefore, it is expected that the State Government shall do the needful at the earliest possible in the interest of public as well as in its own interest so as to enable it to tackle the law & order problems effectively in the State.*

***[10]*** *From the aforesaid circumstances, it is seen that the roles of the police and the prosecution are paramount in both the Courts and the Juvenile Justice Boards and the need for the State Government to take pro-active actions, is indispensable failing which the number of crimes and in particular, such crime like mob lynching or mob violence may increase day by day, since it is impossible for the State Government to provide security to each and every individual in the State and therefore, the only option left with the State Government is to ensure that immediate steps are taken to contain it in terms of the guidelines laid down by the Hon'ble Supreme Court in* ***Tehseen S. Poonawalla*** *case (supra).***"**

**[11]** On the perusal of said order passed by this Court, it is seen that although the facts of that case are not exactly the same as that of the present one but are almost identical and therefore, the contention of the learned counsel appearing for the petitioner has some force and substance. Moreover, the learned Government Advocate also has not

seriously disputed his contention and therefore, this Court is of the view that the instant writ petition can be disposed of in terms of the earlier order.

**[12]** In view of the above and for the reasons stated hereinabove, the instant writ petition stands disposed of with the following directions:

**(a)** The petitioner shall inform the Lamphel Police Station the date on which he and his family members would like to return at Sagolband Heinoupok Awang Leikai, Imphal-West District, Manipur;

**(b)** In the event of such a date being intimated by the petitioner, the State Government and in particular, the Superintendant of Police, Imphal-West shall take precautionary measures to ensure that when the petitioner and his family members return to their home as aforesaid, no any untoward incident take place;

**(c)** In this regard, the State Government shall strictly implement the guidelines as laid down by the Hon'ble Supreme Court in its judgment and order dated 17.07.2018 rendered in ***Tehseen S. Poonawalla Vs. Union of India and ors., writ petition being WP(C) No.754 of 2016***. The non-implementation thereof by the State Government may invite a contempt proceeding by the Hon'ble Supreme Court;

**(d)** The respondents and particular, the Officer-in-Charge, Lamphel Police Station, Imphal-West District, Manipur shall complete the investigation, within a period of six months from today, of the

case registered under FIR6(1)2018 Lamphel PS, U/S 341/352/452/120-B IPC.

A copy of this order shall be sent to the Superintendent of police, Imphal-West, at the earliest, for doing the needful as directed above.

**JUDGE**

*Victoria*

WAIKHOM TONEN MEITEI Digitally signed by WAIKHOM TONEN MEITEI Date: 2020.02.04 13:57:57 +05'30'