

15.12.2021
SL No.52
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 829 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Sahebganj P.S. Case No.128 of 2021 dated 30.03.2020 under Sections 14A/14C of the Foreigners Act.

And

In the matter of : **Rena Begam @ Rema Begam @ Rina Begam**
- Petitioner.

Mr. Sudip Guha,
... For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.
Mr. A. Sarkar,
Ms. Namrata Das,
... For the State

In terms of the order dated 1st December, 2021, the Investigating Officer is present in Court and in reply to the letter dated 2nd December, 2021 in connection with Criminal Misc. Case No.131 of 2021, The Deputy Director (Admn), R.O., Ranchi has furnished the following details to the Investigating Officer of the instant case:-

*UIDAI/RO/RNC/Legal Matter/2021
Government of India
Ministry of Electronics and Information Technology (Meity)
Unique Identification Authority of India,
Regional Office Ranchi*

*1st Floor, JIADA
Building, Namkum
Industrial Area, Lowadih,
Namkum, Ranchi –
834010
10th Dec,2021*

To
 SI Amalesh Sarkar
 (Investigating Officer)
 Sahebganj Police Station
 Dist- Cooch Behar, West Bengal

Ref: Reply to your Letter Dated 02.12.2021 in connection with Criminal Misc Case No. 131 of 2021 arising out of GR Case No. 146/2021 in connection with Sahebganj PS Case No. 128 / 2021 dated 30.03.2021 u/s 14A/14C of Foreigners Act.

Sub: Verification of authenticity and genuineness of Aadhar Card in the name of Rina W/o Kalam vide AADHAAR No. 431806930467 - reg

Sir.

With regard to your queries as detailed in above referred notice whereby seeking information pertaining to the investigation of the above referred Case as per the direction/order dated 1.12.2021 of Hon'ble High Court At Calcutta (Circuit Bench at Jalpaiguri) passed in C.R.M. 829 of 2021, please find suitable reply as detailed herein below:-

Sl. No.	Query	Reply
1	Whether the Aadhar Card vide Aadhar No. 431806930467 was issued in the name of Rina W/o. Kalam or not?	Yes
2	Whether the Aadhar Card in the name of Rina is genuine or not? If genuine, then kindly arrange to provide the supportive documents which had been produced by Rina during the time of verification?	Yes. Documents attached
3	Whether the supportive documents had produced by Rina are genuine or not?	Cannot say. It is a matter of investigation.

2. This issue with the approval of the concerned Authority.

Yours faithfully,

(Rajesh Kumar Prasad)
 Deputy Director – RO Ranchi

By the previous order, this information was called for but for some reasons such information could not be furnished earlier for

which the Investigating Officer has tendered his unconditional apology. The report is dated 10th December, 2021.

In view of the aforesaid report which clearly affirms the stand of the petitioner that she is a citizen of India which would be evident from the Aadhar Card and other related documents, the petitioner is released forthwith and this order shall be immediately complied with by the Superintendent of Correctional Home where she is presently lodged without any further delay.

In view of the aforesaid revelation, we quashed the P.S. Case No.128 of 2021 by exercising our inherent jurisdiction.

In view of this aforesaid order, the Criminal Misc. Case No.131 of 2021 also stands quashed. This order disposes of Criminal Misc. Case No.131 of 2021 as well.

This order shall immediately be communicated to the Additional Chief Judicial Magistrate, 2nd Court, Dinhata for information.

The presence of the Investigating Officer is dispensed with.

With the aforesaid observation, CRM 829 of 2021 stands disposed of.

Photostat plain copy of this order duly counter-signed by the Assistant Registrar (Court) be given to the parties on usual undertaking.

(Biswajit Basu, J.)

(Soumen Sen, J.)