Item nos. 4 & 5

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

Cril. Petition No. 12 of 2024
With
MC (Cril. Petition) No. 9 of 2024

Ajay Bahadur Singh and Anr.

.... Petitioners

-Versus-

Superintendent of Police Imphal West and 3 Ors.

.... Respondents

B E F O R E
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU

05.02.2024

Heard, Mr. P. Tomcha, learned counsel & Ms. Nongthombam Elizabeth, learned counsel appearing for the petitioners and Mr. Athouba Khaidem, learned PP appearing for the respondents.

Issue notice.

Notice is accepted by the learned PP for the respondents.

On perusal of the record, it has been found that the present respondent no. 4, the Investigating Officer (I.O.) of the FIR case made an application dated 19-12-2023, to the Ld. Chief Judicial Magistrate, Imphal West, praying to issue non-bailable warrant of arrest against the petitioner no. 1. The application was made through the Ld. APP to CJM/Imphal West.

The learned Chief Judicial Magistrate, Imphal West passed an order dated 20.12.2023 thereby, issuing non-bailable warrant of arrest against the petitioner no. 1, namely, Ajay Bahadur Singh, s/o late Subh Narayan Singh, Proprietor of Sanitary Hardware Store, Ganeshguri.

Accordingly, step was taken to arrest the petitioner no. 1 and report is yet to be received.

The learned PP submitted that he needs to get instruction from the concerned authority about the status of the non-bailable warrant of arrest issued against the petitioner no. 1 and as such, he needs time to get instruction from the authority to confirm it. And this Court may deem fit and proper to allow the learned PP to take time to get instructions from the concerned authority.

However, as for the petitioner no. 2, namely, Smt. Sangita Singh, w/o Ajay Bahadur Singh, the concerned authority has already issued summons of appearance. In the meantime, the step taken by the Officer in Charge, Imphal Police Station dated 02.01.2024 is stayed till the next date of hearing.

It is further directed not to take further action against the petitioner no. 2 till the next date of hearing.

The learned counsel for the petitioners is to take steps to the respondent nos. 3 & 4 by speed post.

As requested, the learned PP is allowed to file objection in the main petition.

The present MC (Cril. Petn.) No. 9 of 2024 is disposed of.

List the main Cril. Petition No. 12 of 2024 on 07.03.2024.

JUDGE

Thoiba

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