Serial No. 15
Regular List

MLHC010010182026

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB. No. 21 of 2026

Date of Decision: 12-11-2026
Uploaded on: 12-11-2026

Smti. Deepa Hazarika,
Aged about 50 years,
Wife of Dip Hazarika,
Resident of Zoo Narangi Road,
Geetanagar, Chinakipath,
P.S. Geetanagar,
District Kamrup (Metro), Assam.

…….. **Petitioner(s)**

- Vs-

The State of Meghalaya, represented by
The Public Prosecutor, Meghalaya.

..…… **Opposite Party(s)**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Choudhury, Adv.

For the Respondent(s) : Mr. H. Kharmih, Addl. PP with
Ms. P. Chettri, GA.
Ms. S. Shyam, Assistant PP.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

JUDGMENT (ORAL):

1. This matter has come up today to allow the parties to produce the

relevant order of the Trial Court, wherein, as has been submitted, the Investigating Officer has filed a report, and such report has been placed before the concerned court.

2. In this connection, Mr. H. Kharmih, learned Addl. PP appearing for the State respondent, has produced copy of the order dated 06.11.2026 passed by the learned Judicial Magistrate First Class, West Garo Hills District, Tura, whereby, by the said order, the court has acknowledged the Final Report (FR) No. 11/2025 dated 05/02/2025 filed by the Investigation Inspector in connection with Tura P.S. Case No. 79 (06) 2024 under Section 468 IPC. However, the court has caused notice to be issued upon the complainant, and no date has been fixed for the notice to be returned.

3. Be that as it may, Mr. S. Choudhury, learned counsel for the petitioner has submitted that since the offence involved, if conviction is to be affected, would carry a term of sentence of about 7 years or so. Therefore, if the proceedings are to continue, it would be incumbent upon the police authorities to cause issuance of notice upon the petitioner/accused under Section 35(3) BNSS. The said process does not entail imminent arrest, further submits the learned counsel. It is therefore prayed that this petition may be allowed and the interim bail granted may be made absolute.

4. This Court, on consideration of the submission made, would note that time has been given to the parties to file the status report as far as the said FR is concerned, and by the said order dated 06.11.2026, it is apparent that the

FR has indeed been filed, and notice upon the complainant has been issued. Under such circumstances, the prayer of the petitioner is hereby allowed.

5. In the event of his arrest, the petitioner/accused is to be released on bail on the following conditions:

i) That he shall not abscond or tamper with the evidence or witnesses;

ii) That he shall attend court as and when called for;

iii) That he shall not leave the jurisdiction of Assam, except with due permission of the court concerned; and

iv) That he shall bind himself on a personal bond of ₹ 20,000/- (Rupees twenty thousand) with one surety of like amount to the satisfaction of the Trial Court.

6. The interim bail granted is hereby made absolute.

7. In view of the above, this petition is disposed of accordingly. No costs.

Judge

Meghalaya
12-11-2026
"D. Nary, PS"

Verified
Digitally signed by: DARIKORDOR NARY
Signed On: 12-11-2026 18:25:13 IST