

GAHC010152932020



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5223/2020

CHENBHANU BEGUM @ SUNBHANU BEGUM
W/O MADAN ALI
RESIDENT OF FUHURATALI,
PS SIPAJHAR, DIST DARRANG, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE DEPARTMENT OF HOME
AFFAIRS, NEW DELHI

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
HOME DEPARTMENT
DISPUR GUWAHATI 6

3:THE SUPERINTENDENT OF POLICE (B)
DARRANG
ASSAM

4:THE SUPERINTENDENT OF POLICE
DARRANG
ASSAM

5:THE STATE CO ORDINATOR
NATIONAL REGISTRAR OF CITIZENS
ASSAM
BHANGAGARH
GUWAHATI

6:THE STATE CHIEF ELECTION COMMISSIONER

ASSAM
GUWAHAT

Advocate for the Petitioner : MR. M DUTTA

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE

**HON'BLE MR. JUSTICE N. KOTISWAR SINGH
HON'BLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

09-04-2021

[N. Kotiswar Singh, JJ]

Heard Mr. M. Dutta, learned counsel for the petitioner.

Issue notice, returnable within 4 (four) weeks.

Mr. P.S. Lahakar, learned CGC accepts notice on behalf of respondent No.1; Mr. G. Sarma, learned special counsel, F.T. accepts notice on behalf of respondent Nos., 2, 3 & 4, Mr. A. Bhuyan, learned standing counsel, ECI, accepts notice on behalf of respondent No.6 and Ms. L. Devi, learned standing counsel, NRC accepts notice on behalf of respondent no.5.

No formal steps are called for in respect of respondents, as they are duly represented. However, extra copies be furnished to the learned counsel appearing for the respondents.

Registry will call for the records of F.T.4th Case No.275/SPR/2017 from the Foreigners' Tribunal No.4, Darrang, Mangaldai, Assam.

Learned counsel for the petitioner submits that the petitioner has not yet been detained on the strength of the impugned order dated 30.09.2019 passed in F.T.4th Case

No.275/SPR/2017 by the Foreigners' Tribunal No.4, Darrang, Mangaldai, Assam.

In that view of the matter, in the meantime, the petitioner, if not already arrested, may not be arrested and deported from India. However, the petitioner shall appear before the Superintendent of Police (Border), Darrang within 15(fifteen) days from today, who may obtain necessary information and documentation as required under the rules from the petitioner for securing her presence. On such appearance, the petitioner shall furnish a bail bond of Rs. 5,000/- (Rupees five thousand) with one local surety of the like amount to the satisfaction of the said authority in the connection with F.T.4th Case No.275/SPR/2017, whereafter, the petitioner shall be allowed to remain on bail. The concerned Superintendent of Police (Border), Darrang shall also take steps for capturing the fingerprints and biometrics of the iris of the petitioner, if so advised. The petitioner also shall not leave the jurisdiction of Darrang district without furnishing the details of the place of destination and necessary information including contact number to the Superintendent of Police (Border), Darrang.

List the matter for admission hearing after receipt of the LCRs.

JUDGE

JUDGE

Comparing Assistant