

IN THE GAUHATI HIGH COURT

(THE HIGH COURT OF ASSAM: NAGALAND: MIZORAM & ARUNACHAL PRADESH)

ITANAGAR PERMANENT BENCH (NAHARLAGUN)

WP (C) 564 (AP) 2013

*Shri Tajong Tamuk,
S/O Lt. Tasiram Tamuk,
Village Rengging, P.O &
P.S. Pasighat, East Siang District,
Arunachal Pradesh.*

...Petitioner

– VERSUS –

1. The State of Arunachal Pradesh
Represented by the Commissioner/Secretary,
Department of Home, Government of
Arunachal Pradesh.
2. The Director General of Police,
Police Headquarters, Itanagar
Papumpare District,
Arunachal Pradesh.
3. The Superintendent of Police,
East Siang District,
Arunachal Pradesh.
4. The Officer-in-Charge,
Pasighat Police Station,
East Siang District,
Arunachal Pradesh.
5. The Deputy Commissioner,
East Siang District, Pasighat,
Arunachal Pradesh.
6. The Extra Assistant
Commissioner, East Siang

District, Pasighat,
Arunachal Pradesh.

7. Shri Jummar Bam,
Extra Assistant Commissioner,
East Siang, District, Pasighat,
Arunachal Pradesh.
8. Shri Oyak Tamut,
S/O Lt. Oyi Tamuk, presently
Residing at Pasighat, East Siang
District, Arunachal Pradesh.

... Respondents

::BEFORE::
HON'BLE MR JUSTICE NANI TAGIA

Date of Judgment and Order (Oral):26.08.2019.

Advocate for the Petitioner: Mr. D. Panging

Advocate for the Respondents: Ms. T. Wangmo, Govt. Advocate.

Heard Mr. D. Panging, the learned counsel for the petitioner and Ms. T. Wangmo, the learned Junior Govt. Advocate representing the respondent Nos. 1 to 6.

2. None has appeared on behalf of respondent No. 7, although, an affidavit-in-opposition has been filed.

3. Mr. D. Panging, the learned counsel for the petitioner, at the outset, has submitted that the respondent No. 8 in the meanwhile has expired.

4. This writ petition is directed against non registration of an FIR by the Officer-in-Charge of the Pasighat Police Station despite an FIR dated 26.11.2013 having been lodged by the petitioner.

5. The case of the writ petitioner is that the petitioner had lodged an FIR before the Officer-in-Charge of the Pasighat Police Station on 26.11.2013 (annexed as annexure-5 to the writ petition). As the FIR dated

26.11.2013 was not acted upon by the Officer-in-Charge of Pasighat Police Station, the petitioner filed an application under Section 154 (3) of the Cr.P.C., 1973, dated 03.12.2013 to the Superintendent of Police, East Siang District, Arunachal Pradesh complaining against non registration of the FIR dated 26.11.2013 lodged by the petitioner before the Officer-in-Charge of the Pasighat Police Station, which, however, also did not yield any result.

6. Despite the writ petition being pending before this Court for more than 5 years, the Commissioner/Secretary, Department of Home, Govt. of Arunachal Pradesh/ the respondent No.1, the Director General of Police, PHQ, Itanagar/ respondent No. 2, the Superintendent of Police, East Siang District, Arunachal Pradesh/ the respondent No.3 and the Officer-in-Charge, Pasighat Police Station/ the respondent No. 4 have chosen not to file any counter affidavit.

7. In view of the facts obtaining as hereinabove, it is considered just and appropriate to direct the Officer-in-Charge, Pasighat Police Station/ respondent No. 4 to act upon the FIR dated 26.11.2013 lodged by the petitioner in accordance with law.

The writ petition stands disposed of in terms above.

JUDGE