

WP(C) 1031/2009

BEFORE

HON'BLE MR. JUSTICE H.N.SARMA

The grievance of the petitioners is that the complaint Case being C.R. Case No. 9/2009 was filed in the court of the CJM Morigaon on 5.1.2009 alleging commission of offence under Sections 468/471/420/34 IPC against one Abul Kasem son of late Fajar Ali and Lalit Chandra Nath, both President and Secretary respectively of Rangadorai Gaon Panchayat. On receipt of the said complaint case, the learned CJM, Morigaon vide order dated 5.1.08, in terms of Section 156(3) of the Cr.P.C. has passed an order directing the I/O Mikirbeta Police Station to register and investigate the case. The allegation in the complaint is that in spite of the aforesaid order no such criminal case has been registered by the O/C, Mikirbeta P.S. as directed by the learned C.J.M. Morigaon. In spite of the order dated 16.3.09 no information has been furnished by the respondents.

In view of the aforesaid situations and upon perusal of the materials made available before me as well as Mr. R. Bora, learned Government Advocate, this petition is disposed of with the direction that the O/C, Mikirbeta P.S. shall comply with the order passed by the CJM, Morigaon in the Complaint Case No. 19/2009, if not already done, and investigate the matter. If the case has been registered by the O/C Mikirbeta Police Station as per the direction of the learned CJM, Morigaon, as indicated above, investigation shall be completed as early as possible.

It is made clear that if the case has not been registered the O/C Mikirbeta Police Station shall register and investigate the case forthwith as per the direction of the CJM, Morigaon.

With this order, this writ petition stand disposed of.