

GAHC010059102026



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

Case No. : WP(C)/1678/2026

MITHUN RAY
SON OF LATE TAPAN ROY, RESIDENT OF KOKRAJHAR TOWN, WARD NO.-
2, (PATHARGHAT), P.O., P.S. AND DISTRICT- KOKRAJHAR (BTC), ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM, HOME AND
POLITICAL DEPARTMENT, DISPUR GUWAHATI, 781006, ASSAM

2:THE INSPECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEADQUARTER
ULUBARI GUWAHATI 781007
ASSAM

3:THE SUPERINTENDENT OF POLICE
SILCHAR
CACHAR
PARK ROAD
TARAPUR SILCHAR
ASSAM
788001

4:THE OFFICER IN CHARGE
SILCHAR POLICE STATION
FATAK BAZAR
SILCHAR- 788001
ASSA

Advocate for the Petitioner : MR. U K GOSWAMI, MR S SARMA

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 26.03.2026

Heard Mr. S Sarma, learned counsel for the petitioner. Also heard Mr. S Chetia, learned Government Advocate appearing for the State respondents.

2. The petitioner, by way of instituting the present proceedings, has raised a grievance, with regard to the inaction, on the part of the respondent authorities, in executing a Non-Bailable Warrant of Arrest (NBWA) issued by the Court of Ld. Addl. Chief Judicial Magistrate, Chirang at Kajalgaon, against the accused no. 1 in the said case i.e. Motilal Singha, who is a Sub-Inspector of Police. This Court, noticing the repeated orders passed by the Ld. Trial Court for execution initially of a Bailable Warrant of Arrest (BWA) and thereafter, of a Non-Bailable Warrant of Arrest (NBWA) issued in the matter against the said accused, had, on the last date of listing i.e. on 23.03.2026, directed the learned counsel appearing for the State respondents to receive instructions as to whether the Non-Bailable Warrant of Arrest (NBWA) issued, has been executed and if not, the reason for non execution of the same.

3. Mr. S Chetia, learned counsel appearing for the respondents, today, has placed on record, the instruction dated 26.03.2026 received by him from the Senior Superintendent of Police, Cachar, Silchar, wherein, it has been highlighted that the Non-Bailable Warrant of Arrest (NBWA) has been executed on 25.03.2026 and the accused is being escorted to the Ld. Trial Court for production. The reason for delay in execution of the Non-Bailable Warrant of Arrest (NBWA) has also been set out, herein.

4. The Non-Bailable Warrant of Arrest (NBWA) having been executed, the grievance raised by the petitioner in the present writ petition, stands

redressed. No further live issue being available for adjudication by this Court, in the present writ petition, the present writ petition stands closed.

5. A copy of the instructions furnished by Mr. S Chetia, learned counsel appearing for the respondents, is kept on record and marked as 'X' for the purpose of identification.

JUDGE

Comparing Assistant