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

Case No. : WP(C)/2813/2026

JENNIFER PETER MBAGA
D/O- PETER MBAGA, A CITIZEN OF TANZANIA, PRESENTLY DETAINED AT
THE HOLDING CENTRE, MATIA, GOALPARA, ASSAM, PIN 783125

VERSUS

THE UNION OF INDIA AND 2 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT OF INDIA, MINISTRY
OF HOME AFFAIRS, NEW DELHI, PIN 110001

2:MINISTRY OF EXTERNAL AFFAIRS
GOVERNMENT OF INDIA REPRESENTED BY ITS SECRETARY
MINISTRY OF EXTERNAL AFFAIRS
MEA SOUTH BLOCK NEW DELHI 110011

3:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT
OF ASSAM HOME AND POLITICAL B DEPARTMENT
DISPUR GUWAHATI 78100

Advocate for the Petitioner : TAWHID LASKAR, MR. T K DEY,MR SAURADEEP
DEY,SHAHANAWAZ CHOWDHURY,MR. D K AGARWALA

Advocate for the Respondent : GA, ASSAM, MS. B SARMA(C.G.C.)R1,2,DY.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 01.06.2026

Heard Mr. D. K. Agarwala, learned counsel for the petitioner.

By filing this writ petition, the petitioner has prayed for deportation to her home

country, i.e. United Republic of Tanzania, who has been convicted under Section 14 of the Foreigners Act, 1946 and Rule 6 of the Passport (Entry into India) Rules, 1950 and sentenced to undergo 7 months simple imprisonment with a fine of Rs.1,000/- for offence under Section 14 of the Foreigners Act, 1946, in default, to pay the fine with simple imprisonment for one month and further the petitioner is sentenced to suffer simple imprisonment for a period of 7 months and fine of Rs.1,000/- for offence under Rule 6 of the Passport (Entry into India) Rules, 1950, in default to pay the fine simple imprisonment for 1 month, vide order dated 17.01.2026 passed in PRC 1727/2025 by the Sub-Divisional Judicial Magistrate, Sribhumi.

It is the contention of the petitioner that she had already undergone the sentence awarded by the learned Trial Court. However, she has been put in the detention centre at Matia, Assam. She seeks for immediate deportation to her home country.

Having considered the issue involved in this writ petition, Ms. B. Sarma, learned counsel for the respondent Nos. 1 & 2 and Mr. N. Das, learned State Counsel for the respondent Nos. 3 & 4 are directed to obtain instructions from the concerned authorities.

List this matter on **12.06.2026**.

JUDGE

Comparing Assistant