

GAHC010105642019



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

Case No. : WP(C)/3163/2019

SOFIA PARVEEN
D/O- LT. HABIBAR RAHMAN, W/O- MD. NIZAM UDDIN, R/O- VILL-
JORSHIMULI GOSPUTA, P.O- TAPAR PATHER, P.S- CHAYGAON, DIST-
KAMRUP(R), ASSAM, PIN- 781137.

VERSUS

THE UNION OF INDIA AND 9 ORS.
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA,
NEW DELHI-01.

2:THE CHIEF ELECTION COMMISSIONER OF INDIA
NEW DELHI-01.

3:THE STATE OF ASSAM
REPRESENTED BY CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GHY- 06.

4:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GHY.-06.

5:THE STATE CO-ORDINATOR
NRC
ASSAM
BHANGAGARH
GHY.-06.

6:THE DIRECTOR GENERAL OF POLICE
ASSAM

ULUBARI
GUWAHATI-05.

7:THE SUPERINTENDENT OF POLICE (B)
KAMRUP(R)
DIST.- KAMRUP(R)
ASSAM. PIN- 780031.

8:THE DEPUTY COMMISSIONER
KAMRUP(R)
DIST.- KAMRUP(R)
ASSAM. PIN- 780031.

9:THE OFFICER-IN-CHARGE
CHAYGAON POLICE STATION
DIST.- KAMRUP(R)
ASSAM. PIN- 780031

Advocate for the Petitioner : MR. M U MONDAL

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

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

ORDER

08.04.2021

[N. Kotiswar Singh, J.]

Heard Mr. M. Hussain, learned counsel for the petitioner. Also heard Mr. P.S. Bhattacharjee, learned CGC appearing for respondent No.1; Mr. G. Sarma, learned Special Counsel, FT, appearing for respondent Nos.3, 4, 6 and 7; Mr. A. Bhuyan, learned standing counsel, ECI, appearing for respondent No.2 and Ms. L. Devi, learned standing counsel, NRC, appearing for respondent No.5.

In this case, father of the proceedee had testified before the learned Tribunal.

As the LCR has been received, the matter can be heard finally.

In the interim, as the petitioner has not yet been detained on the strength of the order dated 02.11.2018 passed in GFT(R) Case No.1837/2017 by the learned Member, Foreigners' Tribunal, Kamrup (Rural) No.1, Assam, may not be arrested and deported from India. However, the petitioner shall appear before the Superintendent of Police (Border), Kamrup(R) 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 ₹ 5,000/- (Rupees five thousand) with one local surety of the like amount to the satisfaction of the said authority, whereafter, the petitioner shall be allowed to remain on bail. The concerned Superintendent of Police (Border) 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 the Kamrup(R) district without furnishing the details of the place of destination and necessary information including contact number to the Superintendent of Police (Border), Kamrup(R).

Sd/- Soumitra Saikia
JUDGE

Sd/- N. Kotiswar Singh
JUDGE

Comparing Assistant