

GAHC010108182018



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

Case No. : WP(C)/3405/2018

SAJID KHAN
S/O YAKUB KHAN
H. NO. 21, MINHAZ PATH, SIJUBARI, HATIGAON
P.S. HATIGAON, DIST. KAMRUP (M), ASSAM PIN 781038.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
HOME DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE COMMISSIONER OF POLICE

GUWAHATI CITY

DIST.KAMRUP (M)
ASSAM
PIN - 781001.

3:THE OFICER IN CHARGE OF BHARALUMUKH P.S.
P.O. AND P.S. BHARALUMUKH
DIST. KAMRUP (M)
ASSAM

4:THE GENERAL MANAGER

ICIC LOMBARD GENEAL INSURANCE CO. LTD.
ICICI LOMBARD HOUSE 414 VEER SAVARKAR MARG. NEAR SIDDHI
VINAYAK TEMPLE
PARBHADEVI
MUMBAI- 400025.

5:SRI GHANAKANTA BORAH

INSPECTOR OF POLICE
(O.C. OF BHARALUMUKH POLICE STATION IN 2014)
R/O - BASONA GHAT
NEAR BANK OF BARODA
P.O. - MORIGAON
P.S.- MORIGAON
DIST.-MORIGAON
ASSAM
PIN. - 782105

6:SRI JITEN KUMAR
SUB INSPECTOR OF POLICE
(INVESTIGATING OFFICER BHARALUMUKH P.S. CASE NO. 352/2014)
R/O - GOTANAGAR PNGB ROAD
NEAR GOTANAGAR HOSPITAL
P.O. - MALIGAON
P.S. - JALUKBARI
DIST.- KAMRUP (M)
ASSAM
PIN. 78101

Advocate for the Petitioner : MR. M SARANIA, MD. S U AHMED,MS. I KEITZAR,MR. B DEORI

Advocate for the Respondent : GA, ASSAM, MS. M SAIKIA (R4),MR. R GOSWAMI (R4),MS. P BORTHAKUR (R4)

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

10.11.2025

Mr. M. Sarania, learned counsel for the petitioner; Mr. N. Das, learned Junior Government Advocate, Assam for the respondent nos. 1, 2 & 3; and Mr. R. Goswami, learned counsel for the respondent no. 4 are present.

Perused the office note dated 06.11.2025.

As per Report dated 06.04.2025 from the Officer In-Charge, Bharalumukh Police Station,

addressed to Mr. Das, the investigation of Bharalumukh Police Station Case no. 352/2014 had returned in a final report vide Final Report no. 15/2015 on 28.01.2015, which is assailed in this writ petition.

Await for the service report in respect of the respondent no. 5.

The learned counsel for the petitioner is to address as regards maintainability of the writ petition in view of the decision of the Hon'ble Supreme Court in Sakiri Vasu vs. State of Uttar Pradesh and others, [2008] 2 SCC 409 and other similar decisions.

List the case on 17.11.2025.

JUDGE

Comparing Assistant