

GAHC010276752025



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

Case No. : W.P.(Crl.)/83/2025

SRI BHAKTI PRASAD SONOWAL
S/O- LATE PUNA RAM SONOWAL, R/O- FLAT NO 3B, BHANU ENCLAVE,
AJANTA PATH SURVEY, PS- HATIGAON, PO- BELTOLA, GUWAHATI- 781028,
DISTRICT- KAMRUP (M), ASSAM, PH NO 8826788504

VERSUS

SMTI. OSHIMA CHOUDHURY AND 4 ORS
D/O LATE KANAK CHOUDHURY, R/O C/O -SRI RONJEEV DAS, H NO 1, HEM
ENCLAVE, LACHIT NAGAR, BYE LANE NO 5, PS- PALTAN BAZAR, PO-
ULUBARI, GUWAHATI- 781007, DIST- KAMRUP (M), ASSAM, PH NO
9205819651

2:DIRECTOR GENERAL OF POLICE DGP
ASSAM POLICE HEAD QUARTERS
ADDRESS- DR BK KAKATI RD
OPPOSITE HDFC BANK
ULUBARI
GUWAHATI
DISTRICT- KAMRUP (M)
ASSAM

3:COMMISSIONER OF POLICE
NERIPSTR
(NORTH EASTERN REGIONAL INSTITUTE PARLIAMENTARY STUDIES
TRAINING AND RESEARCH) BUILDING
KHANAPARA
NEAR SCIENCE MUSEUM
GUWAHATI 781022

4:OFFICER IN CHARGE
HATIGAON POLICE STATION

GUWAHATI
DISTRICT- KAMRUP (M)
ASSAM

5:OFFICER IN CHARGE
OF PALTAN BAZAR POLICE STATION
GUWAHATI
DIST KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. A K BHUYAN, P BHOWMICK,MS. J SAIKIA,MS R DAS

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 23.02.2026
(K.R. Surana, J)

Heard Ms. B. Bhuyan, learned counsel assisted Ms. J. Saikia, learned counsel for the petitioner. Also heard Mr. P. Sarmah, learned Additional Senior Govt. Advocate for respondent nos. 2 to 5.

2. Pursuant to order dated 17.02.2026, the learned Additional Senior Govt. Advocate has produced a copy of a report dated 22.02.2026, issued by the Officer-In-Charge of Hatigaon Police Station. It has been stated in the said

report that on 22.02.2026, the respondent no. 1 has been taken into custody along with the minor child of the petitioner and respondent no. 1 and she has been brought to the Hatigaon Police Station. The minor child has been sent to Batahghuli, Panjabari, Open Shelter Home for safe custody until production before the CWC on the next day and the respondent no. 1 would be produced before the Court of learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati.

3. The Additional learned Senior Govt. Advocate has submitted that the respondent no. 1, as per his instruction, is to be produced today before the Court of learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati.

4. The learned senior counsel for the petitioner has submitted that as the petitioner ready and willing to custody of the minor child, the child may released to his custody in terms of orders passed by the Co-ordinate Bench in Cont. Cas (C) (Suo Moto)/1/2025 and Mat.App/20/2024.

5. The said prayer would be considered on the next date of listing.

6. In this connection the Court is of the considered opinion that as this is a Habeas Corpus petition, it is duty of the Court to have the minor child produced before it prior to passing of any other orders.

7. Accordingly, the Court is inclined to direct the Officer-in-Charge of Hatigaon Police Station to produce the minor child, referred to in his report dated 22.02.2026, at 01:00 PM in the Judge's Chamber attached to Court No. 3 of this Court.

8. The matter will be taken only after interaction with the minor child.

9. The copy of report dated 22.02.2026, is made a part of record.
10. List the matter on 24.02.2026.

JUDGE

JUDGE

Comparing Assistant