

GAHC040002402026



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

**Case No. : Crl.Petn./34/2026**

Raja Jini  
Son of Late P K Kunjapla, serving as (ALO), Department of General Administration,  
Civil Secretariat, Itanagar.

VERSUS

The State of AP and 2 Ors  
represented through the PP of AP      2:The Superintendent of Police  
Age: 0  
Occupation :  
Itanagar  
Papum Pare District  
Arunachal Pradesh.

3:The Officer in Charge  
Age: 0  
Occupation :  
Itanagar Police Station  
Papum Pare District  
Arunachal Pradesh

**Advocate for the Petitioner** : Idak Bam, Mipe Etc

**Advocate for the Respondent** : P P of AP,

**BEFORE**  
**HONOURABLE MRS. JUSTICE MITALI THAKURIA**

**ORDER**

**Date : 01.06.2026**

Heard Mr. I. Bam, learned counsel for the petitioner. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State.

In pursuant to the order dated 19.02.2026, the status report is already received from the Investigating Officer, but it is submitted by Mr. T. Ete, learned Additional Public Prosecutor that the report is of 05.03.2026 and the present status is not available.

It is basically the case of the petitioner that the notice which was issued by the Investigating Authority under Section 35(3) of the BNSS, 2023, is not at all maintainable, without registration of a case, and even till date no case has been registered.

In that context, it is submitted by Mr. T. Ete, learned Additional Public Prosecutor that it is a fact that case is not yet registered and only on the basis of the GD entry, the notice was issued. However, as per the status report, it was issued mistakenly by the Investigating Officer and it can be considered or termed as summon under Section 179 of the BNSS. However, Mr. T. Ete, learned Additional Public Prosecutor has also cited some decisions and submitted that in that event also, the summon under Section 179 of BNSS is also not maintainable without registration of a case.

That apart, it is submitted by Mr. T. Ete, learned Additional Public Prosecutor that so far information received from the I.O., the case may turn to non-cognizable offence and hence, he submits that present status report of the case will be required for further adjudication of the case.

In view of the above, present status report be called for from the Officer-in-Charge, Itanagar Police Station being entered as GD Entry No.18/2026 dated 11.02.2026.

On the receipt of the status report, the matter will be heard and disposed of accordingly.

List the matter on **04.06.2026.**

**JUDGE**

**Comparing Assistant**