

GAHC040008472020



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

Case No. : PIL/12/2020

Karpu Chisi
D/O SHRI SENKAR CHISI, NEAR PWD OFFICE, MOWB-II, ITANAGAR,
PAPUM PARE, AP.

VERSUS

THE UNION OF INDIA AND 8 ORS.
THROUGH THE DEFENCE SECRETARY, MINISTRY OF DEFENSE, GOVT. OF
INDIA, CENTRAL SECRETARIAT, SOUTH BLOCK, NEW DELHI. 2:THE
STATE OF AP
Age: 0
Occupation :
THROUGH THE CHIEF SECRETARY
GOVT. OF AP
ITANAGAR.

3:THE COMMANDING OFFICER OF 19TH SIKH REGIMENT
Age: 0
Occupation :
LONGDING
DISTRICT LONGDING
AP.

4:THE DIRECTOR-GENERAL OF POLICE AP.
Age: 0
Occupation :
POLICE HEADQUARTERS
CHANDRANAGAR
ITANAGAR
AP.

5:THE SUPERINTENDENT OF POLICE
Age: 0

Occupation :
LONGDING DISTRICT
AP.

6:MINISTRY OF HOME AFFAIRS
Age: 0
Occupation :
THROUGH THE SECRETARY
GOVT. OF INDIA
NORTH BLOCK CABINET SECRETARIAT
RAISIMA HILL
NEW DELHI.

7:THE COMMISSIONER
Age: 0
Occupation :
HOME
GOVT. OF AP
ITANAGAR CIVIL SECRETARIAT
PO/PS ITANAGAR
AP.

8:THE GENERAL OFFICER COMMANDER-IN-CHIEF (COG-IN-C) EASTERN
COMMAND OF INDIAN ARMY
Age: 0
Occupation :
FORT WILLIAM KOLKATA WEST BENGAL

9:The Superintendent of Police
Age: 0
Occupation :
Crime Branch (SIT)
Police Headquarter Chandranagar. A.

Advocate for the Petitioner : Sunil Mow, Madan Mili,S D Loda,Ebo Mili,Reken Ingo

Advocate for the Respondent : GA (AP), Ninnong Ratan,CGC,P P of AP,Spl.PP (SIT)

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 17.02.2026
(Kardak Ete, J.)

Heard Ms. S. Tsomo, learned counsel for the petitioner. Also heard Mr. R. H. Nabam, learned Additional Advocate General for the State respondents.

It is noticed that on the last two occasions, Mr. L. Kurdu, learned Special Public Prosecutor for the SIT, had submitted that the prosecution sanction sought for is still awaited. Today also, Mr. Kurdu reiterates the same.

Mr. M. Kato, learned Dy.S.G.I., although submits that the grant or refusal of prosecution sanction may not have a bearing on the facts and circumstances of the case, as the investigation and judicial enquiry have been completed, we are of the opinion that since the prosecution sanction has only been sought for, it would be appropriate to have the instructions as to whether the prosecution sanction has been granted or not, as we find that the granting or refusal of the prosecution sanction would have a bearing on the matter.

Accordingly, we deem it appropriate to grant further time of three weeks to both Mr. Kato, learned Dy.S.G.I. and Mr. Kurdu, learned Special P.P. for the SIT, to obtain definite instructions on the next date. Accordingly, both the learned counsel are granted three weeks' time to obtain instructions as regards the prosecution sanction.

List the matter after three weeks.

JUDGE

JUDGE

Comparing Assistant