

GAHC040013852024



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

Case No. : IA(C)/194/2024

Albert Mra
Son of Late Nyamin Mra, Resident of Tama Chung Chung PO Limeking, Upper
Subansiri District, Arunachal Pradesh.

VERSUS

Govind Mohan and 5 Ors
IAS, Home Secretary, Ministry of Home Affairs, Govt of India, North Block, New
Delhi 110001 2:Rahul Rasgotra
Age: 0
Occupation :
IPS
DG (ITBP) Block No.2
CGO Complex
Lodhi Road
New Delhi 110003

3:Mukesh Singh
Age: 0
Occupation :
IPS
IG
ITBP
North East Frontier
Itanagar
Arunachal Pradesh 791110

4:The State of Arunachal Pradesh
Age: 0
Occupation :
represented by the Secretary (Land Management) Govt of Arunachal Pradesh 791110

5:The Deputy commissioner

Age: 0
Occupation :
Upper Subansiri District
Daporijo
Arunachal Pradesh 791122

6: Vishal Anand
Age: 0
Occupation :
DIG
SHQ (LKB) ITMPF
PO Likabali
PS Likabali
Lower Siang District
Arunachal Pradesh. 79112

Advocate for the Petitioner : Radhe Yakang,

Advocate for the Respondent : GA (AP), SC (Land Management), Dugmar Kamduk

-BEFORE-
HON'BLE MRS. JUSTICE MARLI VANKUNG

22.10.2024

Heard Mr. S. Koyang, learned counsel for the applicant who has filed this Interlocutory Application under Section 379 read with Section 215 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') to initiate prosecution proceeding against the respondent Nos. 1, 2, 3 and 6 for perjury, which is punishable under Section 229 of the BNSS, 2023.

The learned counsel for the applicant submits that on perusal of the counter affidavit filed by the learned counsel for the respondents' certain false statements have been found to be made, wherein the respondents have committed the offence of perjury by misleading the Court.

Issue notice to the opposite party/respondents.

Since Mr. M. Kato, learned DSGI; Ms. G. Ete, learned Addl. Sr. Govt.

Advocate; and Mr. D. Kamduk, learned Standing counsel for the Land Management Department have entered their appearance and accepted notices on behalf of their respective respondents, no formal notices are required to be sent. However, requisite extra copies of the application be served to them during the course of the day.

The learned counsel for the opposite party/respondents has prayed for time to file their written objection.

Prayer is allowed.

In view of the above, list these matters after 2 (two) weeks.

JUDGE

Comparing Assistant