

GAHC040015112023



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

**Case No. : Crl.Petn./205/2023**

Tsering Ngoirup  
S/o Lt. Thupten, a permanent resident of Village Muktur, P.O Dudunghar, P.S Lumla,  
District Tawang, Arunachal Pradesh 790104

VERSUS

The State of AP and Anr.  
represented by its Public Prosecutor, Arunachal Pradesh. 2:Smti Norbu Drema  
Age: 0  
Occupation :  
Chairman  
Child Welfare Committee (CWC)  
Tawang  
P.O and P.S Tawang  
District Tawang  
Arunachal Pradesh

**Advocate for the Petitioner** : Abhai Kumar Singh

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

**BEFORE  
HONBLE MRS. JUSTICE MITALI THAKURIA**

**ORDER**

**09.11.2023**

Heard Mr. A. K. Singh, learned counsel for the petitioner. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State respondent.

This is an application filed under Section 482 of the Code of Criminal Procedure, 1973, challenging the impugned Order dated 16.10.2023 passed by the learned Special Judge (POCSO) for the District of West Kameng, East Kameng and Tawang at Bomdila West Kameng, Arunachal Pradesh and subsequent FIR dated 20.10.2023 being registered as Tawang Police Station Case No. 16/2023 under Section 120 B/195 A.

Issue notice to the respondents, returnable within 3(three) weeks.

Since Mr. T. Ete, learned Additional Public Prosecutor has entered appearance and accepted notice on behalf of the State respondent No. 1, no formal notice is required to be issued to the said respondent. However, he shall be provided with requisite extra-copy of the petition, if not already served, during the course of the day.

The learned counsel for the petitioner shall take steps for service of notice upon respondent No. 2 by registered post with A/D as well as by usual process within a week from today.

Considering the submissions of learned counsels of both sides, further execution of particular portion of the impugned Order dated 16.10.2023, which is reflected below, passed by the learned Special Judge (POCSO) for the District of West Kameng, East Kameng and Tawang at Bomdila, Arunachal Pradesh, shall stands stayed till next returnable date.

“From the above materials available in record it is found that there is criminal conspiracy amongst Tsering Ngurup, Smti Drenga Lhamu and Karma Ledrak for threatening and deterring victim/witness Nanjor Wangmu from deposing evidence against accused Lama Jampa Sangey. Such threatening and inducement of victim Nanjor Wangmu is evident from her deposition as PW-1. Hence, it is observed that said Tsering Ngurup, Smti Drenga Lhamu and Karma Ledrak are involved in commission of criminal conspiracy and threatening of the victim for adducing false evidence before this Court. As such, offences u/s 120B r/w 195 A IPC are attracted against the above persons. Hence, it is ordered that the OC PS Tawang shall register a police case under appropriate Sections of law and conduct investigation and submit a final report as provided u/s 173 Cr.P.C.”

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List the matter after **3 (three) weeks**.

**JUDGE**

**Comparing Assistant**