

Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB. No. 22 of 2025

Date of Order: 10.12.2025

Shri. Ha Doji

Vs.

State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. K.Ch. Gautam, Adv.
Ms. R. Kharshiing, Adv.

For the Respondent(s) : Mr. H. Abraham, GA.

1. Heard Mr. K.Ch. Gautam, learned counsel for the applicant, who has submitted that an FIR was lodged by the complainant/respondent No. 3, wherein she has alleged that she was sexually assaulted on 19.11.2025, when she had attended the celebration event at Arunachal Boys' Hostel. She had also occupied one of the rooms to take rest, and it was only on the following day i.e. 20.11.2025 at about 6:00 AM that she realized that sexual assault was perpetrated against her, though, at that point of time, she could not identify the offender.

2. It is also the submission of the learned counsel that the FIR was

registered by the police as Laban P.S. Case No. 94 (11) 2025 under Section 64(1) of the Bharatiya Nyaya Sanhita (BNS), 2023, and investigation was launched.

3. The applicant had admittedly acknowledged that he was present on the said date i.e. 19.11.2025, but has maintained that he has not committed any such offence against the said complainant. However, apprehending arrest, since the said FIR was filed, he had approached the Court of the learned Sessions Judge, Shillong for grant of anticipatory bail, wherein interim bail was granted to him in the first instance, but vide order dated 08.12.2025, the interim bail was set aside and quashed, and the application for grant of anticipatory bail was rejected. Accordingly, the applicant has now approached this Court with this instant application for grant of anticipatory bail.

4. It is the further submission of the learned counsel that, at this point of time, notice may be allowed to be issued upon the respondent No. 3/complainant, the State respondent Nos. 1 & 2 being duly represented by Mr. H. Abraham, learned GA, as such, no formal notice is required to be issued upon such respondents.

5. The learned counsel has also submitted that the case diary may be called for, and in the meantime, the applicant being a law student, if arrested, his future will be jeopardized, and as such, interim protection may be given to

him.

6. Mr. H. Abraham, learned GA appearing for the State respondent Nos. 1 & 2 has initially opposed the prayer made by the learned counsel for the applicant, where it has been submitted that the fact that the applicant had approached the Court for grant of anticipatory bail, would itself demonstrate that he is involved in the incident as reported, and further, the fact that the learned Sessions Judge, has denied any relief to him, based on the report of the investigation by the Investigating Officer, therefore, this application may be dismissed at this stage.

7. This Court has heard the learned counsels for the parties. Since the complainant has been made party respondent in these proceedings, therefore, notice has to be issued upon her. Applicant to take steps accordingly. The petition is also not complete, inasmuch as, copy of the FIR has not been enclosed herein.

8. Be that as it may, the Investigating Officer is directed to produce copy of the case diary on the next date.

9. As prayed for, in the meantime, the applicant is allowed to go on interim bail. However, he shall not abscond or tamper with any evidence, and he shall also have no contact whatsoever with the complainant in course of investigation. Needless to say, he shall also cooperate with the investigation

as and when required.

10. List this matter on 16.12.2025.

Judge

Meghalaya
10.12.2025
"D. Nary, PS"