

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

**AB No. 15 of 2023 with
AB No. 16 of 2023**

Somimayar Awungshi & 2 Ors.

.....*Petitioner/s*

- Versus -

Superintendent of Police, CID(CB), Manipur

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

31.08.2023

[1] Heard Mr. RS. Reisang, learned senior counsel for the petitioner.

[2] It is submitted that the petitioners in AB No. 15 of 2023 were serving as Executive Members of the Autonomous District Council, Ukhrul in the year 2018 and their names are mentioned at serial No. (iii), (v) & (vi) in the column of the accused and the petitioner in AB No. 16 of 2023 was the former Vice-Chairman of the Autonomous District Council, Ukhrul, (2015-2020) and his name is mentioned at Serial No. (ii) in the column of the accused. An FIR being No. 3(08)2023 CB-PS U/S 403/406/420/120-B IPC & 13 PC Act was registered upon the complainant by Mr. P. Shanker Singh, MPS, Addl. SP, Manipur Lokayukta.

[3] Mr. RS. Reisang, learned senior counsel for the petitioners, submits that no offence is made out against the petitioners and they acted in official capacity as advised by the superior officers. If they are arrested at the moment in connection with the said FIR, their services will be affected and interim protection is sought from this Court.

[4] Issue notice.

[5] Mr. H. Samarjit, learned PP accepts notice on behalf of the respondents and seeks 2 (two) weeks' time to file reply on preliminary objection as well as on merit

[6] Till the next date, in case of arrest, the arresting authority is directed to release the petitioners on PR bond of Rs. 50,000/- with a surety (Govt. Employee) each of like amount to the satisfaction of the arresting authority subject to the conditions:

- (a) The petitioners shall furnish personal bond of Rs. 50,000/- (Rupees Fifty Thousand) with one surety (Govt. Employee) of the like amount.
- (b) The petitioners shall co-operate with the investigation.
- (c) The petitioners shall not tamper with the evidence or influence witnesses.
- (d) The petitioners shall not leave Manipur without permission of this Court.

(e) On breach of any of the aforesaid conditions, the respondent is entitled to take appropriate action against the petitioners in accordance with law.

[7] Mr. RS. Reisang, learned senior counsel, is directed to implead the complainant as one of the respondents in the application.

[8] List on 11.09.2023 along with AB No. 14 of 2023.

[9] A copy of this order may be furnished to the learned counsel appearing for the parties during the course of the day.

JUDGE

joshua