
(2021) 03 GAU CK 0049
In the Gauhati High Court
Case No : Writ Petition (C) No. 1824 Of 2019

Sajeda Khatun

APPELLANT

Vs

Union Of India And 5 Ors

RESPONDENT

Date of Decision : 31-03-2021

Acts Referred:

Citation : (2021) 03 GAU CK 0049

Hon'ble Judges : N. Kotiswar Singh, J;Soumitra Saikia, J

Bench : Division Bench

Advocate : H Das

Final Decision : Allowed

Judgement

N. Kotiswar Singh, J

Heard Mr. H. Das, learned counsel for the petitioner. Also heard Mr. C.K.S. Baruah, learned CGC appearing for respondent No.1 & 4 and; Mr. G. Sarma, learned special counsel, F.T. for respondent Nos.3, 4, 5 & 6 and Ms. B. Das, learned standing counsel, ECI, appearing for respondent No.2.

Issue notice, returnable in 4 (four) weeks.

No formal steps are called for in respect of respondents, as they are duly represented.

However, extra copies be furnished to the learned counsel appearing for the respondents.

LCRs have been received in respect of F.T. Case No. F.T. (G-4) 704/2016 from the Foreigners' Tribunal No.4th, Goalpara, Assam.

Learned counsel for the petitioner submits that the petitioner has not yet been detained on the strength of the impugned order dated 29.12.2018 passed in F.T. Case No.F.T. (G-4) 704/2016 by the Foreigners' Tribunal No.4th, Goalpara, Assam.

In that view of the matter, in the meantime, the petitioner, if not already arrested, may not be arrested and deported from India. However, the petitioner shall appear before the Superintendent of Police (Border), Goalpara within 15(fifteen) days from today, who may obtain necessary information and documentation as required under the rules from the petitioner for securing her presence. On such appearance, the petitioner shall furnish a bail bond of Rs. 5,000/- (Rupees five thousand) with one local surety of the like amount to the satisfaction of the said authority, whereafter, the petitioner shall be allowed to remain on bail. The concerned Superintendent of Police (Border), Goalpara shall also take steps for capturing the fingerprints and biometrics of the iris of the petitioner, if so advised. The petitioner also shall not leave the jurisdiction of Goalpara district without furnishing the details of the place of destination and necessary information including contact number to the Superintendent of Police (Border), Goalpara.

List the matter for hearing in due course.