

ITEM NO.51

COURT NO.3

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 262/2018

DR. SABYASACHI DUTT

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.110157/2018-GRANT OF INTERIM RELIEF)

Date : 10-12-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Dr. Sabyasachi Dutt,
Petitioner-in-person

For Respondent(s) Ms. Bhakti Pasriya Sethi, Adv.
Mr. A.K. Sharma, Adv.

Mr. Kawaljit Singh Bhatia, AOR
Mr. Shourjyo Mukherjee, Adv.

Mr. Ranjan Mukherjee, AOR
Ms. Aprajita Mukherjee, Adv.
Mr. K.V. Kharlyngdoh, Adv.
Mr. Deniel Stone Lyngdoh, Adv.
Mr. Bhowmick, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard the arguments for some time.

The petitioner has prayed for issuance of writ of Habeas Corpus on the ground that the custody of the child was taken away from him about 3½ years ago in an unauthorised manner by respondent No. 3, who is the mother of the child. We find that the petitioner had earlier filed a petition for Habeas Corpus in the High Court of Meghalaya which was disposed of vide Judgment dated 09.12.2015

giving liberty to the petitioner to approach the civil court or Family Court for the purpose of custody of the child. That order was upheld by this Court as well. The petitioner has, thereafter, filed petition in the Family Court which is pending consideration.

On our direction, the child is produced in the Court today. In that view of the matter insofar as first prayer is concerned, it does not survive.

The second prayer of the petitioner is for transfer of investigation of criminal cases to C.B.I. His allegation is that the State Police is not investigating these cases properly with due diligence. Let respondent No. 2/State shall file a reply indicating the progress made in these cases insofar investigation into the cases filed by the petitioner is concerned. The Status Report be filed within four weeks. Matter be listed on 14.01.2019.

On the next date of hearing personal appearance of the child as well as respondent No. 3 is dispensed with.

(SUSHIL KUMAR RAKHEJA)
AR-CUM-PS

(RAJINDER KAUR)
BRANCH OFFICER