

**IN THE COURT OF CHIEF JUDICIAL MAGISTRATE
CHURACHANDPUR**



**Ref : FIR No. 88 (5) 2022 CCP PS
u/s 124/500/504/505(2)/507/120-B IPC**

State of Manipur

Vs

Paominthang Haokip (19) Yrs s/o (L) Songin Haokip
of old Gelmol village , Churachandpur

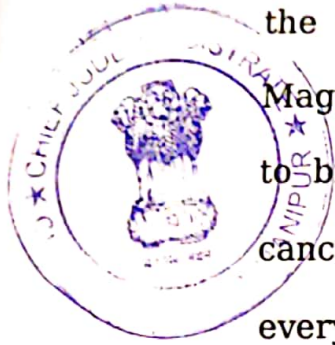
.....Accused.

EXTRACT COPY OF ORDER DATED 3rd June, 2022

In pursuant to order dated 01-06-2022 wherein this court was pleased to direct the OC CCpur PS to appear in person in regards of the FIR No. 88 (5) 2022 CCP PS u/s 124/500/504/505(2)/507/120-B IPC.


The said OC was summoned by this court to explain the procedure irregularities in connection with the above mentioned FIR pertaining to conflicting media reports including the conflicting statements of the OC CCPUR PS and the Superintendent of Police SP Churachandpur to media .

The OC CCPur in the presence of the Ld APP submitted that there was perhaps an FIR that was registered against the accused person namely Paominthang Haokip and the signature of the OC was also appended in the said FIR. It was further submitted that remand prayer for taking the accused into police custody for 5 days was also prepared and the same was also forwarded to the APP and that all these were done as per the instruction of the SP. The OC further submitted that there was



a plan to produce the accused person before the Duty Magistrate as it was a Sunday (holiday) and the IO along with the accused person proceeded to the residence of the Duty Magistrate and before he could be produced , the SP instructed to bring back the accused person as the said FIR has been cancelled . Since , it was the instruction of the superior officer everyone follows his instruction including the IO who then had to bring back the accused person without producing the accused person while the APP and the Duty Magistrate were getting ready for the remand production. The Court then questioned the OC pertaining to the news item published in Sangai Express with the caption " SP Clarifies " dated 30th May 2022, wherein it was stated that there was no such FIR was registered against the accused person namely Paominthang Haokip aged 19 years and that there was never any arrest in connection with the said FIR and person, the OC then responded that he had no idea why such statement / clarification were made.

I wish to reiterate that such incidents cast a serious doubt on the institution which are meant for protecting the rights of citizens. The District Police are guided in their functioning by following the procedural law and anything below and beyond shall be viewed as high handedness and callous. The OC submission and clarification throws further doubt in the clarification of the SP CCPur to the media dated 30th May 2022 Sangai Express.



It must be clarified that , the court is not questioning the power of arrest by the concerned police nor this court is questioning the arrest of the particular person as long as it follows the procedural mandate of CrPC rather what this court is questioning is the flip flopping of conflicting statements by the district police , forwarding a FIR Copy to court along with remand prayer for 5 days and while the remand procedure were about to commenced the taking away of the accused person from the residence of the duty magistrate followed by a media clarification the next day stating No FIR was registered and that the said accused person was never arrested brings to light the functioning of the District Police.

I must also add that the OC submission with respect to the said FIR being cancelled is something unheard of and is beyond the procedure in CrPC.

Be that as it may , It is only the Superintendent of Police Churachandpur who is the fit person to clarify before this court the chain of events leading to his clarification to the media dated 30-05-2022 . The SP is directed to appear in person before this court .

Fix 08-06-2022 for appearance of the SP before this court .

Sd/-
Janggoulen Haokip
Chief Judicial Magistrate ,
Churachandpur

Memo No. CJM/CCP/2022/ 116

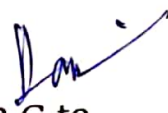
Dated 6/06/2022

Copy to :-

✓ The Superintendent of Police ,
Churachandpur.

.....for information and necessary compliance.




B.C to
Chief Judicial Magistrate,
Churachandpur
Bench Clerk to the
Court of Chief Judicial Magistrate,
Churachandpur.