

(2026) 01 MAN CK 0638

Manipur High Court

Case No: Writ Petition (C) No. 23 Of 2026

Registrar General, High Court Of
Manipur

APPELLANT

Vs

State Of Manipur & 5 Ors

RESPONDENT

Date of Decision: Jan. 16, 2026

Hon'ble Judges: Ahanthem Bimol Singh, J; A. Guneshwar Sharma, J

Bench: Division Bench

Advocate: Kh. Tarunkumar, Rustam, H. Debedra, I. Amri, Nongdamba

Judgement

Ahanthem Bimol Singh, J

[1] Mr. Kh. Tarunkumar, learned Sr. counsel assisted by Mr. Rustam, learned counsel appeared on behalf of the petitioner; Mr. H. Debedra, learned Dy. AG assisted by Mr. I. Amri, learned counsel appeared on behalf of the respondent nos. 1 to 5; and Mr. Nongdamba, learned counsel appeared on behalf of respondent no.6.

[2] By an order dated 10.09.2024 passed the Hon'ble Supreme Court in SMW (Crl.) No (S). 4/2021 Certain directions has been given in respect of the State of Manipur at paragraph 4 to 7 of the said order.

[3] The directions are as under;

(i) Out of 6 case of eligible prisoners, one case of a person (Budha Bahadur Rana) convicted in a court-martial, the Chairperson of the State Level Committee was directed to immediately issue a communication to the Ministry of Home Affairs of the Government of India regarding the proceeding of the State Level Committee requiring to furnish certain documents;

(ii) In respect of 5 prisoners of unsound mind, the Government of Manipur was directed to constitute a Medical Board of Psychiatrist, Psycgologist and other experts in the field to examine the said 5 prisoners and give a detailed report about their mental health status stating inter alia the nature of medical treatment, and also whether it is necessary to immediately transfer them to

any of the suitable mental health establishments.

[4] The respondent no. 1 i.e. the State of Manipur and respondent no. 4 i.e. the Superintendent, Manipur Central Jail, Sajiwa filed their respective affidavit-in-opposition. In the said affidavit-in-opposition a letter dated 16.10.2024 from the Joint Secretary (Home) of Government of Manipur addressed to the Joint Secretary (NE), Government of India, Ministry of Home Affairs is enclosed as Annexure-R/5. In the said letter, the Joint Secretary (NE), Government of India, Ministry of Home Affairs was requested to furnish the details of the information, documents and comments related to the case of the convict name Budha Bahadur Rana for considering the proposal before the State Level Committee meeting. It has been stated in the said affidavit-in-opposition that no response to the said letter has been received from the Ministry of Home Affairs, Government of India till today.

[5] In respect of 5 prisoners of unsound mind, the respondent no. 1 & 4 have enclosed the report of the Special State Medical Board, under a letter dated 04.10.2024 from the Chairman, Special State Medical Board. On examination of the said report, it is found that the meeting of the Special State Medical Board was held on 1st of October, 2024 and the said report did not indicate the mental health status to the 5 prisoners, the nature of medical treatment given to them and whether it is necessary to immediately transfer them to any of the suitable mental health establishments in terms of the direction given by the Hon'ble Supreme Court.

[6] Mr. Nongdamba, learned counsel appearing for the respondent no. 6 submitted that he may be given a week time to get instruction from the concern authorities of the Ministry of Home Affairs, Government of India in connection with the aforesaid letter dated 16.10.2024 from the Home Department, Government of Manipur in respect of the prisoner, (Budha Bahadur Rana) and revert back to this Court on next date of hearing.

[7] In respect of the other 5 prisoners of unsound mind Mr. H. Debendra, learned Dy. AG also seeks one week to get up to date instruction from the authorities and revert back to this Court with the necessary reports.

[8] In view of the submission made above, let this case be listed again on 23.01.2026.

[9] A copy of this order be furnished to all the counsel appearing for the parties through their Whatsapp/Email during the course of day for doing the needful.