

IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(SPECIAL ORIGINAL JURISDICTION)

Writ Petition No. 5633 of 2013

IN THE MATTER OF:

An application under Article 102 (2) (a) (i) of the  
Constitution of People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Salauddin Ahmed

....Petitioner

Versus

Government of the People's Republic of  
Bangladesh, represented by its Secretary, Ministry  
of Home Affairs, Bangladesh Secretariat, Ramna,  
Dhaka others

....Respondents

No one appears

....For the Petitioner

Mr. Md. Abid Chowdhury, DAG

Mr. M Mohiuddin Yousuf, DAG

Mr. Monjur Elahi Porag, AAG

Mr. Ariful Alam, AAG

Mr. Nazmul Hasan Chowdhury, AAG and

Mr. Md. Shahidul Islam, AAG

.... For the respondents

Present:

Mr. Justice Md. Iqbal Kabir

And

Mr. Justice S M Saiful Islam

Judgment on 18.05.2026.

Md. Iqbal Kabir, J:

At the instance of the petitioner, this Rule Nisi was issued in the following  
terms:

“Let a Rule Nisi be issued calling upon the respondents to show  
cause as to why the respondents should not be directed not to  
arrest or harass the petitioner except in due process of law after  
getting order/orders of bail in connection with the case/cases  
pending against the petitioner whose name does not appear in the  
First Information Report (FIR) column as an accused and why a  
direction should not be given upon the respondents not to arrest  
or harass the petitioner without due process of law and without  
any warrant of arrest issued by the competent Court after getting  
release from the Dhaka Central Jail, Part 2, High Security Jail,  
Kashimpur, Gazipur and/or pass such other or further order or  
orders as to this Court may seem fit and proper.”

At the time of issuance of the Rule, this Court passed an interim order, thereby directing the respondents not to arrest or harass the petitioner without due process of law.

Facts remain that the petitioner was arrested one after another without a warrant of arrest. Therefore, the action of the competent authority was challenged by the petitioners, and they sought necessary direction from this Court against such illegal action.

Mr. Md. Shahidul Islam, the learned AAG for the respondents, submits that by the interim order of this Court, the petitioners already got the relief which they had sought. The cause of invoking writ jurisdiction no longer subsists; the Rule has already become infructuous.

Records show that after obtaining the order, the petitioner did not appear before this Court.

We find substance in the submission of the learned AAG for the respondents.

Accordingly, the Rule is discharged as being infructuous.

However, there shall be no order as to costs.

Communicate the Order at once.

S M Saiful Islam, J:

I agree.