

ORDER-SHEET FOR MAGISTRATE'S RECORDS

DISTRICT: JORHAT

**IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE,
JORHAT**

Present : Smti. D. Dutta,
Addl. Chief Judicial Magistrate,
Jorhat.

Case No: CR (MV) 4341 of 2022

State -Vs -

Sl. No.	Date	Order	Signature
	30.03.2023	Accused person namely Sri Hiru Moni Gogoi is absent. In this case, Learned Additional PP has submitted petition No. 1561/23 under section 321 of Code of Criminal Procedure for withdrawal of this case. In the petition, Learned Additional PP stated that Government of Assam vide its notification No. E-217405/52 dated 21.10.2022 and Authority letter being No. ECF No. 217405/2022/67 dated Dispur the 9th December, 2022 authorized Learned Additional PP to file this petition. That in this case, punishment for offence is less than 3 years. That Learned Additional PP has gone through the materials on record and Notification and Guidelines of the Government of Assam in this regard and formed independent consideration opinion that withdrawal of the instant case is in the interest of society at large. In the last, Learned Additional PP, prayed to give consent to withdraw this case with all charges/offences against the accused person namely Sri Hiru Moni Gogoi and to dispose of this case in accordance with the	PTO

	Continued: 30.03.2023	provision laid down in the section 321 of Code of Criminal Procedure. Heard. Perused the case record. This case is proceeding for alleged offences punishable under sections 194B(1) of MV Act, wherein punishment is not more than three (3) years and in this case offence report was submitted before 14.08.2022. Considering the prayer of Learned Additional PP and after hearing her oral submission, I find that application is properly made and there is independent consideration of the material by Learned Additional PP and she appears to be acted in good faith in exercising discretion vested upon her. Hence, for better advancement of public interest and justice, consent is given to the withdrawal of this case against the accused person namely Sri Hiru Moni Gogoi in respect of offences punishable under sections 194B(1) of MV Act. Accordingly, petition No. 1561/23 of Learned Additional PP is allowed. As this case is proceeding under summons procedure case where no charge is required, hence accused person namely Sri Hiru Moni Gogoi is acquitted in respect of offences punishable under sections 194B(1) of MV Act and set at liberty. This case is disposed off accordingly.	Addl. CJM Jorhat
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