

GAHC010000122025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./2/2025

MD KUTUBUDDIN AHMED AND 3 ORS
S/O LATE SIRAJUDDIN AHMED,
RESIDENT OF HOUSE NO. 62, P D CHALIHA PATH, PS LATASIL, DIST
KAMRUP M GUWAHATI ASSAM 781003

2: ANOWARA BEGUM
W/O MD. KUTUBUDDIN AHMED

RESIDENT OF HOUSE NO. 62
P D CHALIHA PATH
PS LATASIL
DIST KAMRUP M GUWAHATI ASSAM 781003

3: MD. WACHIR AHMED

S/O MD. KUTUBUDDIN AHMED

RESIDENT OF HOUSE NO. 62
P D CHALIHA PATH
PS LATASIL
DIST KAMRUP M GUWAHATI ASSAM 781003

4: ARFAN ALI
S/O LATE USMAN ALI

RESIDENT OF HOUSE NO. 95
P D CHALIHA PATH
PS LATASIL
DIST KAMRUP M GUWAHATI ASSAM 78100

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY PP ASSAM

2:NEKIBUL HUSSAIN CHOUDHURY
S/O LATE AHMED HUSSAIN

RESIDENT OF HOUSE NO. 63
P D CHALIHA PATH
PS LATASIL
DIST KAMRUP M GUWAHATI ASSAM 78100

Advocate for the Petitioner : MR B CHOUDHURY, MR. M P CHOUDHURY,MR K P PATHAK

Advocate for the Respondent : PP, ASSAM, MS R BEGUM(R-2),MRS R CHETRI(R-2),MR. M H RAJBARBHUIYAN(R-2)

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

21.01.2026

Heard Mr. M P Choudhury, learned counsel for the petitioners. Also heard Mr. Bankim Sarma, learned Additional Public Prosecutor, Assam and Mr. M H Rajbarbhuiyan, learned counsel for the respondent no. 2.

It is an admitted fact that both sides are in midst of a civil suit.

The respondents filed a criminal case against the present petitioners and the case was subsequently withdrawn by the Government of Assam. Therefore, respondents filed a complaint case and the learned court below took cognizance of offence under Sections 294/323 of the Indian Penal Code against the present petitioners.

After hearing the learned counsel for both the sides, this court is of the opinion that this matter needs to be heard at length. Therefore, list this matter after four weeks.

Till returnable date, it is hereby directed that further proceeding of C.R. Case No. 393/2023 pending in the court of the learned Judicial Magistrate 1st Class, Kamrup (M), Guwahati shall remain stayed.

JUDGE

Comparing Assistant