

GAHC010003542026



2026:GAU-AS:396

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

**Case No. : Crl.Pet./15/2026**

MD ASHADUL HOQUE  
S/O- AHMED ALI, VILL-BALITIKA, P.S- LALUK, DIST- NORTH LAKHIMPUR,  
ASSAM.

VERSUS

THE STATE OF ASSAM,  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

**Advocate for the Petitioner** : MR. M ALI, H R KHAN

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**09.01.2026**

Heard Mr. M. Ali, learned counsel for the petitioner and Ms. N. Das, learned Additional Public Prosecutor for the respondent State.

On comparison of the typed copy of the FIR and the photocopy of the certified copy of the FIR, annexed at Page nos. 9 to 14, it is noticed that the petitioner did not mention his name in the typed copy of the FIR whereas in the original FIR, he was named as accused no. 1.

When such discrepancy has been pointed out, Mr. Ali, learned counsel for the petitioner has sought leave to withdraw the criminal petition with liberty to file afresh.

Without committing further into deliberateness or otherwise of such mistake, the criminal petition is allowed to be withdrawn, subject to deposit of an amount of Rs. 1,000/- within 7 [seven] working days from today. The amount is to be deposited in favour of the Gauhati High Court Bar Association.

The liberty sought for is also granted, subject to the afore-stated condition.

**JUDGE**

**Comparing Assistant**