

GAHC010018362025



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

Case No. : Crl.Rev.P./218/2025

SRI SUKOMAL BORAH
S/O LATE AMAL CH. BORAH, R/O 4TH FLOOR NIHARIKA APARTMENT
BOLO BORA PATH, HAPPY VILLA, BARUWARI, UZANBAZAR, GUWAHATI-
781003, ASSAM DIST.- KAMRUP(M), ASSAM.

VERSUS

MR. SONU SHARMA
S/O SHYAM SUNDAR SHARMA R/O DUDHNOI MAIN ROAD, NH-31,P.O AND
P.S- DUDHNOI, DIST- GOALPARA, ASSAM, PIN- 783122 ALSO AT, HOUSE
NO. 15, 3RD FLOOR, FLAT NO. 8, NEAR DIGAMBAR JAIN MANDIR,
REHABARI, TINIALI, P.O - ULUBARI, P.S- PALTANBAZAR, ASSAM, PIN-
781008.

Advocate for the Petitioner : ANKUR JYOTI SARMA, G KAUSHIK,R A LAHKAR,MR R
SENSUA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 13.11.2025

1. Heard Mr. R Sensua, learned counsel for the petitioner. Also heard

Mr. D.P Goswami, learned Additional Public Prosecutor for the State of Assam.

2. As per office note dated 11.11.2025, notice was issued to the sole respondent by a registered post with A/D on 08.07.2025. But, neither A/D card nor un-served notice has been received back. The track consignment report also could not be obtained as 3(three) months have elapsed.

3. It appears from the order dated 14.05.2025 passed in I.A. (Crl).88/2025 which was an application for condonation of delay that the respondent had refused to accept notice.

4. In the instant case, it appears that all possible steps have been taken by the petitioner to serve notice upon the respondent but, he did not succeed.

5. It is submitted that the respondent is deliberately avoiding acceptance of notice as an earlier attempt to serve to the respondent through the Ld. Trial Court, pursuant to an order dated 23.06.2025 passed by this Court, had failed due to the non-cooperation of the respondent who refused to accept the notice even at the Ld. Trial Court.

6. Having regard to the entire facts and circumstances as reflected in the various orders passed by this Court as well as the office notes prepared by the Registry, the Court is of the prima facie view that the respondent has been deliberately avoiding service of notice. Hence, notice is deemed to be duly served on the respondent.

7. List the matter for admission again on **09.12.2025.**

JUDGE

Comparing Assistant