

GAHC010026262026



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

**Case No. : Crl.Pet./210/2026**

MUSTAK AHMED AND 2 ORS  
S/O ABDUL KARIM  
R/O - VILL - BAMUNGAON, P.O - TINIALI BAZAAR , P.S - LANKA, DIST -  
HOJAI, ASSAM, PIN - 782446

2: ABDUL KARIM  
S/O LATE ABDUR ROHIM  
R/O - VILL - BAMUNGAON  
P.O - TINIALI BAZAAR  
P.S - LANKA  
DIST - HOJAI  
ASSAM  
PIN - 782446

3: JALAL UDDIN LASKAR  
S/O LATE NIMAR ALI  
R/O - VILL - BAKLUGURI  
P.S - KAMPUR  
DIST - NAGAON  
ASSAM  
PIN - 78242

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE P.P ASSAM

2:ELIZA BEGUM LASKAR  
W/O MUSTAK AHMED  
R/O - BAMUNGAON  
P.O - TINIALI BAZAAR  
P.S - LANKA  
DIST - HOJAI  
ASSAM

PIN - 782446

3:MD AJIJUR ROHMAN  
S/O LATE MOJERAF ROHMAN  
R.O - BAMUNGAON  
P.S - LANKA  
DIST - HOJAI  
ASSAM  
PIN -78244

**Advocate for the Petitioner** : F K R AHMED, MRS. H THAKURIA

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

**BEFORE**  
**HON'BLE MRS. JUSTICE MITALI THAKURIA**

O R D E R

Date : 16.02.2026.

Heard Mr. FKR Ahmed, learned counsel for the petitioners. Also heard Mr. P.S. Lahkar, learned Addl. P.P., Assam appearing on behalf of the State respondent.

This is an application under Section 528 of the BNSS, 2023 read with Article 227 of the Constitution of India, for quashing of the criminal proceeding being Special (P) Case No.173/2023, pending in the Court of learned Addl. District & Sessions Judge, Hojai, arising out of Lanka P.S. Case No.84/2023, under Section 376 of the IPC, read with Section 9/11 of the Prohibition of Child Marriage Act, 2006, read with Section 4/17 of the POCSO Act.

Issue notice to the respondents, returnable on or before 10.03.2026.

Since Mr. Lahkar, learned Addl. P.P., Assam has entered appearance and accepted notice on behalf of the State respondent No. 1, no formal notice is required to be issued to the said respondent. However, he shall be provided with requisite extra-copy of the petition during the course of the day.

Petitioner shall take steps for service of notice upon the respondent Nos. 2 & 3, by speed post as well as through the office of the Registry, by routing the same through the office of the Public Prosecutor, Assam.

Also, call for the scanned copy of the Trial Court Record. Registry will do the needful.

List the matter on 10.03.2026.

JUDGE

**Comparing Assistant**