

GAHC010028572026



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

Case No. : Crl.Pet./223/2026

FULBAR ALI AND ANR
SON OF HUSSAIN ALI,PRESENTLY RESIDE AT SUNDARBAN NAGAR,
DOTBAZAR, P.S.- HATIGAON, DISTRICT KAMRUP METRO, ASSAM.

2: MANISHA KHATUN
D/O CHABUR ALI
PRESENTLY RESIDENT OF SUNDARBAN NAGAR
DOTBAZAR
P.S. HATIGAON
DIST. KAMRUP (METRO)
ASSAM
PERMANENT RESIDENT OF VILL- GOROIMARI
P.S. CHAYGAON
DIST. KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP, ASSAM

2:DIPA BORA DUTTA
W/O SUBHAJIT DUTTA
RESIDENT OF HOUSE NO.8
MILANJYOTI PATH
P.O. AND P.S. HATIGAON
DIST. KAMRUP (METRO)
ASSAM
PIN-78103

Advocate for the Petitioner : MR. N J DUTTA, M RAHMAN,MR A BASUMATARY,MR. M M ZAMAN,MR N AHMED

Advocate for the Respondent : PP, ASSAM,

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

O R D E R

Date : 19.02.2026.

Heard Mr. N.J. Dutta, the learned counsel for the petitioners. Also heard Ms. A. Begum, learned Additional Public Prosecutor, Assam appearing on behalf of the State respondent No.1.

This is an application under Section 528 of BNSS, 2023 praying for quashing of the criminal proceeding in connection with Session (Special) Case No.131/2023, pending before the learned Addl. Sessions Judge cum Special Judge (POCSO), Kamrup (M) at Guwahati.

Issue notice to the respondents, returnable in 3 (three) weeks.

Since Ms. A. Begum, learned Additional Public Prosecutor, 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, she shall be provided with requisite extra-copy of the petition during the course of the day.

Petitioners will take steps for service of notice on respondent No. 2 by speed post as well as through usual process within 3 (three) working days from today.

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

needful.

List the matter after three (3) weeks, as on a date to be fixed by the Registry.

JUDGE

Comparing Assistant