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

Case No. : Crl.Pet./220/2026

SRI RAJIB KUMAR MOHOTTA
S/O- LATE SONU RAM MOHOTTA, R/O- VILLAGE-BISHNUPUR, P.O AND P.S
- MORANHAT, IN THE DISTRICT OF CHARAIDEO, ASSAM, PIN-785670.

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE P.P., ASSAM.

2:MUJIBUR RAHMAN
S/O- LATE NASIRUDDIN AHMED
RESIDENT OF MORONGI
PANIKORA GAON
P.O- MORONGI CHARIALI
P.S AND DIST- GOLAGHAT
ASSAM
PIN- 785702

Advocate for the Petitioner : MR. M KALITA, H BORUAH,MR. N M DAS,MR. J HATIMURIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

17-02-2026

Heard Mr. M. Kalita, learned counsel for the petitioner and Mr. P. S. Lahkar, learned Additional Public Prosecutor, for the State respondent.

This is an application filed under Section 528 BNSS praying for quashing the impugned order dated 17.09.2025, passed by the learned JMFC, Dibrugarh in C.R. Case No. 61/2025 whereby cognizance was taken against the petitioner under Sections 316(2)/318(2) BNS.

Issue notice to the respondents through speed post as well as through usual process.

As the State/respondent No.1 is represented by the learned Addl. PP, no formal notice need be issued.

Petitioner shall serve requisite extra copy of this petition including the annexures appended thereto to the learned Addl. PP during the course of the day.

Registry shall call for the scanned copy of the TCR.

However, considering the submission of the learned counsel for the petitioner, the further proceeding in C.R. Case No. 61/2025 be stayed till next date of listing of the matter.

List this matter after 4 (four) weeks, on a date to be fixed by the Registry.

JUDGE

Comparing Assistant