

GAHC010030042019



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

Case No. : CrI.Rev.P. 78/2019

1:ZABIR MIFTA RAHMAN
S/O LT. MATIUR RAHMAN, R/O MILANPUR, CHANDMARI, PS CHANDMARI,
DIST. KAMRUP (M), ASSAM

VERSUS

1:THE STATE OF ASSAM AND ANR.
REP. BY PP, ASSAM

2:ASHRAF NADIM HUSSAIN
S/O LATE SAFQUAT LATIF
R/O M.R. ROAD
ALIAPOOL
PO AND PS DIBRUGARH
DIST. DIBRUGARH
ASSA

Advocate for the Petitioner : Mr M U Ahmed

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MIR ALFAZ ALI

ORDER

Date : 18-03-2019

Heard Mr. MU Ahmed, counsel for the petitioner.

This revision is directed against the order dated 15.11.2018 passed by the learned Sessions Judge, Dibrugarh in Criminal Appeal No37(4)/2017, whereby, the learned Sessions Judge while upholding the conviction of the appellant under section

138 NI Act, modified the sentence to fine only.

Issue notice, returnable in 4 (four) weeks.

Steps for service of notice upon respondent No.2 by Registered Post with A/D as well as through usual process within 7 (seven) days.

Mr. BB Gogoi, learned Addl. PP, Assam entered appearance and accepts notice on behalf of respondent No.1, so no formal notice need be sent, however, extra copy of the petition be served upon the learned Addl. PP during the course of the day.

Till the returnable date, the execution of the sentence in Criminal Appeal No.37(4)/2017 arising out of NI Act Case No.215/2011 shall remain suspended.

J U D G E

Smita

Comparing Assistant