

GAHC010032882024



2026:GAU-AS:2944

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

Case No. : Crl.Rev.P./61/2024

SAMARENDRA BRAHMA
S/O LATE AMARENDRA BRAHMA
VIL- THURIBARI (PADMABIL)
P.O. AFLAGAON, P.S. SARFANGURI
DIST. KOKRAJHAR (BTR), ASSAM

VERSUS

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

2:SRI DEVAMANI BASUMATARY
D/O DIPTI KR. BASUMATARY
VIL- THURIBARI (PADMABIL)
P.O. AFLAGAON
P.S. SARFANGURI
DIST.KOKRAJHAR (BTR)
ASSA

Advocate for the Petitioner : MD S HOQUE, MR. M DEKA,MS. A BORUAH

Advocate for the Respondent : PP, ASSAM, MR. D S DEKA (R-2),MS. A DAS (R-2),MS. L WANGSA (R-2),MRS. R S DEURI (R-2),MR. T DEURI (R-2)

**BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR**

ORDER

Date : 25.02.2026

1. None appears for the petitioner on call.
2. The learned Addl. P.P for the State and Mr. T. Deuri, learned counsel for the respondent No.2.
3. This Criminal Revision Petition is preferred against the order dated 12.12.2023 passed by the learned Sessions Judge, Kokrajhar, in Criminal Appeal No. 21 of 2022, upholding the judgment and order dated 01.11.2022, passed by the Sub Divisional Judicial Magistrate, Gosaigaon convicting the petitioner under Section 138 of the Negotiable Instrument Act in (NI Case No. 03/2019). By the order dated 22.07.2025, this Court had recorded as follows:

- I. Mr. Hoque, learned counsel appearing for the petitioner has submitted that the petitioner is making efforts to compromise.
- II. Mr. Deuri, learned counsel appearing for the respondent no. 2 has submitted that the respondent no. 2 is agreeable to receive the compensation amount.
- III. In view of the above submission made by the learned counsel for the parties, this Court is of the view that there exists an element of settlement.
- IV. At present, the campaign Mediation 'For the Nation' is in progress and the mediation process is to be undertaken as per the Standard Operating Procedure framed for the campaign.
- V. As the learned Counsel for both the parties are present, the first date of mediation is, therefore, fixed on 31.07.2025.
- VI. As per the Standard Operating Procedure for the campaign 'Mediation for the Nation', mediation can be conducted completely in offline mode [physical mode], or in online mode or in hybrid mode.
- VII. For the purpose of further reference, the parties shall contact the

Coordinator/Nodal Officer of the Mediation Centre, Mr. Joydev Koch, Mobile no. 7099063524, Email id-ghcmc.ghc@gmail.com.

4. The mediation report is available in the records of this case. As per the mediation report the petitioner and the respondent No.2 herein come to a consensus to the following effect:
 - I. That both the Parties have mutually agreed that the FIRST PARTY shall pay an amount of Rs. 6,00,000/-(Rupees six lakhs) to the SECOND PARTY in the month of September and Rs. 5,50,000/-(Rupees Five Lakhs fifty thousand) in the month of October 2025.
 - II. That the First Party shall pay to the Second Party a total sum of Rs. 11,50,000/- (Rupees Eleven lakhs fifty thousand) only by way of RTGS OR ANY KIND OF Bank transfer in the Bank account of the SECOND PARTY in the Assam Co-operative Apex Bank Ltd, Gossaigaon 401042010006146. Branch, A/C No.
 - III. Upon receipt of the payment the Second Party's claim over the Cheque bearing no. 847713 of SBI, Kokrajhar Branch will be over.
 - IV. The First Party and Second Party have entered into the present Agreement voluntarily and of their own free will, after understanding the contents of the same.
 - V. That the Parties shall remain bound and undertake to abide by the terms and conditions set out in the present Agreement and if the parties failed to comply any term and condition other party shall have liberty to take appropriate remedy.
 - VI. Now both the parties, in our sound mind and health and having fully understood the contents made herein, have put our signatures on this 7th day, August, 2025.
5. The original judgment was of the year 2022 and the appeal was disposed of 15.12.2023 this criminal petition came to be filed on 16th of February, 2024. There is no stay operating in the matter.
6. The petitioner was also unrepresented on earlier occasions. This Court is of the opinion that the petitioner has no interest in pursuing the litigation rather payment of the

compassionate amount, which the respondent No.2 has already agreed, is delayed.

7. However, this Criminal petition is dismissed of as being not prosecuted.

JUDGE

Comparing Assistant