

GAHC010035582026



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

Case No. : Crl.Pet./256/2026

SUSHANTA SARKAR
S/O LATE SANKAR SARKAR, R/O KRISHNANAGAR ROAD, WARD NO 2,
MELA ROAD, CACHAR, ASSAM, PIN 788002

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM.

Advocate for the Petitioner : MR. S C BISWAS, MR. MEHUL SHAH,MS. J GHOSH,MS. K L R
YANTHAN,MS. U NANDA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

24-02-2026

Heard Mr. S. C. Biswas, learned counsel for the petitioner and Mr. P. Borthakur, learned Additional Public Prosecutor, Assam for the respondent No.2.

This is an application filed under Section 528 BNSS for quashing and setting aside the FIR being Silchar P.S. Case No. 519/2017 under Section 366 IPC as well as

the Charge Sheet being Charge Sheet No. 447/2018 dated 30.04.2018 in Silchar P.S. Case No. 519/2017 and the criminal proceeding being PRC Case No. 444/2018 which is pending before the Court of learned CJM, Cachar, Silchar.

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

As the State respondent is represented by the learned APP, no formal notice need to be sent.

Registry shall call for the scanned copy of the TCR along with the case diary.

It is submitted by Mr. Biswas, learned counsel that after filing of the FIR, both the petitioner and the victim got married and thereafter their marriage got registered and at present they are staying together as husband and wife and two children were also born to them. Accordingly, he submitted that further proceeding in PRC Case No. 444/2018 may be stayed till disposal of the present petition.

Considering the submission made by the learned counsel for the petitioner, let the further proceeding in PRC Case No. 444/2018 which is pending before the Court of learned CJM, Cachar, Silchar be stayed till next date of listing.

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

JUDGE

Comparing Assistant