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

Case No. : Crl.Pet./257/2026

ATABUR RAHMAN
S/O LATE JONAB ALI
R/O SAGURIBAH
P.S. MOIRABARI
DIST. MORIGAON, ASSAM

VERSUS

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

2:ADITH BORO
S/O TRIBENDRA BORO
S.I. OF POLICE
DHING POLICE STATION
DIST. NAGAON
ASSAM
PIN-78212

Advocate for the Petitioner : MR S M ABDULLAH P, MR. MD IMDAD,MD IMRAN,MD R ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

25-02-2026

Heard Mr. S. M. Abdullah P, learned counsel for the petitioner and Mr. P. Borthakur, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 528 BNSS in connection with Special (POCSO) Case No. 179/2024 arising out of Dhing P.S. Case No. 162/2024 under Sections 61(2)/126(2)/137(2)/74/70(2)/109/238 of BNSS read with Section 6 of the POCSO Act for setting aside and quashing the order of charge framed against the present petitioner.

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 served, however, extra copies be furnished during the course of the day.

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

Further, the petitioner is directed to make the victim/guardian/parents of the victim as party respondent No.3 in the present proceeding.

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

JUDGE

Comparing Assistant