

GAHC010044752025



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

Case No. : Crl.Pet./291/2025

ADITYA SARMA BORUAH @ ADITYA SHARMA BARUAH
S/O DILIP SARMA BORUAH
R/O VILL-TELIAGAON
P.S. NORTH LAKHIMPUR (SADAR)
P.O. JAPISAJIA-787031
DIST. LAKHIMPUR, ASSAM

VERSUS

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

2:PARTHA PRATIM HAZARIKA
S/O BABUL HAZARIKA
R/O 96 KOILAMARI
P.S.NORTH LAKHIMPUR

PIN-787001
DIST. LAKHIMPUR
ASSA

Advocate for the Petitioner : MS. S G BARUAH, MR. B BORGOHAIN,MR B SAIKIA,MR. S
NEOG

Advocate for the Respondent : PP, ASSAM,

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

11.03.2025

- 1.** Heard Mr. B. Saikia, the learned counsel for the petitioner. Also heard Mr. K.K. Das, the learned Additional Public Prosecutor appearing for the State of Assam.
- 2.** This application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita(BNSS), 2023 has been filed by the petitioner, impugning the order dated 17.12.2024, passed by the learned Judicial Magistrate First Class, Kamrup(M),Guwahati, whereby, the prayer for Zimma of one 0.32 Bore Pistol, along with live ammunitions and one SBI Cheque Book, and one leather sling bag was rejected by the said Court.
- 3.** Let a report be called for, from the Investigating Officer of Dispur P.S. Case No. 987/2024, as regards whether the seized articles are required for investigation or not and whether same may be granted in Zimma to the owner of the said articles.
- 4.** The learned Additional Public Prosecutor shall produce the report before this Court on 27.03.2025.

JUDGE

Comparing Assistant