

GAHC010051842023



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

Case No. : CRL.A(J)/33/2023

GOPAL SAH
S/O- SRI LAXMAN SHAH, R/O- NORTH BALIJAN TEA ESTATE, DOWANIA
LINE, CHABUA, P.S. CHABUA, DIST. DIBRUGARH, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. AZAD AHMED (AMICUS CURIAE)

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

29.01.2024

(KR Surana, J)

On behalf of Mr. A. Ahmed, learned Amicus Curiae, Mr. Azif Ahmed, learned counsel is present. Ms. SH Borah, learned APP is also present.

It is observed from the office note dated 22.01.2024 that unserved notice on the respondent no.2 has been received back with postal remark "addressee left, returned not found." Therefore, the Registry shall issue a fresh notice to the respondent no.2/ victim. In the notice it shall be indicated that in the event the victim is unable to engage a lawyer, she may apply before the Registry for appointing a Legal Aid counsel to represent her.

Be that as it may, the Court also reserves the right to appoint an Amicus Curiae to represent the respondent no.2.

The Registry shall hand over the notice to the learned APP for service upon respondent no.2 through the jurisdictional Chabua Police Station in the district of Dibrugarh. The Officer-in-Charge of Chabua Police Station is directed to serve notice on the respondent no.2 and return the service report to the Court through the Registry.

Notice is made returnable on 15.03.2024.

List the matter on 15.03.2024 awaiting service of notice on the respondent no.2.

JUDGE

JUDGE

Comparing Assistant