

GAHC010052332026



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

Case No. : Crl.Pet./377/2026

JAMAL UDDIN
S/O ABDUL HOQUE
R/O VILL- MECHPARA, P.S. BARPETA ROAD, DIST. BARPETA, ASSAM

VERSUS

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

2:KOHINUR KHATUN
W/O NAZRUL
R/O VILL- MECHPARA
P.S. BARPETA ROAD

DIST. BARPETA
ASSA

Advocate for the Petitioner : MR S M ABDULLAH P, MR. J ALI

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 17.03.2026

Heard Mr. S. M. Abdullah P, learned counsel for the petitioner.

2. By this application filed under Section 482 of the Cr.P.C, 1973 the petitioner Jamal Uddin has challenged the order dated 23.05.2025 passed by the learned Judicial Magistrate First Class, Barpeta in PRC Case No. 510/2020.

3. The petitioner is an accused before the Trial Court. On 23.05.2025 and on subsequent dates also, the petitioner was absent in the Trial Court. Therefore, the Trial Court directed to issue NBWA and P&A against the petitioner.

4. The petitioner has now submitted that he is interested in facing the trial and, therefore, he deserves to be given an opportunity to face the same.

5. I have considered the submissions made by the learned counsel of both sides.

6. Since the petitioner is interested in facing the trial, this Court is of the opinion that the petitioner should be given an opportunity to contest the trial. Therefore, the order dated 23.05.2025 and all subsequent orders directing issue of NBWA against the petitioner by the learned Judicial Magistrate First Class, Barpeta in PRC Case No. 510/2020 are set aside.

7. The petitioner Jamal Uddin is directed to appear before the learned Trial Court in connection with PRC Case No. 510/2020 within next 14 (fourteen) days. On his appearance, the petitioner shall be allowed to go on fresh bail of ₹25,000/- with one surety of like amount to the satisfaction of the learned

Judicial Magistrate First Class, Barpeta.

8. The petitioner is directed to appear before the learned Trial Court on each and every date of hearing as fixed by the learned Trial Court and if he fails to do so, the learned Trial Court shall have the liberty to take steps for procuring the attendance of the petitioner in accordance with law.

9. With the aforesaid direction, the criminal petition is disposed of.

JUDGE

Comparing Assistant