

GAHC010053522026



2026:GAU-AS:3987

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

Case No. : Crl.Pet./396/2026

SALAHUDDIN ALI ALIAS SALUDDIN ALIAS KESUWA
S/O LATE TAMIJ ALI, R/O VILL. - PARASUTANGONI, P.O. -
HABIBARANGABARI P.S. MIKIRBHETA, DIST. MORIGAON, ASSAM 782106

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:MD SANJIB ALI (INFORMANT)
S/O MD. HEKIM ALI
VILL - BALIGAON
P.S. MIKIRBHETA
DIST. MORIGAON
ASSAM -78210

Advocate for the Petitioner : S K PODDAR, MR. C SHARMA,MR. R GHOSH,R MANDAL,MS.
N PODDAR

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 19.03.2026

- 1.** Heard Mr. S. K. Poddaar, learned counsel for the petitioner. Also heard Mr. Bhaskar Sharma, learned Additional Public Prosecutor for the State of Assam.
- 2.** This is an application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Sections 438 and 442 of the BNSS, 2023, praying for quashing the Order dated 20.01.2026, passed by the learned Special Judge (POCSO), Morigaon in POCSO Case No.123/2021.
- 3.** The petitioner filed an application under Section 311 of the Code of Civil Procedure praying for recalling PW-2 and PW-3 for further cross-examination on certain points, the Trial Court refused the prayer of the petitioner.
- 4.** Today, I have considered the submissions made by learned for both sides.
- 5.** The petitioner is directed to approach the Trial Court again with relevant documents to press the prayer again.
- 6.** With the aforesaid direction, this Criminal Petition stands disposed of.

JUDGE

Comparing Assistant