

GAHC010054902026



2026:GAU-AS:3989

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

Case No. : Crl.Pet./401/2026

HAKAM
S/O- CHAND BHAN, VILL.-SHADIPUR, P.O. -NAGINA, P.S.-NAGINA, DIST.-
MEWAT, HARYANA, PIN-122108

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE LEARNED P.P., ASSAM

Advocate for the Petitioner : MR. S AHMED, T UDDIN, MR M RAHMAN

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

19.03.2026

Heard Mr. S. Ahmed, the learned counsel appearing for the petitioners. Also heard Mr. Bhaskar Sharma, the learned Addl. Public Prosecutor, Assam.

- 2.** This an application under Section 528 of the BNSS, 2023 in respect of PRC Case No.493/2018 pending in the court of the learned S.D.J.M. (S), Barpeta arising out of Howly P.S. Case No.363/2018.
- 3.** Police had some information that some miscreants were looting money from different people at the Howly Bazar ATM.
- 4.** The petitioner Hakam Khan was arrested by police. Some other miscreants managed to escape.
- 5.** Post investigation, the charge sheet was laid against the present petitioner. Now, this petitioner claims that he is not the actual Hakam Khan. According to the petitioner, another person by the same name, aged about 23 years, is the actual culprit.
- 6.** After considering the submissions made by the learned counsel of both sides, the petitioner is directed to raise the issue before the trial court.

With the aforesaid direction, the criminal petition is dismissed and disposed of accordingly.

JUDGE

Comparing Assistant