

GAHC010055432021



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

Case No. : Crl.Rev.P./98/2021

DR. TARUN CH. SARMA
EX. PRINCIPAL, UTTAR KAMPITH MAHAVIDYALAYA (SR), JAGARA, R/O
NALBARI TOWN, BIDYAPUR, WARD NO.-3, P.O., DIST-NALBARI (ASSAM)

VERSUS

SAJJAN SUREKA AND 2 ORS
S/O LT. GOURI SHANKAR SUREKA, R/O N.T. ROAD, NALBARI, WARD NO. 9,
NALBARI MUNICIPALITY, DIST-NALBARI (ASSAM), PIN-781335

2:UTTAR KAMPITH MAHAVIDYALAYA (SR)
JAGARA
REPRESENTED BY ITS PRINCIPAL AND SECRETARY
UTTAR KAMPITH MAHAVIDYALAYA (SR)
JAGARA
P.O.-JAGARA
P.S.-NALBARI
DIST-NALBARI (ASSAM)
PIN-781310

3:PRINCIPAL AND SECRETARY
UTTAR KAMPITH MAHAVIDYALAYA (SR)
JAGARA
P.O.-JAGARA
P.S.-NALBARI
DIST-NALBARI (ASSAM)
PIN-78131

Advocate for the Petitioner : MR. S N KRISHNATRAYA, MR N RAY,MR S DIFUSA

Advocate for the Respondent : MR. P MAJUMDAR, SK S HOSSAIN

**BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

ORDER

24.02.2026

Heard Mr. S.N. Krishnatraya, learned counsel for the petitioner.

By this application, the petitioner has challenged the Order dated 17.12.2020 passed by the Learned Chief Judicial Magistrate, Nalbari in N.I. Case No. 41/2015 by which the petitioner as the then representative of accused No. 1 i.e., Uttar Kampith Mahavidyalaya (SR), Jagara who retired in the year December, 2014 was sentenced to undergo S.I. for three (3) months in default if the fine amount is not paid by the said college.

Mr. S.N. Krishnatraya, learned counsel for the petitioner submits that by the said Judgment, the petitioner was acquitted of the offence under Section 138 of N.I. Act and was set at liberty forthwith but imposing upon him, the said punishment according to the learned counsel is incorrect in law. He further submits that the petitioner although was the signatory to the cheque issued by the college, he retired on 31.12.2014 and the cheque was dishonored and the offence is allegedly to have been committed on 25.03.2015. He further submits that due to some anomalies of the committee of the college, the relevant account was held by the college and as such, the cheque was dishonored. He

further submits that the petitioner has no role or has no connection thereafter with the dishonored cheque issued by the college. He also submits that an appeal has been filed against the said Judgment and Order which is presently pending before the learned Sessions Judge, Nalbari where the present petitioner was arrayed as the respondent.

It is further noticed that although the counsels appearing for the respondents are shown in the cause list, but today when the matter is taken up, the counsels are not present.

As such, Mr. S.N. Krishnatraya, learned counsel for the petitioner prays that he may be allowed some time to contact the counsels representing the respondents.

Prayer is allowed.

List the matter on 12.03.2026.

JUDGE

Comparing Assistant