

GAHC010129182017



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

**Case No. : Crl.Rev.P./159/2017**

NIRMAL DUTTA  
S/O- LATE MANINDRA CH. DUTTA, R/O- R K ROAD, P.S- NAGAON, DIST-  
NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM and ANR.

2: BABUL CH. DUTTA  
S/O- LATE SURESH CH. DUTTA  
R/O- FOUZDARIPATTY  
P.S- NAGAON  
DIST- NAGAON  
ASSA

**Advocate for the Petitioner : MR.R ALI**

**Advocate for the Respondent : MR.M BORAH-2**

Linked Case : Crl.Rev.P./445/2017

BABUL CH. DUTTA  
S/O. LT. SURESH CH. DUTTA  
R/O. FAUZDARIPATTY  
BOROKANANDA ROAD  
P.S. NAGAON SADAR  
DIST. NAGAON

ASSAM.

VERSUS

THE STATE OF ASSAM and ANR.

2:NIRMAL DUTTA

S/O. LT. MUNINDRA CH. DUTTA  
PROPRIETOR OF TUMPA DRESSES  
MOON MARKET  
CIVIL ROAD  
P.O.- NAGAON  
PS- NAGAON SADAR  
PIN-782001  
DIST. NAGAON  
ASSAM.

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Advocate for : MR.A KHOUND

Advocate for : MR.P K DASR. 2 appearing for THE STATE OF ASSAM and ANR.

**BEFORE  
HONOURABLE MRS. JUSTICE MITALI THAKURIA  
ORDER**

**19.09.2023**

Heard Mr. N. Mahajan, learned counsel appearing on behalf of the petitioner/respondent No.2. Also heard Mr. A. Begum, learned Additional Public Prosecutor representing the State respondent No.1 and Ms. N. Choudhury, learned counsel for the respondent No.2/petitioner.

It is submitted by Mr. N. Mahajan, learned counsel for the petitioner/respondent No.2 that the conducting counsel, Mr. D. Bora is absent today stating the ground that he is attending his family function at Tezpur and the entire brief of the matters is with him. He also submitted that in earlier

occasion also the conducting counsel had argued these cases and thus, at present he is not in a position to argue the same in absence of the conducting counsel and for non availability of the brief.

In this context, Ms. N. Choudhury, learned counsel for the respondent No.2/petitioner has raised objection and submitted that these matters are related with the N.I. Act and are of the year 2017. Further, she also submitted that the matters were heard earlier by the Co-Ordinate Bench and was reserved for CAV, which was later released. Thus, hearings of these matters are very urgent at this stage.

Considering the submissions made by the learned counsel for the respondent No.2/petitioner and also considering the inconvenience on the part of Mr. D. Bora, the learned conducting counsel, the matters stands adjourned today.

List the matters again on **28.09.2023** with the direction to the conducting counsel to appear on the said fixed date.

**JUDGE**

**Comparing Assistant**