

GAHC010058392025



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

**Case No. : Crl.Pet./351/2025**

SOLEMAN ANSARY @ ANSARI  
S/O- MONERUDDIN ANSARY, R/O- VILL- TIAMARI PT- I, PS GAURIPUR,  
DIST. DHUBRI, ASSAM, PIN-783331

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. B D KONWAR SR. ADV., MR J SINGH,MR P DOLEY,MS S JAIN,MR H AGARWAL,MRS J M KONWAR

**Advocate for the Respondent** : PP, ASSAM,

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

**ORDER**

**Date : --21.03.2025**

Heard Ms. S. Jain, the learned counsel for the petitioner. Also heard Mr. P. Borthakur, the learned Additional Public Prosecutor appearing on behalf of State respondent.

**2.** This is an application u/s 528 of the Bharatiya Nagarik Suraksha Sanhita,

2023, with prayer to set aside and quash the impugned order dated 29.08.2024 passed by the learned Court of Additional Chief Judicial Magistrate, Dhubri, rejecting the petitioner's application for zimma/custody of the seized amount of Rs. 19,99,500/- in connection with **Gauripur P.S. Case No. 447/2022.**

**3.** Issue Notice on the respondent no. 2 through registered post with A/D as well as usual process.

**4.** No formal notice is required to be served to State respondent no.1 as the learned Additional Public Prosecutor has already entered appearance. However, extra requisite copy of the petition be served during the course of the day.

**5.** After hearing Ms. Jain it is also seen that in the instant case the Investigating Officer has already filed FR due to lack of the proper evidence. But, after filing of the FR it is seen in the impugned order that the notice was issued to the informant for his appearance and there is no other status of the case as to what happened after the issuance of notice to the informant.

**6.** In view of this and considering all aspects of the case, this Court finds that the scanned copy of the LCR along with the Case Diary and present status report of the case be called for.

**7.** List accordingly on 24.04.2025.

**JUDGE**

**Comparing Assistant**