

GAHC010059262025



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

**Case No. : Crl.Pet./366/2025**

SAMINUL ISLAM SIDDIQUE @ SAMINUR ISLAM  
S/O EFAZ UDDIN SHEIKH  
R/O WARD NO. 5, CHAPAR  
DIST. DHUBRI, ASSAM  
PIN-783371

VERSUS

THE STATE OF ASSAM AND ANR.  
REP BY THE PP, ASSAM

2:SAKINA KHATUN  
D/O SOLEMAN KHAN  
R/O VILL-FILIMARI

PT. I

P.S.CHAPAR  
DIST.DHUBRI  
ASSAM  
PIN-78332

**Advocate for the Petitioner** : J S AHMED, MR. KHAIRUL ISLAM, RAFIKA HUSSAIN

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

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

**26.03.2025**

Heard Mr. R. Hussain, learned counsel for the petitioner. Also heard Mr. K. K. Das, learned Additional Public Prosecutor for the State respondent No.1.

This application is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for the quashing or setting aside of the proceedings in Charge Sheet No. 189/2024, dated 10.12.2024, arising out of Chapar P.S. Case No. 191/2024, under Sections 69/308(2), along with the subsequent order dated 16.01.2025, passed by the learned Judicial Magistrate, First Class, Bilasipara, which is also pending before the said Court.

Issue notice to the respondents, returnable on 07.05.2025.

As Mr. Das, learned Additional Public Prosecutor has entered appearance and accepted notice on behalf of State respondent No. 1, no formal notice is required to be issued to the said respondent. However, he shall be provided with requisite extra-copy of the petition during the course of the day.

The learned counsel for the petitioner shall take steps to serve notice upon respondent No. 2 through the concerned jurisdictional police station, routed through the Registry and the Office of the Public Prosecutor.

Scanned copy of the Trial Court Record along with the Case Diary be called for.

List the matter on **07.05.2025**.

**JUDGE**

**Comparing Assistant**