

GAHC010064202026



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

Case No. : Crl.Pet./472/2026

IRAMANI BHUYAN @ IRAMANI BHUYAN DEKA
WIFE OF DIPAK DEKA, R/O- LOKHRA KONA, GARBHANGA ROAD, P.S.-
GORCHUK, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE P.P., ASSAM

2:EXECUTIVE MAGISTRATE
DISPUR CO-DISTRICT
GUWAHATI
GUWAHATI-

3:MANI CHAN SINGHA
SON OF LATE MANTRI SINGHA
R/O- MACHPARA
P.O.- MACHPARA
P.S.- SILCHAR

DIST.- CACHAR
ASSAM
PIN- 788009

4:CHANDRA LEKHA SINGHA
WIFE OF H NANDA KISHORE SINGHA
P.O.- PAILAPOOL
P.S.- LAKHIPUR
DIST.- CACHAR
ASSAM
PIN- 78809

Advocate for the Petitioner : MR D MAHANTA, MR T GOGOI

Advocate for the Respondent : PP, ASSAM, MR A AHMED(R3,4),U U KHAN(R3,4),MISS. P M AHMED(R3,4),MR. M A CHOUDHURY(R3,4),MR. A AHMED(R3,4)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

01.06.2026

[1] Heard Mr. T. Gogoi, the learned counsel for the petitioner. Also heard Mr. K. Baishya, the learned Additional Public Prosecutor appearing for the State of Assam, who submits that since this is a criminal petition, wherein, order passed by executive magistrate in exercise of powers under Section 164 of BNSS has been challenged and since the executive magistrate has also been made one of the respondent in this case, the Government Advocate has to defend this case instead of Public Prosecutor.

[2] He submits that same is the practice followed by this court.

[3] Also heard Ms. P.M. Ahmed, the learned counsel for the respondent Nos. 3 and 4.

[4] The prayer is allowed.

[5] Let the Government Advocate be notified by the petitioner regarding filing of this case and let the extra copies of the petition be furnished to the Government Advocate by the petitioner.

[6] The Registry shall reflect the name of Government Advocate in place of Public Prosecutor in the cause-list against this case henceforth.

[7] Let this case be listed on 24th June, 2026.

[8] The respondent Nos. 3 and 4 may file their written objection in the meanwhile.

[9] List accordingly.

JUDGE

Comparing Assistant