

GAHC010074772026



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

Case No. : Crl.Pet./549/2026

NITUL CHETIA
SON OF LATE KUSHARAM CHETIA,
R/O SANTAPUR, KANDALI GAON, P.S. BIHPURIA, DIST. LAKHIMPUR,
ASSAM, PIN-784161

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:SMTI. DIPTI HAZARIKA
D/O NUMAL HAZARIKA
RESIDENT OF MILANPUR
P.S. NAGAON SADAR
DIST. NAGAON
PIN-78200

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 21.04.2026

Heard Mr. D Mahanta, the learned counsel appearing for the petitioner. Also heard Mr. P S. Lahkar, the learned Additional Public Prosecutor appearing for the state of Assam.

Issue notice.

No formal notice is required to be sent to the respondent No.1 as because Mr.Lahkar has accepted notice on behalf of the said respondent. However, extra copies of the petition shall be provided to him during the course of the day.

The petitioner shall take steps for service of notice upon the respondent No.2 by Speed Post.

List after 4 (four) weeks.

Till returnable date, the operation of the impugned judgment dated 22.09.2025 passed by the learned Sub-Divisional Judicial Magistrate, Nagaon in M.R. Case No. 51/2015 shall remain suspended subject to the condition that the petitioner shall continue to pay ₹4,000/- (Rupees Four Thousand) as maintenance to the respondent No.2.

JUDGE

Comparing Assistant