

GAHC010084972026



2026:GAU-AS:6153

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

Case No. : Crl.Pet./611/2026

ANUJ KUMAR BORAH
S/O KAILASH BORAH
PERMANENT RESIDENT OF VILL- NEAR NAMGHAR BIHAGURI,P.S.
TEZPUR, DIST. SONITPUR, ASSAM

VERSUS

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

2:AJIMUDDIN
SON OF IBRAHIM ALI
RESIDENT OF GOTLONG
FULTOLA
P.S. TEZPUR
DIST. SONITPUR
ASSAM
PIN-784001

Advocate for the Petitioner : MR. P K SARMA, MS. P KAKATI,MS R SAHIN,MS. B BHUYAN

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

06.05.2026

Heard Mr. P.K. Sarma, learned counsel for the petitioner. Also heard Mr. B. Sharma, learned Additional Public Prosecutor for the State.

2. Sri Anuj Kumar Borah has filed this application under Section 528 of the BNSS, 2023, with a prayer for quashing and setting aside the impugned orders dated 11.08.2025 and 16.09.2025, passed by the learned JMFC, Sonitpur in PRC Case No.350/2025, whereby NBWA and P&A has been issued against the petitioner.

3. It is submitted by the learned counsel for the petitioner that the petitioner was not aware of the summons or the NBWA issued against him till December, 2025.

4. It is submitted that when the petitioner learned that the police had been searching for him, the petitioner has approached this Court.

5. I have considered the submissions at the Bar.

6. The learned Additional Public Prosecutor has raised objection stating that the petitioner has been shown as absconder in the charge-sheet and that NBWA as well as P&A has been issued against him, after summons were served upon the petitioner.

7. I have considered the submissions that the petitioner has to attend to his father, who has suffered a neck fracture. It is also submitted that the Annexure-11 reveals that vehicle involved in this case bearing Registration No. AS-12-CC-3808 has already been handed over to the complainant, who is the

registered owner of the vehicle.

8. As the petitioner is willing to appear before the trial court and cooperate with the trial, a pragmatic view is taken. It appears that the case is not required to be kept pending which will result in procrastination. Thereby, the NBWA and P&A issued against the petitioner are kept in abeyance up to 28.05.2026.

9. Meanwhile, the petitioner is directed to appear before the trial court within 28.05.2026 and cooperate with the trial.

10. In the terms of the above observation, this petition stands disposed of.

JUDGE

Comparing Assistant