

GAHC010086412026



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

Case No. : Crl.Rev.P./456/2026

MD. MAZIDUL ISLAM
S/O JAHIDUL ISLAM, R/O VILL.- KHANDARPAR, P.S.- BARPETA, DIST.-
BARPETA, ASSAM, PIN- 781252.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

2:MAZEDA KHATUN
W/O SIDDIQUE ALI
R/O VILL.- KHANDARPAR
P.S.- HOWLY
DIST.- BARPETA
ASSAM

Advocate for the Petitioner : MR. V A CHOWDHURY,

Advocate for the Respondent : MR. M ALAMGEER (R-2),

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

14.09.2026

Heard Mr. V.A. Chowdhury, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor, Assam, appearing for the State respondent No.1 and Mr. M. Alamgeer, learned counsel for the respondent No.2.

In this petition under Section 434 read with Section 438(1) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, the petitioner has challenged the judgment and order dated 14.07.2025, passed by the learned Additional Sessions Judge, Barpeta, in Criminal Appeal No.29/2024, whereby the learned Additional Sessions Judge, Barpeta, has upheld the judgment and order of conviction dated 29.08.2024, passed by the learned Additional Chief Judicial Magistrate, Barpeta, in N.I. Case No.123/2022. It is also to be noted here that vide impugned judgment and order dated 29.08.2024, the learned Additional Chief Judicial Magistrate, Barpeta, has convicted the petitioner herein under Section 138 of the N.I. Act and sentenced him to suffer rigorous imprisonment for 2(two) months and also to pay a sum of Rs.7,50,000/- as fine to the complainant, the respondent No.2 herein.

Perused the petition and the documents placed on record and also perused the impugned judgment and order dated 14.07.2025, passed by the learned Additional Sessions Judge, Barpeta, in Criminal Appeal No.29/2024 and also the judgment and order of conviction dated 29.08.2024, passed by the learned Additional Chief Judicial Magistrate, Barpeta, in N.I. Case No.123/2022.

Issue notice to the respondents, returnable within 4(four) weeks.

However, no formal notice is required to be issued to the respondents, since they are represented by their respective counsel. But, extra requisite copy of the petition be furnished to the learned counsel appearing for the respondents during the course of the day.

Registry shall call for the records from the learned Courts below.

List the matter after 4(four) weeks.

Sd/- Robin Phukan
JUDGE

Comparing Assistant