

GAHC010116972022



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

Case No. : Crl.Pet./552/2022

MOYUN UDDIN LASKAR AND 4 ORS
S/O LATE ASSADAR ALI LASKAR, R/O PANCHAYAT ROAD, AMBIKAPUR
PART-IX, WARD NO. 19, P.O. AND P.S.-SILCHAR, DIST-CACHAR, ASSAM

2: AMIN UDDIN LASKAR
S/O LATE MADARIS ALI LASKAR
R/O PANCHAYAT ROAD
AMBIKAPUR PART-IX
WARD NO. 19
P.O. AND P.S.-SILCHAR
DIST-CACHAR
ASSAM

3: ANWAR HUSSAIN LASKAR
S/O MAKADDAS ALI LASKAR
R/O PANCHAYAT ROAD
AMBIKAPUR PART-IX
WARD NO. 19
P.O. AND P.S.-SILCHAR
DIST-CACHAR
ASSAM

4: IKBAL HUSSAIN LASKAR
S/O MAKKADAS ALI LASKAR
R/O PANCHAYAT ROAD
AMBIKAPUR PART-IX
WARD NO. 19
P.O. AND P.S.-SILCHAR
DIST-CACHAR
ASSAM

5: ALAM ARA LASKAR
W/O LATE JOYNAL ABEDIN LASKAR
R/O PANCHAYAT ROAD

AMBIKAPUR PART-IX
WARD NO. 19
P.O. AND P.S.-SILCHAR
DIST-CACHAR
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:MD AJIJUR RAHMAN LASKAR
S/O LATE HAZI SAYED ALI
R/O AMBICAPUR PART-IX
PANCHAYAT ROAD
P.S.-SILCHAR
DIST-CACHAR
ASSAM
PIN-788002

Advocate for the Petitioner : MR. JUNM LASKAR

Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN
ORDER

17.06.2022

By this application filed under Section 482 CrPC , the petitioner has prayed for setting aside and quashing the entire proceeding pertaining to the FIR dated 20.05.2022, registered as Silchar PS Case No. 1300/2022, under Sections 406/468/420 IPC.

Heard Mr P Kataki, learned counsel for the petitioners and Mr B Sarma, learned Additional Public Prosecutor for the State of Assam.

Contending that the petitioners who were the legal heirs of Fatima Bibi, mutated their names in the plot of land by way of proper application before the Settlement Officer and immediately after mutation of their names in the land record, the FIR has been filed by the co-Pattadars of the said disputed land of Fatima Bibi, without

challenging such mutation order or for cancellation of the same and otherwise, it is an appealable one.

Issue notice to the respondent No. 2, by registered post with A/D as well by usual process, returnable by 26.07.2022.

Furnish extra copies of the petition to the learned Additional Public Prosecutor, who is representing the respondent No. 1/ State of Assam.

Call for the scanned copy of the Case Diary, fixing 26.07.2022.

JUDGE

Comparing Assistant