

GAHC010036452024



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

Case No. : Tr.P.(Crl.)/8/2024

SAHNUR ALI
S/O LATE SADULLAH SHEIKH
RESIDENT OF SHANTIPUR (NEAR MASJID) MANGALDAI TOWN, WARD
NO. 2, PO AND PS MANGALDAI, DIST DARRANG, ASSAM 784125

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY PP ASSAM

2:NITAI DEY
S/O HAREN CHANDRA DEY
RESIDENT OF TANGLA TOWN
HOSPITAL ROAD
PO AND PS TANGLA
DIST UDALGURI
BTR
ASSA

Advocate for the Petitioner : MS. M DEV, MR. J ISLAM, R ISLAM, MS. S NAZNEEN, MR. Z
ALAM, MR. T CHHETRI, MR. A GANGULY

Advocate for the Respondent : PP, ASSAM,

Linked Case : Tr.P.(Crl.)/11/2024

SAHNUR ALI
S/O LATE SADULLAH SHEIKH R/O SHANITPUR (NEAR MASJID)

MANGALDAI TOWN
WARD NO. 2
P.O. AND P.S. MANGALDAI
DIST. DARRANG
ASSAM-784125

VERSUS

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

2:GAUTAM MAJUMDAR
S/OLATE GAJENDRA CHANDRA MAJUMDAR
R/O VILL- DAKHIN NALBARI P.O. AND P.S. TANGLA
DIST. UDALGURI
BTR
ASSAM

Advocate for : MS. M DEV
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

Linked Case : Tr.P.(Crl.)/26/2024

SAHANUR ALI
S/O LATE SADULLAH SHEIKH
R/O WARD NO.-2
SHANTIPUR (NEAR MASJID)
MANGALDOI TOWN
P.S.-MANGALDOI SADAR
P.O.-MANGALDOI
DIST- DARRANG
ASSAM
PIN-784125

VERSUS

BISHNU PRASAD RABHA
S/O LATE HAHIRAM RABHA
R/O VILL- JALAH (NA-BHANGA)
P.O.-PALAHGARH
P.S.-TANGLA
DIST- UDALGURI (BTC)

ASSAM
PIN-784521

Advocate for : MR Z ALAM
Advocate for : MR A SARANIA appearing for BISHNU PRASAD RABHA

Linked Case : Tr.P.(Crl.)/9/2024

SAHNUR ALI
S/O LATE SADULLAH SHEIKH
R/O SHANTIPUR (NEAR MASJID)
MANGALDAI TOWN
WARD NO. 2

P.O. AND P.S. MANGALDAI
DIST. DARRANG
ASSAM-784125

VERSUS

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

2:GAUTAM MAJUMDAR
S/O LATE GAJENDRA CHANDRA MAJUMDAR

R/O VILL- DAKHIN NALBARI

P.O. AND P.S. TANGLA
DIST. UDALGURI
BTR
ASSAM

Advocate for : MS. M DEV
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

Linked Case : Tr.P.(Crl.)/10/2024

SAHNUR ALI

S/O LATE SADULLAH SHEIKH
R/O SHANITPUR (NEAR MASJID)
MANGALDAI TOWN
WARD NO. 2

P.O. AND P.S. MANGALDAI

DIST. DARRANG
ASSAM-784125

VERSUS

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

2:GAUTAM MAJUMDAR
S/OLATE GAJENDRA CHANDRA MAJUMDAR

R/O VILL- DAKHIN NALBARI
P.O. AND P.S. TANGLA

DIST. UDALGURI
BTR
ASSAM

Advocate for : MS. M DEV
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

Linked Case : Tr.P.(Crl.)/27/2024

SAHANUR ALI
S/O LATE SADULLAH SHEIKH
R/O WARD NO.-2
SHANTIPUR (NEAR MASJID)
MANGALDOI TOWN
P.S.-MANGALDOI SADAR
P.O.-MANGALDOI
DIST- DARRANG
ASSAM
PIN-784125

VERSUS

BISHNU PRASAD RABHA
S/O LATE HAHIRAM RABHA
R/O VILL- JALAH (NA-BHANGA)
P.O.-PALAHGARH
P.S.-TANGLA
DIST- UDALGURI (BTC)
ASSAM
PIN-784521

Advocate for : MR Z ALAM
Advocate for : MR A SARANIA appearing for BISHNU PRASAD RABHA

**BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR**

ORDER

15.12.2025

1. Heard Mr. Z. Alam, learned counsel for the petitioners. Also heard Mr. T.U. Laskar, learned counsel for the respondent no.2 in Tr.P.(Crl.) nos. 9/2024, 10/2024 & 11/2024 and Mr. M. Sarania, learned counsel for the respondent no.2 in Tr.P.(Crl.) nos. 26/2024 & 27/2024; none appears for the respondent no.2 in Tr.P.(Crl.) no.8/2024.
2. The grievance raised in the transfer petitions is that the petitioners apprehend a threat to their life and personal safety at the hands of respondent No. 2 in each case whenever they propose to participate in the trial initiated on the complaint filed by respondent No. 2, who is the sole respondent in each of the petitions instituted under the Negotiable Instruments Act.
3. It is the case of the petitioners that FIRs were lodged alleging threats extended to the applicants. The petitioners have also filed an additional

affidavit placing on record that the FIRs lodged by them in respect of such threats culminated in General Diary Entry No. 15 dated 20.12.2023 at Udalguri Police Station.

4. At the request of this Court, Mr. K.K. Parasar, learned APP, submitted that he would be able to ascertain and place before the Court the status of any investigation, if undertaken, in respect of the aforesaid General Diary entries and the FIRs lodged by the petitioners. Learned counsel for the petitioners has undertaken to serve copies of the transfer petitions and the affidavits filed by the petitioners upon Mr. K.K. Parasar, learned APP, to enable him to take necessary steps in the matter.

5. List these matters again on 20.01.2026, on which date Mr. Parasar shall make an endeavour to apprise this Court of the status of the investigation, if any, carried out in respect of the General Diary entry as stated by the petitioners.

6. Further orders shall be passed upon receipt of the status of the investigation, and an endeavour shall be made to dispose of the transfer petitions on the next date of listing. Interim orders, if any, shall continue till then.

JUDGE

Comparing Assistant