

GAHC010132482016



undefined

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

Case No. : CrI.A./440/2025

M/S GUPTA HARDWARE PVT LTD
A PRIVATE LIMITED COMPANY REGISTERED UNDER THE COMPANIES
ACT 1956, (AS AMENDED UPTO-DATE)
REPRESENTED BY SRI MANAB LAHKAR, MANAGER, OF THE COMPANY
HAVING ITS REGISTERED OFFICE SITUATED AT DR. R.P. ROAD,
GANESHGURI CHARIALI, DISPUR, GUWAHATI - 6, P.O. AND P.S. - DISPUR
(ASSAM SACHIBALAYA),
DIST - KAMRUP(M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM

2:M/S MAGUS CONSTRUCTION PVT. LTD
A PRIVATE LIMITED COMPANY
REGISTERED UNDER SECTION THE COMPANIES ACT
1956 (AS AMENDED UPTO-DATE)
AT ITS ADDRESS AT C/O HOUSE NO. 7
GROUND FLOOR
AMRABATI PATH
CHRISTIAN BASTI
P.O. - DISPUR S.O.
P.S. - BHANGAGARH
GUWAHATI - 6
DIST - KAMRUP(M)
ASSAM

3:SRI ANUP KUMAR NATH @ A.K. NATH
DIRECTOR
M/S MAGUS CONSTRUCTION PVT. LTD.
AT ITS ADDRESS AT C/O - HOUSE NO. 7
GROUND FLOOR
AMRABATI PATH

CHRISTIAN BASTI
P.O. - DISPUR S.O.
P.S. - BHANGAGARH
GUWAHATI - 6
KAMRUP(M)
ASSAM

Advocate for the Petitioner : MR.M K NATH, MS.P BURAGOHAİN

Advocate for the Respondent : PP, ASSAM, ,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 19.12.2025

Heard Ms. B. Gupta, learned counsel for the appellant and Mr. M.P. Goswami, learned Additional Public Prosecutor for the respondent no. 1, State of Assam.

The present criminal appeal under Section 419[4], Bharatiya Nagarik Suraksha Sanhita [BNSS], 2023 is directed against a Judgment and Order dated 08.04.2016 passed by the Court of Judicial Magistrate, First Class, Kamrup [Metro], Guwahati [‘the Trial Court’] in C.R. Case no. 2468^C/2010. The Special Leave to Appeal under Section 419[5], BNSS is granted on 02.12.2025 in Criminal Leave Petition no. 51/2016. By the impugned Order dated 02.12.2025, the respondent, who was the accused in C.R. Case no. 2468^C/2010 has been acquitted.

I have gone through the grounds urged in the memo of appeal. The criminal appeal is admitted for hearing.

Let the TCR be called for.

Issue notice returnable on 16.02.2026.

As Mr. Goswami has appeared and accepted notice on behalf of the respondent no. 1, issuance of formal notice in respect of the said respondent stands dispensed with. The petitioner shall serve an extra copy of the petition along with annexures, to Mr. Goswami within 2 [two] working days from today.

JUDGE

Comparing Assistant