

GAHC010133342025



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

Case No. : Crl.Rev.P./228/2025

HABIBAR RAHMAN
S/O- SAGAR ALI SHEIKH ,
R/O- HABIB MANSION, NIHARIKA BYE LANE , NAMGHAR PATH,
PANJABARI, KAMRUP (M), ASSAM, PIN-781037,

VERSUS

THE STATE OF ASSAM AND ORS
REP BY THE PP ASSAM

2:ASIF ALI
S/O- LATE KAMAL PASHA @ KAMAL ALI

3:Toufique Ali
S/O- LATE KAMAL PASHA @ KAMAL ALI

4:RAKIBUR ZAMAN @ SINTU
S/O- PAINUR ALI

5:MAZIDA BEGUM
W/O- LATE KAMAL PASHA @ KAMAL ALI

6:SHAHANAZ BEGUM @ NAINA
W/O- RAKIBUR ZAMAN

7:FARHEEN YEASMIN
W/O- ASIF ALI

ALL ARE R/O- H.NO-10
PANJABARI
NAMGHAR PATH

UNDER P.S SATGAON
DIST- KAMRUP METRO
GUWAHATI-32

8:ABJAL ALI
S/O- HUSSAIN ALI
R/O- H.NO-10
PANJABARI
NAMGHAR PATH

UNDER P.S SATGAON
DIST- KAMRUP METRO
GUWAHATI-32

9:GANESH NARZARY
C/O- MAZIDA BEGUM
R/O- H.NO-10
PANJABARI
NAMGHAR PATH

UNDER P.S SATGAON
DIST- KAMRUP METRO
GUWAHATI-32

10:ZAKIR HUSSAIN
C/O- MAZIDA BEGUM
R/O- H.NO-10
PANJABARI
NAMGHAR PATH

UNDER P.S SATGAON
DIST- KAMRUP METRO
GUWAHATI-32

11:TAPAN DEKA
@DEBA DEKA
C/O- PHANIDHAR TALUKDAR

O/O THE SKYSCRAPPERS REAL ESTATE PVT. LTD.
JAYANAGAR CHARIALI
SIXMILE
DIST- KAMRUP METRO
GUWAHATI-22

12:SHAHZAD BHUYAN
S/O- LATE MANSER ALI @ PASHA BHUYAN

C/O- MAZIDA BEGUM
R/O- H.NO-10
PANJABARI
NAMGHAR PATH

UNDER P.S SATGAON
DIST- KAMRUP METRO
GUWAHATI-3

Advocate for the Petitioner : MR B DEORI, MR. M H RAJBARBHUIYAN,MR G BHARADWAJ

Advocate for the Respondent : PP, ASSAM,

B E F O R E
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

24.06.2025

Heard Mr. M.H. Rajbarbhuiyan, learned counsel for the petitioner. Also heard Mr. R.J. Baruah, learned Addl. Public Prosecutor for the State.

By way of this application under Section 528 of the BNSS, the petitioner is assailing inter-alia the Order dated 23.05.2025 passed by the Addl. Session Judge No. 1, Kamrup (Metro), Guwahati in Special Land Grabbing Case No. 44/2023 whereby the Trial Court has refused to take cognizance of the matter.

Issue notice returnable after three weeks.

Mr. R.J. Baruah, learned Addl. Public Prosecutor accepts notice on behalf of the respondent No. 1. Extra copies within two days.

Steps by registered post with A/D in respect of respondent Nos. 2 to 12 within three days from today.

List the matter after three weeks on a date to be fixed by the Registry.

Interim prayer is kept open for consideration after service is effectuated.

JUDGE

Comparing Assistant