

GAHC010237732019



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

Case No. Crl.A./288/2019

MD. MUJIBUR RAHMAN
S/O- MD. SAIFULLAH OF HATTA
P.O. AND P.S. POROMPAT
IMPHAL EAST DISTRICT
MANIPUR
PIN- 795005.

VERSUS

NARCOTICS CONTROL BUREAU
INDIA

Advocate for : MR H R A CHOUDHURY
Advocate for : SC
NCB appearing for NARCOTICS CONTROL BUREAU

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

29-01-2024

(Kalyan Rai Surana, J)

Mr. I.U. Choudhury, learned counsel for the appellant had submitted that a

common paper book in CrI.A. No. 288/2019, CrI.A. No. 360/2019 and CrI.A. 393/2019 was prepared by the appellant's side and when the records have been verified by the Registry, certain objections were made. It was submitted that when the learned counsel met the concerned official, he did not provide anything in writing and accordingly, it is submitted that the paper book could not be rectified.

It is observed from the office note dated 29.11.2023 that the AOJ (paper book section) has noted the following discrepancies:-

(a) 6(six) accused were examined under Section 313 of the Code of Criminal Procedure, 1973 and it was observed that 3-4 questions are missing in each set of questions that were asked to the accused in the typed copy produced by the learned counsel in the paper book.

(b) In most of the exhibited documents there are some typing errors that must be rectified.

The learned counsel for the appellant has submitted that there are two sets of statement of the accused recorded under Section 313 of the Code of Criminal Procedure, 1973 and therefore, it is inadvertent error in the paper book had crept in.

At this juncture, the learned counsel for the appellant in CrI.A. No. 360/2019 and CrI.A. 393/2019 has submitted that she is ready to bear the cost of the preparation of the paper book.

Accordingly, the Registry shall prepare a paper book and shall indicate the cost of preparation to the learned counsel for the appellants in the said two appeals so as to enable her to deposit the cost.

List after 4(four) weeks, awaiting preparation of paper book in orders

column.

JUDGE

JUDGE

Comparing Assistant