

GAHC010147712022



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

Case No. : CRL.A(J)/82/2022

JAKOM MURMU AND 3 ORS.
S/O TIBHI MURMU
RESIDENT OF VILLAGE BETBARI, PS BAGARIBARI, DIST KOKRAJHAR,
BTAD, ASSAM

2: CHOTO MURMU
S/O LATE DHENA MURMU
RESIDENT OF VILLAGE BETBARI
PS BAGARIBARI
DIST KOKRAJHAR
BTAD
ASSAM

3: ROMBE HEMBROM
S/O LATE BABURAM HEMBROM

RESIDENT OF VILLAGE BETBARI
PS BAGARIBARI
DIST KOKRAJHAR
BTAD
ASSAM

4: TALA SOREN
S/O CHANDAN MURMU

RESIDENT OF VILLAGE BETBARI
PS BAGARIBARI
DIST KOKRAJHAR
BTAD
ASSA

VERSUS

THE STATE OF ASSAM

REPRESENTED BY PP ASSAM

Advocate for the Petitioner : MR. S DUTTA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

01.12.2023

(M. Zothankhuma, J.)

Mr. S. Dutta, learned counsel appears for the appellant and submits that the Paper Book has been received by him.

As per the Office Note dated 28.04.2023, Paper Book has been furnished to Ms. S. Jahan, learned Additional Public Prosecutor.

It is seen that no notice has been issued to the victim/guardian of the victim/informant regarding the pendency of this appeal. The reason appears to be due to the fact that the victim/guardian of the victim/informant has not been made a party respondent.

Accordingly, in view of the above facts and in terms of the judgment of this order passed in Dipak Nayak vs. State of Assam [Criminal Appeal(J) 40/2022], notice be issued to the victim/guardian of the victim/informant through the O.C., Bagribari Police Station.

The appellant shall submit a copy of the appeal to the Registry of this Court, who shall furnish the same to Ms. B. Bhuyan, learned Additional Public

Prosecutor. The learned Additional Public Prosecutor shall thereafter forward the same to the O.C, Bagribari P.S, who shall serve the same to the victim/guardian of the victim/informant. The O.C., Bagribari P.S shall thereafter give a report of service of the appeal/notice to this Court.

List the matter after 4 (four) week.

In the meantime, the appellant shall file an amended copy of the appeal, incorporating the victim/guardian of the victim/informant as respondent no.2.

JUDGE

JUDGE

Comparing Assistant