

GAHC010161982023



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

Case No. : I.A.(Crl.)/647/2023

NEPAL ROY
S/O LATE KETAKI ROY, VILL.- KATHAL ROAD, SILCHAR, DIST.- CACHAR
(ASSAM).

VERSUS

THE STATE OF ASSAM AND ANR.
TO BE REP. BY THE P.P., ASSAM.

2:APARNA MALAKAR
W/O SRI BAKU MALAKAR

VILL.- NATIONAL HIGHWAY
P.S.- SILCHAR
DIST.- CACHAR
ASSAM
PIN- 788001

Advocate for the Petitioner : MR. L R MAZUMDER

Advocate for the Respondent : PP, ASSAM

Linked Case : Crl.A./273/2023

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S/O LATE KETAKI ROY

VILL.- KATHAL ROAD

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Advocate for : MR. L R MAZUMDER
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

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

ORDER

Date : 16.02.2024
(K. R. Surana, J)

Heard Mr. L. R. Mazumder, learned counsel for the applicant-appellant.
Ms. S. Jahan, learned Additional Public Prosecutor for the State has produced a copy of report forwarded by the In-charge of Silchar Police Station indicating that the concerned constable named in the report could not find the whereabouts of the respondent no.2 at the given place of residence and accordingly, the notice was returned without service.

Accordingly, as whereabouts of the respondent no.2 is not known, this Court is inclined to appoint Shri Atal Tewari as amicus curiae to represent

respondent no.2.

The learned counsel for the applicant shall provide the learned amicus curiae with copy of this Interlocutory Application and the memo of the appeal within 2 (two) working days.

List this matter on 28.02.2024.

In the meanwhile Registry shall prepare the paper books in terms of the order passed on 24.11.2022.

JUDGE

Comparing Assistant