

GAHC010166322018



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

Case No. : CrI.A. 268/2018

1:SRI PRINCE JAISWAL
S/O- SRI RAMPAL JAISWAL,
R/O- UCHAMATI, AT ROAD, P.O. AND P.S.-DOOMDOOMA, DISTRICT-
TINSUKIA, ASSAM.

VERSUS

1:THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY PP, ASSAM.

2:MRINGMOY SINGHA
R/O- RAJGARH ROAD
OPPOSITE 1ST BYELANE
CHANDMARI
P.S.- CHANDMARI
GUWAHATI-03
ASSAM.

3:BRAHMAPUTRA MOTORS
A PROPRIETORSHIP FIRM HAVING ITS PLACE OF BUSINESS AT RAJGARH
ROAD
OPPOSITE 1ST BYELANE
CHANDMARI
GUWAHATI-03. REPRESENTED BY ITS PROPRIETOR SRI MRINGMOY
SINGHA

Advocate for the Petitioner : MR. A K BHUYAN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR**

ORDER

Date : 10-09-2018

Heard Mr. AK Bhuyan, learned counsel for the appellant. Also heard Mr. BJ Dutta, learned Additional Public Prosecutor, appearing for the State respondent No. 1.

By this application under Section 378 of the Cr.PC, the appellant/complainant herein has prayed for setting aside the impugned judgment and order, dated 04.07.2018, passed by the learned Additional Chief Judicial Magistrate, Tinsukia in NI Case No. 68/2016, whereby the respondent Nos. 2 and 3 have been acquitted from the charge under Section 138 of the Negotiable Instruments Act, 1881.

Let LCR be called for.

Issue notice to the respondent Nos. 2 and 3.

Appellant to take steps for service of notice upon respondent Nos. 2 and 3 by registered post with A/D within 3 (three) days.

List the matter on ***5th of October, 2018.***

JUDGE

Comparing Assistant