

GAHC010184212024



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

Case No. : I.A.(Crl.)/856/2024

IKRAMUL HOQUE
S/O LT. ABUL KASHEM R/O VILL- DHUPAGURI GAON P.S. DHING
DIST. NAGAON
ASSAM PIN-782123

VERSUS

SAFIA KHATUN
W/O IKRAMUL HOQUE R/O VILL- DHUPAGURI GAON
P.S. DHING
DIST. NAGAON
ASSAM PIN-782123

Advocate for : MR. M HOSSAIN
Advocate for : appearing for SAFIA KHATUN

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 11.09.2024

Mr. M. Hossain, learned counsel is present on behalf of the applicant who has filed this application under Section 464 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for suspension of execution of sentence and allow the

petitioner to go on bail during the pendency of Criminal Revision Petition No. 351/2024 preferred against the order dated 15.07.2024 passed in Criminal Misc (Limitation) Case No. 11/2022 by the learned Sessions Judge No. 2, Nagaon, dismissing the petition under Section 5 of the Limitation Act, 1963 and issuing NBWA against the petitioner vide order dated 08.07.2024 in DV Case No. 212/2022.

2. The appeal against the judgment and order dated 07.06.2022 passed in D.V. Case No. 212/2020 under Section 29 (3) of the Domestic Violence Act, 2005 was not admitted, thus upholding the judgment and order passed in D.V. Case No. 212/2020. The learned trial Court has now issued NBWA against the petitioner.

3. Issue notice, returnable within two weeks.

4. Meanwhile, NBWA issued against the petitioner vide order dated 08.07.2024 in connection with D.V. Case No. 212/2020 is kept in abeyance till the next date listing.

5. List accordingly.

JUDGE

Comparing Assistant