

GAHC010185932024



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

Case No. : Crl.Pet./1138/2024

RISHI CHUTIA
S/O GUNIN CHUTIA
R/O EX-SERVICEMAN COLONY
NEAR LP SCHOOL,
P.S. SADIYA
DIST. TINSUKIA, ASSAM
PIN-786125

VERSUS

LUTFOR RAHMAN
S/O LATE ABDUR RAHIM
R/O COLLEGE ROAD,
NATH PARA,
BIDYAPARA PART-II,
P.O. KHALIPUR P.S. DHUBRI,
DIST. DHUBRI, ASSAM
PIN-783324

Advocate for the Petitioner : MR. K M HASSAN, MR. N K HALOI

Advocate for the Respondent : ,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

19.09.2024

Heard Mr. K. M. Hassan, learned counsel for the petitioner.

By filing this application under Section 482 of Cr.P.C., the petitioner has

prayed for setting aside and quashing the entire proceeding of CR Case No. 18/2024 under Section 138 of NI Act pending in the court of learned Additional Chief Judicial Magistrate, Dhubri.

Issue notice to the respondent with registered A/D and usual post, returnable within 4(four) weeks.

It is submitted by the learned counsel for the petitioner that as per Section 138(C) of NI Act, notice served to the petitioner on 08.01.2024 without giving a chance of fifteen days time to the accused petitioner as per the said Act. Accordingly, the learned counsel for the petitioner has prayed for stay of the further proceeding of the CR Case No. 18/2024.

Considering the submission of the learned counsel for the petitioner, further proceeding of CR Case No. 18/2024 pending in the court of learned Additional Chief Judicial Magistrate, Dhubri shall remain stayed, till the returnable date.

Call for the scanned copy of trial court record.

List the matter after 4(four) weeks.

JUDGE

Comparing Assistant