

GAHC010191012023



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

Case No. : Crl.Pet./913/2023

SHYAMALIDEV ROY @ SHILPI AND 3 ORS
W/O MANU ROY
R/O SAHAPARA, UTTAR RANIDANGA
P.O. SUSHRUT NAGAR,
P.S. BAGDOGRA
DIST. DARJEELING-734012, WEST BENGAL.

2: SRI DIPAK DEB ROY
S/O LATE DHIRENDRA DEB
R/O SAHAPARA
UTTAR RANIDANGA
P.O. SUSHRUT NAGAR

P.S. BAGDOGRA
DIST. DARJEELING-734012
WEST BENGAL.

3: SRI DEBU DEB ROY @ DEBABRATA
S/O SRI DIPAK DEB ROY
R/O SAHAPARA
UTTAR RANIDANGA
P.O. SUSHRUT NAGAR

P.S. BAGDOGRA
DIST. DARJEELING-734012
WEST BENGAL.

4: SMT. SHIKHA DEB ROY @ PRATIMA DEB ROY
W/O DIPAK DEB ROY
R/O SAHAPARA
UTTAR RANIDANGA
P.O. SUSHRUT NAGAR

P.S. BAGDOGRA

DIST. DARJEELING-734012
WEST BENGAL

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2:SRI UTPAL KUMAR ROY
S/O LATE USHA RANJAN ROY
R/O C/O USHA VILLA GIRLS SCHOOL ROAD
P.O. AND P.S. UDHARBAND

DIST. CACHAR
ASSAM
PIN-78803

Advocate for the Petitioner : MR A TEWARI

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER**

31.08.2023

Heard Mr. A. Tewari, learned counsel for the petitioners and Ms. S.H. Bora, learned Addl. P.P. for the State respondent.

This application, under Section 482 of the Cr.P.C., is preferred by the petitioners for quashing the proceeding of Complaint Case No. 37^C/2022, Under Sections 417/34 of the IPC, pending before the learned Judicial Magistrate First Class, No. 3, Silchar.

Perused the petition as well as the documents placed on record.

Let notice be issued to the respondent no. 2, within a week from today, returnable in 4 weeks, by registered post with A/D and also by usual process. As Ms. Bora has appeared and accepted notice on behalf of the State respondent, no

formal notice is required to be issued. However, extra requisite copy of the petition be furnished to the State respondent during the course of the day.

Call for the scanned copy of the record from the learned court below.

List the matter after 4 weeks.

Having regards to the submissions of learned counsel for both the parties as well as the facts and circumstances on the record, till returnable date, the further proceeding of Complaint Case No. 37^C/2022, Under Sections 417/34 of the IPC, pending before the learned Judicial Magistrate First Class, No. 3, Silchar, stands stayed.

JUDGE

Comparing Assistant