

GAHC010191142025



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

Case No. : Crl.Pet./1185/2025

MR. UTPAL PATHAK
S/O- LATE JAGDISH PATHAK.
R/O- HOUSE NO. 2, NAMGHAR PATH JANAKPUR, BEHIND DPI OFFICE,
KAHILIAPARA, PIN -781019, KAMRUP METRO, ASSAM

VERSUS

STATE BANK OF INDIA AND ORS
RETAIL ASSETS CENTRAL PROCESSING CENTRE, SWAGATA SQUARE, 4TH
FLOOR, ABC POINT, BHANGAGARH, GUWAHATI- 5, KAMRUP METRO.

2:SHRI SAILESH KUMAR
S/O- LATE MAHINDRA PRASAD LAL.
CHIEF MANAGER RETAIL ASSETS CENTRAL PROCESSING CENTRE
SWAGATA SQUARE
4TH FLOOR
ABC POINT
BHANGAGARH
GUWAHATI 5
KAMRUP METRO.

3:ASSISTANT GENERAL MANAGER
PBB GANESHGURI BRANCH
GUWAHATI 781006.

4:M/S RBM ASSOCIATES
RADHIKA BHAVAN 3RD FLOOR
ABOVE CANARA BANK NEAR FLYOVER
GANESHGURI
GUWAHATI 781006

5:MANAGING DIRECTOR
SBI
STATE BANK OF INDIA

C 5
G BLOCK
BKC BANDRA KURLA COMPLEX
BANDRA EAST
MUMBAI
MAHARASHTRA 400051

Advocate for the Petitioner : MR S P DAS, MS. S BAISHYA,MS C BORA,MR. ANGSHUMAN DEKA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 22.09.2025

- 1.** Heard Mr. S. P. Das, learned counsel for the petitioner.
- 2.** This application under Section 528 of BNSS has been filed by the petitioner, namely, *Utpal Pathak* impugning the judgment and order dated 31.05.2023 passed by the Court of learned Additional Sessions Judge No. 5, Kamrup(M) in Criminal Revision Petition No. 30/2023 whereby it upheld the order dated 13.02.2023 passed by the learned Judicial Magistrate First Class in CR Case No. 956/2021 whereby the complaint filed by the present petitioner was dismissed under Section 203 of Code of Criminal Procedure, 1973.
- 3.** Issue notice to the respondents.
- 4.** The petitioner shall take steps for issuance of notice upon the respondents by registered post with A/D as well as by usual mode within seven days from the date of this order, returnable after four weeks.
- 5.** Let the records of Trial Court as well as Appellate Court be called for.

- 6.** Registry to take steps for requisitioning the aforesaid records.
- 7.** List this matter after four weeks.

JUDGE

Comparing Assistant