

GAHC010195722024



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

Case No. : Crl.Pet./1197/2024

JAKIR HUSSAIN BARBHUIYA @ JOYNAL
S/O AZIR UDDIN BARBHUIYA,
R/O VILL-BORBOND PART-II,
P.O. BALIURA,P.S. HAILAKANDI
DIST. HAILAKANDI, ASSAM-788155

VERSUS

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

2:FIROZA AKTAR LASKAR
W/O KASHIM UDDIN LASKAR
BORBOND PART-II

P.O. BALLURA
P.S. HAILAKANDI
DIST. HAILAKANDI
ASSAM
PIN-788155
MOBILE - 808861080

Advocate for the Petitioner : MR. A M BARBHUIYA, S. M. ZINNA,MS A BEGUM,MS S R MAZARBHUIYA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 27.09.2024

Heard Mr. A.M. Barbhuiyan, learned counsel for the petitioner. Also heard Mr. D. Das, learned Addl.P.P. for the State respondent.

This is an application under Section 528 of the BNSS, 2023 praying for setting aside and quashing of the impugned C.R. Case no. 808/2024 registered under Section 376, IPC, corresponding to G.R. Case no. 723/2023.

Issue notice, returnable in 4 (four) weeks.

As Mr. Das, learned Addl.P.P. has appeared and accepted notice on behalf of the respondent no. 1, no formal notice need to be issued to the said respondent. The learned counsel for the petitioner shall, however, furnish an extra copy of the petition along with annexure, to Mr. Das within a period of 3 (three) days from today.

The petitioner shall take steps for service of notice in respect of respondent no. 2 by registered post with A/D within a period of 3 (three) days from today.

Issue notice on the interim prayer as well.

List the matter after 4 (four) weeks on a date to be fixed by the Registry.

JUDGE

Comparing Assistant