

GAHC010128032020



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

Case No. : I.A.(Crl.) 457/2020

1:SRI NIRMAL PAUL AND ANR
S/O LATE NARAYAN PAUL @ NITAI PAUL

2: SANJU PAUL
S/O LATE NARAYAN PAUL
BOTH ARE THE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUP

VERSUS

1:THE STATE OF ASSAM AND ANR
REP. BY P.P., ASSAM

2:AJOY PAUL
S/O LATE SUBAL PAUL
THE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.O. CHANDRAPUR
P.S. PRAGJYOTISHPUR
GUWAHATI 781105
DIST. KAMRUP M
ASSA

Advocate for the Petitioner : MR N AHMED

Advocate for the Respondent : PP, ASSAM

Linked Case : Crl.A. 78/2016

1:SRI HARE KRISHNA PAUL
S/O LATE NITAI PAUL
R/O GOBARDHAN GHORAMARA
JANPAM
CHANDRAPUR
PIN 781150
UNDER PRAGJYOTISHPUR P.S. IN THE DIST. OF KAMRUP M
ASSAM.

VERSUS

1:THE STATE OF ASSAM and ANR

2:AJOY PAUL
S/O LATE SUBAL PAUL
R/O GOBARDHAN GHORAMARA
JANPAM CHANDRAPUR
PIN 781150
UNDER PRAGJYOTISHPUR POLICE STATION IN THE DIST. OF KAMRUP M
ASSAM.

Advocate for the Petitioner : MRS I AHMED
Advocate for the Respondent : PP
ASSAM

Linked Case : CrI.A. 50/2017

1:SRI BIPUL PAUL
S/O SRI ATUP PAUL
R/O VILL. GOBARDHAN
GHORAMARA
JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUP M
ASSAM.

VERSUS

1:THE STATE OF ASSAM and ANR

2:AJAY PAUL

S/O LATE SUBAL PAUL
R/O VILL. GHORAMARA JAMPAN
P.S. PRAGJYOTISHPUR
DISPUR
DIST. KAMRUP M
ASSAM.

Advocate for the Petitioner : MRK NAYAK
Advocate for the Respondent : PP
ASSAM

Linked Case : CrI.A. 50/2016

1:SRI NIRMAL PAUL and ANR
S/O LATE NARAYAN PAUL @ NITAI PAUL

2: SANJU PAUL
S/O LATE NARAYAN PAUL
BOTH ARE THE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUP M
VERSUS

1:THE STATE OF ASSAM and ANR

2:AJOY PAUL
S/O LATE SUBAL PAUL
THE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.O. CHANDRAPUR
P.S. PRAGJYOTISHPUR
GUWAHATI 781105
DIST. KAMRUP M
ASSAM

Advocate for the Petitioner : MR.B I KHAN
Advocate for the Respondent : MR.A D CHOUDHURY R-2

Linked Case : CrI.A. 94/2016

1:SRI SIBA PAUL @ SIBU PAUL and 2 ORS
S/O SRI PRATAP PAUL

2: PRATAP PAUL
S/O LATE ARJUN PAUL

3: PARIMAL PAUL
S/O SRI PRATAP PAUL
ALL ARE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUPM
ASSAM.
VERSUS

1: THE STATE OF ASSAM and ANR

2: AJAY PAUL
S/O LATE SUBAL PAUL
R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUP M
ASSAM.

Advocate for the Petitioner : MR.S C BISWAS
Advocate for the Respondent : MR.R SARMAR-2

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

07.10.2020

(K.R. Surana, J)

Heard Mr. N. Ahmed, learned counsel for the applicants. Also heard Ms. S. Jahan, learned Addl. PP. appearing for the State.

It has been noticed that this Court by order dated 08.03.2017 had disposed off I.A. (Crl.) No. 222/2016 in Crl. Appeal No. 94/2016, whereby the applicant therein, namely, Sri Siba Paul @ Sibu Paul was found to be a juvenile and therefore, he was directed to be released from custody and thereafter, his case was forwarded to Juvenile Justice Board, Kamrup (Metro), Guwahati. Consequently, along with copy of the said order, vide Memo No.

H.C. XXIV 350-52/C.A dated 17.03.17, LCR was sent back to the Court of learned Sessions Judge, Kamrup (M), Guwahati.

The learned counsel for the applicants submits that the judgment impugned in the connected appeal was passed by the learned Addl. Sessions Judge No. 2, Kamrup (M), Guwahati.

Call for the LCR pertaining to Sessions Case No. 437(K)/2011. It is provided that while transmitting the LCR the concerned Court/ Juvenile Justice Board shall retain a scanned copy of the LCR for its use and purpose. Accordingly, the Registry shall ascertain in which Court/ Board, the LCR is now lying.

This order may be brought to the notice of the learned Registrar (Judicial).

List on 09.11.2020 awaiting receipt of the LCR.

JUDGE

JUDGE

Comparing Assistant