

GAHC010205232023



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

Case No. : Crl.Pet./1058/2023

ABDUL MALEK AND 17 ORS.
S/O NURUL ISLAM
R/O LAMCHI, MYNMAR A/P SILCHAR, ASSAM

2: MOSTAFA KHATOON
W/O LATE ABDUL GONI
R/O KUMIRA MYNMAR A/P SILCHAR
ASSAM

3: NOOR SABA
D/O LATE NAZIR HUSSAIN
R/O SALAMANG MYNMAR A/P SILCHAR
ASSAM

4: MUSTAQ MIA
S/O MOHD. AYOUB
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

5: MOHAMMAD AYUB
S/O LATE MOHD HUSSAIN
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

6: ABZU REHMAN
S/O MOHD AYOUB
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

7: FATIMA KHATOON
W/O MOHD AYOUB

R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

8: MOHAMMAD ALAM
S/O LATE ABDUL KARIM
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM
THROUGH SON IN LAW HUSSAIN JOHAR

9: MOHAMMAD ULLAH
S/O ABDUL SAMA
R/O NARANCHAO
MYNMAR A/P SILCHAR
ASSAM

10: ROZINA AKHTER
S/O MOHD ALOM
R/O RENNUNNGNAHARA MYNMAR A/P SILCHAR
ASSAM

11: MUBINA AKTER
MUBINA AKTER
D/O MOHAMMAD AYUB
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

12: SHUFAIRA
D/O MOHAMMAD AYUB
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

13: MEHENA BEGUM
D/O MOHD AYUB
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

14: MOHD. ANASH
S/O MUSTAK MIA
R/O MAJIRAMA
MYNMAR A/P SILCHAR
ASSAM

15: ASHMA BIBI

D/O MOHD ULLAH
R/O NARANCHOW SHARWANJU
MAINJARILA
MYNMAR A/P SILCHAR
ASSAM

16: REHENA BEGUM
D/O NOORUL ISLAM
W/O MUSTAK MIA
R/O KAMAUCHI
MYNMAR A/P SILCHAR
ASSAM

17: YASMIN ARA
D/O HUSSAIN NAZIR
R/O KAWASAG
MYNMAR A/P SILCHAR
ASSAM

18: NURASHA KHATOON
W/O MOHD. ALAM
R/O RENNUNNGNAHARA
MYNMAR A/P SILCHAR
ASSAM

ALL THE PETITIONERS ARE REPRESENTED THROUGH HUSSAIN JOHAR

S/O AHMAD JATA
R/O BATHINDI TEHSIL BAHU FORT
JAMMU AND KASHMIR-18115

VERSUS

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

2:STATION HOUSE OFFICER

POLICE STATION
TOWN BRANCH
SILCHAR
CACHAR
ASSA

Advocate for the Petitioner : MR A R BAROOAH, MS K BHATTACHARYYA,MR GAURAV R DUTTA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA**

O R D E R

Date : 12.02.2026.

Heard Mr. A.R. Barooah, learned counsel for the petitioners. Also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam appearing for the State respondent.

It is submitted by Mr. Sarma, the learned Additional Public Prosecutor that they have not obtained the updated case diary though it was instructed to obtain the updated case diary vide order dated 06.01.2026. In that context, Mr. Barooah, the learned counsel for the petitioners raised objection and submitted that the case is pending since 2023 and all the petitioners are behind the bar for more than three years. The matter is also very sensitive and vide order dated 24.10.2025 also, the learned Additional Public Prosecutor was directed to furnish the case diary invariably on the next date of listing.

Mr. Sarma, the learned Additional Public Prosecutor submitted in this regard that on the last occasion the case diary was received but it was not updated one and the last entry was only upto 01.05.2024. he prays for calling for the updated case diary. In the same time, he also submitted that there was no representation on behalf of the petitioners on the last date.

Considering the submissions made by both sides, the State respondent is

hereby directed to immediately return back the case diary with a direction to the I.O. to furnish the updated case diary on or before the next date of listing, in default the I.O. may be served with a personal show cause notice and the matter may also be heard in absence of the updated case diary.

List the matter accordingly on 24.03.2026.

JUDGE

Comparing Assistant