

GAHC010206452023



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

Case No. : Crl.Rev.P./398/2023

SANJIB KUMAR DAS
S/O SRI NAGEN DAS, R/O-HOUSE NO. 28, KUMARPARA, NEAR RAILWAY
GATE NO. 7, GUWAHATI, P.S.-BHARALUMUKH, DIST.- KAMRUP (M),
ASSAM, PIN-781009.

VERSUS

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

2:HARUNUZ JAMEN CHOUDHURY.
S/O FOJNUR ALI CHOUDHURY
R/O HOUSE NO. 6
F.A.AHMED ROAD
SIX MILE
P.O.-KHANAPARA
P.S.-DISPUR
DIST.-KAMRUP (M)
ASSAM
PIN-
781022

Advocate for the Petitioner : MS R R MUZIB

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER**

19.09.2023

Heard Ms. R. R. Muzib, learned counsel for the petitioner. Also heard Ms. A. Begum, learned Additional Public Prosecutor for the State respondent No.1 and Mr. A. Choudhury, learned counsel for the respondent No.2.

This revision petition is filed under Sections 397/401 of the Code of Criminal Procedure, 1973 challenging the legality and validity of the Order dated 31.03.2022 passed by the learned Additional Sessions Judge No.3, Kamrup (M), Guwahati in Criminal Appeal No.184/2017 dismissing the appeal and affirming the Judgment and Order dated 17.07.2017 passed by the learned Judicial Magistrate 1st Class, Kamrup (M), Guwahati in C.R. Case No.3258/2014.

Considering the submissions made by the learned counsels of both sides, the matter is admitted for hearing.

Further, the learned counsel for the petitioner has submitted that there is an amicable settlement between the parties and the petitioner is ready and willing to pay a fine of Rs.2,50,000/-(Rupees two lakhs fifty thousand) only. Pursuant to their agreement, the petitioner has already paid an amount of Rs.50,000/-(Rupees fifty thousand) only before the learned Additional Sessions Judge No.3, Kamrup (M), Guwahati. However, the accused/petitioner could not pay the remaining amount of money and hence, in default of his payment the matter was heard and decided accordingly. She further submitted that the petitioner is still ready and willing to pay the remaining amount and accordingly, prays for some more time to enable the petitioner to make a payment.

Prayer is allowed.

List the matter on **10.11.2023**.

JUDGE

Comparing Assistant