

GAHC010213512024



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

Case No. : Crl.Pet./1251/2024

CHIRANJEEB SARKAR
S/O- CHITTARANJAN SARKAR,
R/O- VILLAGE- RATOWA PATHAR,
P.O- MONABARI, P.S- GINGIA,
BISWANATH , ASSAM, PIN-784176

VERSUS

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

2:ANJAN SEN
S/O- AMAL SEN

CONSTABLE BISWANATH POLICE STATION

BISWANATH CHARIALI

BISWANATH
ASSAM
PIN-78417

Advocate for the Petitioner : MR. I H SAIKIA, MS L HMAR,MR K KASHYAB,MR. M R
CHOUDHURY,MR. K KALITA,MR. B BORAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : --21.11.2024

Heard Mr. I.H. Saikia, the learned counsel for the petitioner. Also heard Mr. K. Baishya, the learned Addl. PP appearing for the State respondent.

This is an application u/s 528 of the BNSS, 2023 praying for quashing the impugned (i) FIR being registered as Gingia P.S. Case No. 52/2022 (G.R. No. 255/2022) under sections 333/353/186/294/506 of the Indian Penal Code, (ii) Charge Sheet No. 58/2022 dated 30.06.2022 in connection with gingia P.s. case No. 52/2022 and (iii) the Proceeding of Session Case No. 86/2022.

Issue Notice to the respondent no. 2 through registered post with A/D.

No formal notice is required to be served to State respondent no.1. However extra requisite copy be served to respondent no.1 during the course of the day.

Also call for the scanned copies of the case records.

Also heard Mr. I.H. Saikia, the learned counsel for the petitioner on the interim prayer.

Considering the entire facts and circumstances of the case and the submission made by Mr. Saikia further proceeding in respect of Session Case No. 86 of 2022 is stayed till the next date of listing pending before Sessions Judge, Biswanath Chariali.

List accordingly after 4 (four) weeks.

JUDGE

Comparing Assistant