

GAHC010220062025



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

Case No. : Crl.Pet./1233/2025

SHAJAHAN ALI
SON OF JARIP ALI, RESIDENT OF VILLAGE RAJABALA BHALUKKANDI,
PO- TUMNI, PS SOUTH SALMARA, DISTRICT SOUTH SALMARA
MANKACHAR, ASSAM PIN 783127

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P. ASSAM

Advocate for the Petitioner : MR. L R MAZUMDER, MR. A ISLAM, MR E HUSSAIN

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

ORDER

13.10.2025

Heard Mr. L.R. Mazumder, learned counsel appearing for the petitioner. Also heard Mr. K. K. Parasar, learned Addl. Public Prosecutor for the State. By this petition filed under Section 528 of the BNSS, 2023, the petitioner had prayed for quashing of the proceedings of PRC Case NO. 36/2025 pending in the Court of learned Sub Divisional Judicial Magistrate (M), HSM arising out of South Salmara P.S. Case No. 163/2024 corresponding to GR Case No. 388/2024 registered under Section 126(2)/127(2)/117(2)/118(2)109/3(5) of BNS, 2023. The petitioner has also challenged the Charge Sheet No. 3/2025 dated 31.01.2025.

Mr. L.R. Mazumder, learned counsel appearing for the petitioner submits that the petitioner's name was not reflected in the FIR. However, while filing the charge sheet, the police incorporated the name of the petitioner as one of the accused. But he submits that the petitioner has no involvement in the said offence in question.

Call for the scan copy of the case records pertaining to PRC Case No. 36/2025 from the Court of learned Sub Divisional Judicial Magistrate (M), HSM along with the case diary pertaining to South Salmara P.S. Case No. 163/2024.

List the matter after three (3) weeks.

JUDGE

Comparing Assistant