

GAHC010226432023



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

Case No. : Crl.Rev.P./440/2023

AMULYA DEKA
S/O- LATE PRABIN DEKA,
R/O- VILLAGE- LOKHOPUR KENDUBARI,
P.S- BELSOR, DIST- NALBARI, ASSAM,

PRESENT ADDRESS-

GEETANAGAR, OUTAL,
P.S- GEETANAGAR, GUWAHATI-21, DIST- KAMRUP (M), ASSAM

VERSUS

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

2:HARI CHARAN PATOWARY (INFORMANT)
S/O- LATE THANESWAR PATOWARY
HENGRABARI ROAD
GANESHGURI

NEAR DIRECTOR OF MINORITY DEVELOPMENT CORPORATION

P.S- DISPUR
GUWAHATI-06

DIST- KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. N D SARMA

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 06.10.2023

Heard Mr. N. D. Sarma learned counsel for the petitioner and also heard Mr. P. Borthakur, learned Addl. P.P. for the State respondent No.1.

In this revision petition, u/s 397/401 of Cr. P. C., the petitioner, namely, Sri Amulya Deka, has challenged the correctness or otherwise of the judgment and order dated 11.9.2023, passed by the learned Addl. Sessions Judge, No.1, Kamrup (M) in CrI.Appl. No.32/2022. It is to be noted herein that vide impugned judgment and order dated 11.9.2023, the learned Sessions Judge has upheld the judgment and order of conviction dated 16.3.2022, passed by the learned Judicial Magistrate, Ist Class, Kamrup (M) at Guwahati in G.R.Case No. 9286/2017, whereby the learned Court below has convicted the petitioner u/s 420 IPC and sentenced him to suffer simple imprisonment for one year and also to pay fine of Rs.10,000/- with default stipulation.

Perused the petition and the documents placed on record and also perused the impugned judgment and order dated 11.9.2023, passed in CrI. Appl. No. 32/2022 by the learned Addl. Session Judge, No.1, Kamrup (M), Guwahati and also perused the judgment and order dated 16.3.2022, passed by the learned Judicial Magistrate, Ist Class, Kamrup (M) at Guwahati in G.R.Case No. 9286/2017 u/s 420 IPC.

Let notice be issued to the respondent returnable in four weeks.

Steps be taken by respondent No.2 by registered post with A/D and also by usual process within a week from today.

No formal notice is required to be issued to respondent No. 1 since Mr. P. Borthakur, learned Addl. P.P. has appeared and accepted notice. However extra requisite copy of the petition be furnished to him during the course of the day.

Registry shall call for the record from the learned Court below.

List the matter after four weeks.

JUDGE

Comparing Assistant