

GAHC010239382024



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

Case No. : Crl.Pet./1365/2024

SIBU PAUL AND ANR
S/O LATE PARESH CH. PAUL
RESIDENT OF KANAKLATA PATH, RAJA ALI ROAD, BACKSIDE OF
TINSUKIA RAILWAY STATION, PO AND PS AND DIST TINSUKIA, ASSAM
786125

2: SRI MANI PAUL
S/O LATE PARESH CH. PAUL
RESIDENT OF KANAKLATA PATH
RAJA ALI ROAD
BACKSIDE OF TINSUKIA RAILWAY STATION
PO AND PS AND DIST TINSUKIA
ASSAM 78612

VERSUS

STATE OF ASSAM AND ANR
REPRESENTED BY PP ASSAM

2:SMTI PURNIMA SHOME (PAUL)
D/O SRI BIDHU RANJAN SHOME

W/O SRI RAJESH PAUL

RESIDENT OF KHOWANG SONOWAL
BENGALI GAON
PO AND PS KHOWANG
DIST DIBRUGARH
ASSAM 78567

Advocate for the Petitioner : MR H MAZUMDER, MR P J DUTTA, MR B P BORAH

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

14.11.2024

Heard Mr. H. Mazumder, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor.

By filing this application under Section 528 of BNSS, the petitioner has prayed for quashing of the impugned order dated 28.08.2024 passed by the learned JMFC, Dibrugarh in D.V. Case No. 44/2024.

As Mr. D. P. Goswami, learned Additional Public Prosecutor has entered appearance on behalf of the State respondent No.1, no formal notice need to be issued. However, a copy of the petition along with the documents annexed thereto be furnished to him.

Issue notice to the respondent No.2 by registered A/D post and usual process, returnable within 4(four) weeks.

Call for the scanned copy of trial court record pertaining to D.V. Case No. 44/2024.

Registry to procure the same.

List the matter accordingly after 4(four) weeks.

JUDGE

Comparing Assistant