

GAHC010240692025



2026:GAU-AS:4224

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

Case No. : Crl.Pet./1332/2025

SRI BILSON DAS
SON OF LATE RAJENDRA NATH DAS, RESIDENT OF HOUSE NO. 25,
OPPOSITE B.G. QUARTERS NO. 630, BHASKAR NAGAR, RAILWAY COLONY,
P.S. GEETANAGAR, P.O. BAMUNIMAIDAM, GUWAHATI-781021, KAMRUP M,
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PROSECUTOR, ASSAM.

2:SMTI UPASANA BORA
DAUGHTER OF NABAJYOTI BORA
RESIDENT OF - HOUSE NO. 1
JAYANAGAR ROAD
NEAR KALI MANDIR
NOONMATI
OPPOSITE GUWAHATI REFINERY
SECTOR 2
GUWAHATI-781020
P.O. P.S. NOONMATI
KAMRUP (M)
ASSA

Advocate for the Petitioner : MR G BORDOLOI, N J DAIMARI, MS. J BURAGOHAIN, L
EZUNG

Advocate for the Respondent : PP, ASSAM, MS. A AZAD (R-2)

BEFORE

HON'BLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

20.03.2026

Heard Mr G Bordoloi, learned counsel appearing for the petitioner and also heard Ms A Azad, learned counsel for the respondent No. 2, who appears on receipt of notice. Ms S H Bora, learned Additional Public Prosecutor appears on behalf of the State of Assam.

2. This criminal petition has been filed by the petitioner praying for quashing of an FIR, which was lodged by the respondent No. 2, which culminated into Geetanagar P S Case No. 226/2020, under Section 498 (A)/325 of the Indian Penal Code, 1860.

3. The learned counsel for the petitioner has submitted that the petitioner and the respondent No. 2 were married at the time when the FIR was lodged by the respondent No. 2 and the same was registered. However, during the entire period till 11.09.2025, the petitioner had no inkling about the lodging or registration of the FIR.

4. The learned counsel for the petitioner has submitted that he has been selected for a government job and when police verification of the antecedent of the petitioner had been sought for, it came to light that the said FIR was pending in the Police Station for investigation.

5. The learned counsel for the petitioner has further submitted that the marital relationship between the petitioner and the respondent No. 2 had been brought to a conclusion by a decree of divorce granted by the learned Principal Judge, Family Court No. 3, Kamrup (Metro), Guwahati, by the order dated 30.09.2022, passed in FC (Civil) Case No. 1159/2022.

6. In such view of the matter, the learned counsel for the petitioner has submitted that unless the Geetanagar PS Case No. 226/2020 is interfered with by this Court, both the parties, i.e., the petitioner and the respondent No. 2 would be put to suffer a litigation

even when their marital relation has come to an end and the existence of the aforesaid PS Case would hamper in case the quest of the petitioner for acquiring a Government job.

7. The learned counsel for the respondent No. 2 has submitted that the respondent No. 2 would have no objection if this Court interferes with the Geetanagar PS Case No. 226/2020, since she now no longer wishes to pursue her grievances, if any, against the petitioner since their marital life had come to an end.

8. The learned Additional Public Prosecutor has submitted that since the FIR has been lodged by the respondent No. 2 and she now no longer desires to pursue the same, there is very little chance of conviction of the petitioner even if the matter is charge sheeted.

9. Having heard the learned counsel for the petitioner and the respondents and also having perused the records available before this Court, this Court is of the opinion that there would no fruitful result if the Geetanagar Police Station Case is allowed to exist/proceed since the informant does not want to proceed with the prosecution of the petitioner, herein.

10. The Apex Court in the Judgment rendered in the case of ***Gian Singh versus State of Punjab and another, reported in (2012) 10 S.C.C. 303*** has also held that in matrimonial matters, there would be no impediment in the way of the Court to quash proceedings which may not be too fruitful to the prosecution.

11. In view of the above, this Court is of the opinion that the Geetanagar P S Case No. 226/2020, requires to be interfered with and is accordingly, interfered with and quashed. The consequences of such quashing would be that there would be no pending criminal case against the petitioner in connection with the FIR dated 05.08.2020, lodged by the respondent No. 2.

12. The Criminal Petition is disposed of.

JUDGE

Comparing Assistant