

GAHC010245362024



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

Case No. : Crl.Pet./1404/2024

DR. RATUL DATTA
S/O LATE GOLOK CHANDRA DATTA,
R/O HOUSE NO. 48, DWARKA NAGAR, SIXMILE, P.S. DISPUR, DIST.
KAMRUP (M), ASSAM
PIN-781022

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:SMT. CHARU DAS
W/O DEBI RAM DAS
R/O PALARA
KAMALPUR
P.S. KAMALPUR
DIST. KAMRUP
ASSAM
PIN- 78138

Advocate for the Petitioner : MR. A K BHUYAN, MR A SHARMA,MR J DAS,MR A
TALUKDAR,MS B BORA,MR. A KHOOND,MS. N CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

22.11.2024

Heard Mr A K Bhuyan, learned Senior Counsel for the petitioner, Dr Ratul Dutta,

who has filed this application under Section 528 of the BNSS, 2023, with prayer for quashing the FIR as a false case has been brought up against him, relating to Dispur PS Case No. 1235/2024, dated 15.11.2024, under Section 103 (1) of the BNS, 2023.

2. Heard Mr K Baishya, learned Additional Public Prosecutor for the State of Assam, who has raised objection against the prayer for protection.

3. Learned Additional Public Prosecutor has accepted notice on behalf of the respondent No. 1/State, and thus no formal notice is required to be issued to the respondent No. 1. However, sufficient copies of the petition be furnished to the respondent No. 1.

4. Call for the Case Diaries of Dispur PS Case No. 1235/2024 and Dispur PS UD Case No. 164/2024.

5. Issue notice to the respondent No. 2 through registered post with A/D, as well as through usual process, returnable within 29.11.2024.

6. Prayer for interim stay will be considered on perusal of the Case Diaries of both the cases.

7. List accordingly.

JUDGE

Comparing Assistant