

GAHC010256212022



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

Case No. : Crl.Rev.P./589/2022

SOPIKUL BEPARI
S/O- LATE ABDUL RAHMAN BEPARI, R/O- VILL- PURAN BAZAR, P.S-
FAKIRAGRAM, DIST- KOKRAJHAR, BTR, ASSAM

VERSUS

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

2:SAHIDA KHATUN
D/O- SAHADAT ALI
VILL- BAIGONBARI
P.O AND P.S- DOTMA
DIST- KOKRAJHAR
ASSAM
PIN- 78334

Advocate for the Petitioner : MR. I A TALUKDAR

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

19.12.2022

Heard Mr. I. A. Talukdar, learned counsel for the petitioner. Also heard Ms. N. Das, learned Additional Public Prosecutor representing the State respondent.

This application is filed under Section 397, 401 of the Criminal Procedure Code, 1973, challenging the impugned Judgment dated 30.11.2022, passed by the Court of learned Session Judge, Kokrajhar in connection with Criminal Appeal No.13 of 2022 arising out of Judgment & Order passed by the learned Additional Chief Judicial Magistrate, Kokrajhar in connection with GR Case No.1083 of 2018, under Section 498-A of the IPC, whereby sentenced the petitioner to undergo rigorous imprisonment for a period of 3(three) months and to pay a fine of Rs.5000/-(Rupees five thousand).

Issue notice to the respondent No.2, returnable in 25.01.2023.

As Ms. Das, learned Government Advocate, has entered appearance and accepted notice on behalf of Respondents No.1, no formal notice is required to be sent to the said respondent. However, she shall be provided with the requisite extra copies of the petition during the course of the day.

Learned counsel for the petitioner shall take necessary steps for causing service of notice upon the Respondents No. 2 by registered AD post as well as

by usual process within 3 days from today.

Call for the LCR from the learned court below.

In the interim, till the next date of listing of the matter, in the interest of justice; the operation of the impugned Judgment dated 30.11.2022, passed by the learned Session Judge, Kokrajhar in Criminal Appeal No.13/2022, shall remain stayed.

List the matter on **25.01.2023**.

JUDGE

Comparing Assistant