

GAHC010266892025



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

Case No. : Crl.Pet./1535/2025

SRI LOKAM TALO
S/O LATE LOKAM HANGI, BELLO II VILLAGE, KIMIN CIRCLE P.O. P.S.
KIMIN, PIN 791112 DISTRICT- PAPUM PARE, ARUNACHAL PRADESH

VERSUS

STATE OF ASSAM AND ANR
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

2:ASSISTANT CONSERVATOR OF FORESTS
LAKHIMPUR DIVISION NORTH LAKHIMPUR-787001. LAKHIMPUR
ASSA

Advocate for the Petitioner : MR G JALAN, T TAKU,S FAZIL

Advocate for the Respondent : PP, ASSAM, SC, FOREST

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : --28.01.2026

Heard Mr. G. Jalan, learned counsel for the petitioner; Mr. M.P. Goswami, learned Additional Public Prosecutor for the respondent no. 1, State of Assam; and Mr. B. Sharma, learned Special Public Prosecutor, Wildlife for the respondent no. 2.

2. The proceeding of C.R. [F] Case no. 04/2024, presently pending before the Court of

learned Chief Judicial Magistrate, Lakhimpur at North Lakhimpur [‘the Trial Court’, for short], has been put to challenge in this criminal petition under Section 528, Bharatiya Nagarik Suraksha Sanhita, 2023.

3. The petitioner has questioned the proceeding initiated by the Forest Department, Assam on the ground of lack of territorial jurisdiction to investigate into the offence as, according to the petitioner, the alleged offence had been committed in a disputed territory. According to the petitioner, the alleged offence had occurred within the State of Arunachal Pradesh.

4. Issue notice, returnable on 26.02.2026.

5. As Mr. Goswami, learned Additional Public Prosecutor has appeared and accepted notice for the respondent no. 1, State of Assam; and Mr. Sharma, learned Special Public Prosecutor, Wildlife has appeared and accepted notice for the respondent no. 2, formal notices need not be issued to the said respondents. Mr. Jalan, learned counsel for the petitioner shall furnish requisite nos. of extra copies of the criminal petition along with the annexures, to Mr. Goswami and Mr. Borah, within 2 [two] working days from today.

6. The scanned copies of the case records of C.R. [F] Case no. 04/2024 be called for from the Trial Court.

7. In Criminal Petition no. 1037/2025 wherein the petitioner herein is the petitioner no. 1, this Court has already issued notice to the respondents with an interim order on 26.08.2025, suspending further proceedings of another complaint case, C.R. [F] Case no. 15/2023 pertaining to similar issue and the said criminal petition is ordered to be listed on 26.02.2026.

8. Having regard to the similar issue and the interim order passed therein, it is observed that further proceedings of C.R. [F] Case no. 04/2024, presently pending before the Court of learned Chief Judicial Magistrate, Lakhimpur at North Lakhimpur shall remain suspended till the returnable date.

JUDGE

Comparing Assistant