

GAHC010273132024



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

Case No. : Crl.Pet./1590/2024

TEK BHATTARAI
S/O LATE NETRA BAHADUR
BHATTARAI,
R/O HOUSE NO. 7, BIBEK PATH, LATAKATA ROAD,
BASISTHA CHARIALI, P.O. BASISTHA,
P.S. BASISTHA, GUWAHATI-781028, KAMRUP (M)

VERSUS

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

2:SMTI. BABITA BHATTARAI
W/O SRI TEK BHATTARAI
R/O HOUSE NO. 57
BIBEK PATH

LATAKATA ROAD
BASISTHA CHARIALI
P.O. BASISTHA
P.S. BASISTHA
GUWAHATI-781028
KAMRUP (M)

Advocate for the Petitioner : MS. S KANUNGOE, C V INTONG,MR. D MAZUMDAR

Advocate for the Respondent : PP, ASSAM, MD. IMRAN (R-2),MD. R ISLAM (R-2),MS. F
HUSSAIN (R-2),MR. S M ABDULLAH P (R-2)

BEFORE

HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

06.08.2025

Heard Ms. S. Kanungoe, learned counsel for the petitioner. Also heard Ms. S. H. Bora, learned Additional Public Prosecutor appearing for State respondent No.1 and Ms. F. Hussain, learned counsel for the respondent No.2.

This is an application under Section 528 BNSS, praying for quashing of proceeding vide DV Case No. 84^M/2022 pending before the learned Judicial Magistrate First Class, Kamrup (M), Guwahati.

Ms. F. Hussain, learned counsel for the respondent No.2 submits that she want to file affidavit-in-opposition in this case.

Prayer is allowed. The same may be filed preferably within 3(three) weeks.

I have also heard Ms. S. H. Bora, learned Additional Public Prosecutor appearing for State respondent No.1 and Ms. F. Hussain, learned counsel for the respondent No.2.

The matter is **admitted** for hearing.

List the matter for hearing on 02.09.2025.

JUDGE

Comparing Assistant