

GAHC010274322025



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

Case No. : Crl.Rev.P./228/2026

NABA RAJBONGSHI
S/O BIPAD ROY @ BIPIN RAJBONGSHI, R/O. VILL.- PATHSALA, WARD NO.3
(NEAR NAJAWAN SANGHA, PATHSALA), P.O.-PATHSALA, P.S.-
PATACHARKUCHI, DIST.-BAJALI, ASSAM.

VERSUS

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

2:SRI JOGESH DEKA
S/O LATE SURENDRA NATH DEKA
R/O VILL.- PATHSALA
WARD NO.3
P.O.-PATHSALA
P.S.- PATACHARKUCHI
DIST.- BAJALI
ASSAM

Advocate for the Petitioner : MR. C S RAY, MR. D J KALITA, MS. P BORGOHAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

25.05.2026

[1]

Heard Mr. C.S. Ray, the learned counsel for

the petitioner.

[2] This criminal revision petition has been registered on filing of a petition under Section 438/442 of BNSS, 2023 by the petitioner, namely, Naba Rajbongshi, impugning the judgement dated 27.08.2025, passed by the court of the learned Sessions Judge, Bajali in CrI.A. No. 10/2023 wherein, the judgement and order dated 04.08.2023, passed in N.I. Case No. 52/2021 by the learned Chief Judicial Magistrate, Bajali was upheld.

[3] By the said judgment, the trial court had convicted the present petitioner under Section 138 of the N.I. Act, 1881 and sentence him to undergo simple imprisonment for 1(one) month and also to pay a compensation amount of Rs. 7,00,000/- (Rupees Seven Lakhs only) to the complainant and in default of payment of compensation to undergo further simple imprisonment for 2(two) months.

[4] I have considered the grounds stated in the revision petition as well as considered the submissions made by the learned counsel for the petitioner.

[5] By the impugned judgment, the appellate court has modified the sentence imposed on the present petitioner by the trial court by directing the present petitioner to pay a compensation amount of Rs. 7,00,000/- (Rupees Seven Lakhs only) to the complainant and in default to undergo simple

imprisonment for 2(two) months.

[6] Issue notice to the respondent No. 2.

[7] The petitioner shall take steps for issuance of notice upon the said respondent by speed post as well as by usual mode within 7 days from the date of this order, returnable on 22nd June, 2026.

[8] Let the records of the first appellate court and trial court be requisitioned.

[9] Registry to take steps for requisitioning the records.

[10] Till next returnable date, the sentence imposed by the impugned judgment shall remain suspended.

[11] List accordingly.

JUDGE

Comparing Assistant