

GAHC010275052025



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

Case No. : Crl.Pet./1572/2025

MD JAMALUDDIN
S/O LATE AJURUDDIN
VILL- BHAGNAMARI
P.S. BHAGNAMARI
DIST. NALBARI, ASSAM

VERSUS

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

2:DEBO DUTTA
APS
DEPUTY SUPERINTENDENT OF CID
ASSAM
ULUBARI
GUWAHATI-0

Advocate for the Petitioner : MR H R A CHOUDHURY, MR. A T SARKAR,S R DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

16.12.2025

Heard Mr. H.R.A. Choudhury, learned Senior Counsel assisted by Mr. A.T. Sarkar, learned

counsel for the petitioner and Mr. B. Sarma, learned Additional Public Prosecutor, Assam for the respondent no. 1 State.

2. The instant criminal petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita [BNSS], 2023 is preferred by the petitioner seeking setting aside and quashing of the criminal proceedings pertaining to CID Case no. 28/2018 registered under Sections 120B/409, Indian Penal Code [IPC].

3. Mr. Choudhury, learned Senior Counsel appearing for the petitioner has submitted that though there was no whisper in the First Information Report [FIR] against the petitioner but subsequently, the petitioner was arrested on 28.08.2025 on the allegation that he was a part of the conspiracy in issuance of two forged bearer cheques amounting to Rs. 49,000/- each. Mr. Choudhury has further submitted that the transaction with regard to the petitioner was limited only to two cheques of Rs. 4,000/- each in his capacity as Secretary of an NGO viz. M/s Life Carrier Society.

4. Issue notice, returnable on 30.01.2026.

5. As Mr. Sarma, learned Additional Public Prosecutor has appeared and accepted notice on behalf of the respondent no. 1, issuance of formal notice to the said respondent is dispensed with. The learned counsel for the petitioner shall furnish an extra copy of the criminal petition along with the annexures to Mr. Sarma within 3 [three] working days from today.

6. The petitioner shall take steps for service of notice upon the respondent no. 2 by speed post within 3 [three] working days from today.

7. For consideration of the case projected by the petitioner, perusal of the records of G.R. Case no. 15223/2018, corresponding to CID Case no. 28/2018, would be necessary.

8. Let the scanned copies of G.R. Case no. 15223/2018, corresponding to CID Case no.

28/2018, be called for.

9. List the case on 30.01.2026.

JUDGE

Comparing Assistant