

GAHC010275452025



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

**Case No. : Crl.Pet./1574/2025**

ALOKESH DAS AND ANR  
S/O LATE SHIBENDRA NR. DAS  
R/O LACHIT NAGAR, GOALPARA  
P.O. AND P.S. GOALPARA  
PIN- 783121  
DIST. GOALPARA, ASSAM

2: NUR MOHAMMAD ALI  
S/OLATE MOMTAZ ALI  
R/O BHALUKDUBI  
GOALPARA

P.O.AND P.S. GOALPARA

DIST. GOALPARA  
ASSAM  
PIN NO. 78312

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. P J SAIKIA, SR. ADV, MR K J SAIKIA,MS M NIROLA,MD A RAHMAN,MR. M RAHMAN

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE  
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**Date : --16.12.2025**

Heard Mr. P.J. Saikia, learned Senior Counsel assisted by Mr. M. Rahman, learned counsel for the petitioners and Mr. M.P. Goswami, learned Additional Public Prosecutor for the respondent State.

2. This criminal petition under Section 528, Bharatiya Nagarik Suraksha Sanhita, 2023 is preferred seeking quashing of an Order dated 02.09.2025, passed by the Court of Sub-Divisional Judicial Magistrate [S], Goalpara [‘the Trial Court’, for short] in PRC Case no. 501/2025, whereby, the learned Trial Court has taken cognizance of the offences under Section 196[2], Section 299 and Section 352 of Bharatiya Nyaya Sanhita [BNS], 2023 and issued process against the petitioners for their appearance to stand in the trial. The petitioners have also sought setting aside and quashing of Charge-Sheet no. 85/2025 dated 29.06.2025 submitted after investigation into Goalprara Police Station Case no. 106/2025 registered at the instance of one private individual as an Office bearer of an Organization.

3. Mr. Goswami, learned Additional Public Prosecutor has submitted that the informant has not been impleaded as a party respondent in the instant criminal petition.

4. Issue notice, returnable on 28.01.2026.

5. As Mr. Goswami, learned Additional Public Prosecutor has appeared and accepted notice for the respondent State, formal notices need not be issued to the said respondent. Mr. Rahman, learned counsel for the petitioners shall furnish an extra copy of the criminal petition along with the annexures, to Mr. Goswami, within 2 [two] working days from today.

6. Having regard to the projections made in this criminal petition, let the scanned copies of the TCR [PRC Case no. 501/2025] be called for.

7. The prayer for interim relief is kept open for consideration on the returnable date.

**JUDGE**

**Comparing Assistant**