

GAHC010078522026



undefined

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

Case No. : I.A.(CrI.)/415/2026

ARUP JYOTI PATHAK
S/O INDRAJIT PATHAK, HOUSE NO 108, PANJABARI, BAGHORBARI,
CHANEKI PATH, PANJABARI, GUWAHATI 781037, KAMRUP M, ASSAM.

VERSUS

SABITA DAS AND ANR
W/O LATE BENUDHAR DAS, VILL. DODORA GUPALPUR, NEAR GUPAL
THAN MANDIR, P.O. DODORA, P.S. HAJO., PIN 781104, ASSAM.

2:THE STATE OF ASSAM

REPRESENTED BY PP
ASSAM

Advocate for the Petitioner : MR. A ROY, MR. U DUTTA, MS S RAJBONGSHI

Advocate for the Respondent : PP, ASSAM, DR. J. D. KHAUND(R-1), S L QADER(R-1), KRISHANGI DAS(R-1)

Linked Case : CrI.Pet./1622/2025

ARUP JYOTI PATHAK
S/O INDRAJIT PATHAK
HOUSE NO 108
PANJABARI
BAGHORBARI
CHANEKI PATH

PANJABARI
GUWAHATI 781037
KAMRUP M
ASSAM.

VERSUS

SMTI SABITA DAS AND ANR
W/O LATE BENUDHAR DAS
VILL. DODORA GUPALPUR
NEAR GUPAL THAN MANDIR
P.O. DODORA
P.S. HAJO.
PIN 781104
ASSAM.

2:THE STATE OF ASSAM

REPRESENTED BY PP
ASSAM.

Advocate for : MR. A ROY

Advocate for : PP

ASSAM appearing for SMTI SABITA DAS AND ANR

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

26.05.2026

Heard Mr. A. Roy, learned counsel for the applicant/petitioner. Also heard Ms. K. Das, learned counsel for respondent no.2 as well as Mr. B. Sarma, learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner has submitted that the instant Criminal Petition has been filed by the petitioner impugning the FIR lodged against the petitioner on the basis of which Hajo P.S. Case No. 463/2025 was registered. He

submits that in the meanwhile, charge-sheet has also been laid and therefore, he has filed the Interlocutory Application No. 415/2026, putting the charge-sheet also under challenge in this Criminal Petition.

On the other hand Ms. K. Das, learned counsel for the respondent no.2 seeks some time to file a written objection against the prayer made by the petitioner on the ground that the conducting counsel for the respondent no.2 is not well.

Though Mr. A. Roy, learned counsel for the petitioner has objected to the prayer, however, considering the ground stated by the learned counsel for the respondent no.2 the prayer is allowed.

Let this matter be listed on 08.06.2026.

JUDGE

Comparing Assistant