

GAHC010284392025



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

Case No. : I.A.(Crl.)/1382/2025

ALAM ALI ALIAS ALOM ALI AND 4 ORS
S/O LATE FAHIM ALI, RESIDENT OF VILLAGE SENGAPARA UNDER
TARABARI POLICE STATION, DIST BARPETA, ASSAM 781305

2: ANJUMA BEGUM
W/O ALAM ALI

RESIDENT OF VILLAGE SENGAPARA UNDER TARABARI POLICE STATION
DIST BARPETA
ASSAM 781305

3: FAJNUR ALI
S/O LATE FAHIM ALI

RESIDENT OF VILLAGE SENGAPARA UNDER TARABARI POLICE STATION
DIST BARPETA
ASSAM 781305

4: RAFIQUL ISLAM
S/O LATE FAHIM ALI

RESIDENT OF VILLAGE SENGAPARA UNDER TARABARI POLICE STATION
DIST BARPETA
ASSAM 781305

5: AKBAR ALI
S/O LATE FAHIM ALI

RESIDENT OF VILLAGE SENGAPARA UNDER TARABARI POLICE STATION
DIST BARPETA
ASSAM 78130

VERSUS

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

2:MUNTAJUL AHMED
S/O ABDUL MAJID

RESIDENT OF VILLAGE BOHA PAHAR
PS MAYONG
DIST MORIGAON
ASSAM 78241

Advocate for the Petitioner : MR. M P SARMA, MR A CHETIA,MS. L DAS,MR A CHAKRABORTY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 09.01.2026

Heard Mr. A. Chakraborty, learned counsel for the applicants and Mr. B. Sharma, learned Additional Public Prosecutor for the opposite party no. 1, State of Assam.

2. From the case records, it transpires that the service of notice upon the opposite party no. 2 is yet to be completed.

3. This interlocutory application is preferred by the applicants who are the petitioners in the connected criminal petition, Crl.Pet./755/2024, seeking extension of the interim order granted earlier on 27.06.2024 in the criminal petition.

4. It has been averred and also transpires from the Order dated 27.06.2024 passed in criminal petition, Crl.Pet./755/2024 [Annexure – M/1] that the Court upon consideration of the materials brought on record, passed an interim order keeping in abeyance further proceedings of Complaint Case no. 39/2024 pending before the Court of learned Judicial Magistrate, First Class, Morigaon till the returnable date. In Complaint Case no. 39/2024, the applicant-petitioners have been arrayed as accused. The interim Order dated 27.06.2024 was

extended on 31.07.2024 till the next date of listing of the case.

5. Mr. Chakraborty, learned counsel appearing for the applicants has submitted that when the connected criminal petition, Crl.Pet./755/2024 was listed on 26.09.2025 it escaped his notice and as a result, there was no representation on behalf of the applicants-petitioners on that day. Recording non-representation of the applicant-petitioners on call, the Court directed the listing of the case after two weeks. On the next date of listing also, that is, on 16.12.2025, there is no interim order. It is in the above backdrop, the instant application has been preferred seeking extension of the interim Order dated 27.06.2024.

6. From the materials on record, it is found that the interim Order dated 27.06.2024 was extended and in currency till 26.09.2025. The ground urged on behalf of the learned counsel for the applicant-petitioners appears bona fide.

7. In such view of the matter, the instant application stands allowed extending the currency of the interim Order dated 27.06.2024 till the next date of listing.

JUDGE

Comparing Assistant