

GAHC020000362026



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

Case No. : CRL.REVN/1/2026

SHRI AVITUO SEKHOSHE
SON OF LATE SHRI. NEISIEHU SEKHOSHE, R/O HIGH SCHOOL ROAD
(TINPATI), PEZIELIETSIE, KOHIMA, NAGALAND-797001,
PERMANENT RESIDENT OF T. KHEL, KOHIMA VILLAGE, KOHIMA-
797001, NAGALAND

VERSUS

CENTRAL BUREAU OF INVESTIGATION
REPRESENTED BY THE HEAD OF BRANCH, ANTI-CRIME BRANCH,
IMPHAL, PO/PS LAMPHEL, IMPHAL WEST DISTRICT, MINIPUR-
795004

Advocate for the Petitioner : SENTIYANGER,
KEVISERIENUO, YUKHAKOKLA, WAPANGLEMLA, MAONGKALA, KONLI
BUCHEM, NOCKLEI M KONYAK

Advocate for the Respondent : ,

BEFORE
HON'BLE MRS. JUSTICE MARLI VANKUNG

ORDER

30.01.2026

Heard Mr. Sentianger, learned counsel for the petitioner, who has

filed the instant criminal revision petition under Section 442 read with Section 438 BNSS, 2023, against the impugned Order dated 15.12.2025 passed by the learned Chief Judicial Magistrate, Dimapur for which charges were framed against the petitioner under Section 120B and 420 IPC. The learned counsel submits that framing charge against the petitioner under Section 120B IPC is not sustainable since the charge is for criminal conspiracy, wherein, there cannot be only one accused person involved.

On hearing the submission made, this Court finds it appropriate to issue notice to the respondents.

Mr. Bendangwabang, learned counsel accepts notice on behalf of the sole respondent.

Requisite copy of the criminal revision petition be duly furnished to the learned counsel for the respondent.

The learned counsel for the petitioner has also prayed for the stay of the further proceedings against the petitioner in CBI Case No. 1/2024 corresponding to CBI Case No. RC2(A)/2019-IMP under Section 120B and 420 IPC.

The learned counsel for the respondent has strongly objected to the issuance of stay of the proceedings by submitting that there are also other accused persons/Government officials involved, however, the case could not proceed against them because prosecution sanction was not given.

Having considered the submissions made by the learned counsels for both the parties, this Court finds it appropriate that the prayer for interim may be considered on the next date after further instructions is received by the learned counsel for the respondent.

List on 17.02.2026, on which date the prayer for interim order will be considered.

Meanwhile scanned copies of the LCR to be called for.

JUDGE

Comparing Assistant