

GAHC040003592025



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

Case No. : Crl.Petn./42/2025

Dipankar Nath
Son of Shri Jadumoni Nath, KB Road, PO and PS North Lakhimpur, Lakhimpur
District, Assam

VERSUS

The State of AP
represented by the Special PP (SIT)

Advocate for the Petitioner : Gallen Taloh, D Nath

Advocate for the Respondent : J Tsering, Spl.PP (SIT)

Linked Case : Crl.Petn./43/2025

Chiranjit Bordoloi
Age: 39
Occupation :
Address: Son of Late Joganath Bordoloi
KB Road
PO and PS North Lakhimpur
Lakhimpur District
Assam

VERSUS

The State of AP
Age: 0
Occupation :
Address: represented by the Special PP (SIT)

Advocate for : Gallen Taloh
Advocate for : J Tsering appearing for The State of AP: Advocate appearing for
respectively.

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 03.06.2025

Heard Mr. G. Taloh, learned counsel for the petitioners. Also heard Mr. L. Kurdu, learned counsel for the sole respondent.

Mr. Taloh, learned counsel for the petitioners submits that in connection with the same subject matter of the Crime Branch Police Station Case No. 13/2021, under Sections 153/153-A/500/505/506/34 IPC, another FIR was filed before the Officer-in-Charge, North Lakhimpur Police Station, upon which, North Lakhimpur P.S. Case No. 1264/2021, under Sections 153/153-A/500/505/506/34 IPC, has been registered against the present petitioners.

It appears that the aforementioned FIR has not been placed on record and it is the contention of the petitioners that the FIR of North Lakhimpur P.S. Case No. 1264/2021 was registered on 24.11.2021 and the Crime Branch Police Station Case No. 13/2021 was registered on 26.11.2021 and in view of the doctrine of sameness, the registration of the 2nd FIR is impermissible and in order to ascertain whether the aforesaid doctrine will be applicable or not to the facts of the present case, perusal of the FIR of the North Lakhimpur P.S. Case No. 1264/2021 is found to be necessary and accordingly, it is provided that Mr. Taloh, learned counsel for the petitioners shall place on record the aforementioned FIR by filing an additional-affidavit.

List the matter **after 2 (two) weeks.**

Interim order passed earlier, shall continue till the next date of listing.

JUDGE

Comparing Assistant