

GAHC040004602024



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

**Case No. : Crl.Petn./43/2024**

Higia Bengia Abo  
IFS, Son of Late Bengia Lelly, Director SFRI (State Forest Research Institute) Van  
Vigyan Kendra, Chimpu, Itanagar address Chulyu Village, PO and PS Yazali, Lower  
Subansiri District, Arunachal Pradesh

VERSUS

The State of AP and Anr  
represented through the PP of AP     2:Nabam Akam  
Age: 0  
Occupation :  
Son of Late Nabam Nigla  
Address Bam Village  
PO and PS Balijan  
Papumpare District  
Arunachal Pradesh

**Advocate for the Petitioner** : Muk Pertin, Senior Advocate

**Advocate for the Respondent** : Ojing Pada

**BEFORE**  
**HONBLE MR. JUSTICE BUDI HABUNG**

**ORDER**

**Date : 04-04-2024**

Heard Mr. Muk Pertin, learned Senior counsel assisted by Mr. Mukbom  
Pertin, learned counsel for the petitioner.

The learned Standing counsel (SIC) is not present today.

This is an application under section 482 of Cr.PC, 1973 praying for setting aside and quashing the FIR dated 03.06.2021, Charge-sheet dated 18.05.2023, Supplementary Charge-sheet and trial proceeding of PCA-02/2023 in SIC (VIG)-07/2021 under section 120(B) Indian Penal Code read with section 7 of PC Act pending before the learned District and Sessions Judge, Special Court PC Act, Yupia in respect of the applicant, on the ground that there is no valid and proper prosecution sanction against the accused from the competent authority.

Issue notice returnable by 4 (four) weeks.

The learned counsel for the petitioner shall serve a copy of the memo of appeal to the learned Standing counsel (SIC) within 4 (four) days from today. So far as respondent no. 2 is concerned, the petitioner shall take steps by a registered post with AD within a week from today.

List the matter after 4 (four) weeks.

**JUDGE**

**Comparing Assistant**