

GAHC040010152023



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

Case No. : Crl.Petn./138/2023

Md. Usman Ali and 2 Ors.

Son of Late Abdul Jabbar, resident of Borchala, P.S Laluk and P.O Borchala, North Lakhimpur District, Assam. Mobile No.918402859889 2: Smti Susma Doley

Age:

Occupation :

Wife of Sri Umason Doley
resident of Gamging village
PS and PO Simen Chapori
Dhemaji District
Arunachal Pradesh.

3: Smti Sanji Doley @ Begum

Age:

Occupation :

Wife of Md Usman Ali
resident of Borchala
P.S Laluk and P.O Borchala
North Lakhimpur District
Assam

VERSUS

THE STATE OF AP
through its public prosecutor

Advocate for the Petitioner : Komni Riba

Advocate for the Respondent : P P of AP

**BEFORE
HONBLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 01.08.2023

Heard Mr. G. Taloh, learned counsel for the petitioner. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 482 of the Code of Criminal Procedure, 1973, for quashing of the Basar P.S. Case No. 15/2021, under Sections 342/363/366(A) of the Indian Penal Code *read with* Section 4 of the POCSO Act, 2012, along with the Charge-Sheet No. 01/2022 and the connected criminal proceeding in POCSO Case No. 01/2021 (State of Arunachal Pradesh Vs. Usman Ali), pending before the Court of learned Special Judge (POCSO), Basar, Lepa Rada District, Arunachal Pradesh.

Issue notice to the respondent.

Since Mr. T. Ete, learned Additional Public Prosecutor, has entered appearance and accepted notice on behalf of the State respondent, issuance of formal notice to the respondent is hereby dispensed with. However, he shall be provided with requisite extra-copy of the petition, if not already furnished, during the course of the day.

Call for the scanned copy of the LCR from the learned Court below.

Considering the submissions made by the learned counsels appearing for

the parties, in the interest of justice, further proceedings in POCSO Case No. 01/2021 (State of Arunachal Pradesh Vs. Usman Ali), pending before the Court of learned Special Judge (POCSO), Basar, Lepa Rada District, Arunachal Pradesh, shall remain stayed until further order.

List the matter after 3 (three) weeks.

JUDGE

Comparing Assistant