

GAHC040010862024



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

Case No. : Crl.Petn./128/2024

Nilotpall Das and 2 Ors

Son of Gopal Chandra Das, C/o Director, Finsperity Limited, resident of House No. 68 L, Graham road Tollygung, Kolkata 700040

2: Mrinmoy Das

Age:

Occupation :

Son of Subhash Chandra Das

C/o Director

Finsperity Limited

resident of House No. 68 L

Graham Road

Tollygung

Kolkata 700040

3: Smti Dalia Das

Age:

Occupation :

Wife of Nilotpall Das

C/o Director

Finsperity Limited

resident of House No. 68 L

Graham Road

Tollygung

Kolkata 700040

VERSUS

Khoda Gyati

Son of Late Khoda Mudo, proprietor of M/s Amar Construction, resident of House Ni. IMC 651, Vivek Vihar, DN College Road, Itanagar, District Papumpare, Arunachal Pradesh.

Advocate for the Petitioner : V. Jamoh

Advocate for the Respondent :

BEFORE
HONBLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 28.08.2024

Heard Mr. V. Jamoh, learned counsel for the petitioners.

This application under Section 482 of the Code of Criminal Procedure, 1973, has been filed by the petitioners, praying for setting aside of the order dated 31.07.2024 passed by the learned Chief Judicial Magistrate, Ziro, Lower Subansiri District in C.R. Case No. 04/2023, whereby, the learned Chief Judicial Magistrate, Ziro has condoned the delay of 106 days in filing the compliant case by the respondent under Section 138 of the Negotiable Instrument Act, 1881.

Issue notice to the respondent, fixing the returnable date on 19th September, 2024.

Call for the scanned copy of the concerned case record.

The petitioners shall take steps for issuance of notice to the respondent by registered post with A/D as well as by usual mode within 3 (three) days from the date of this order.

List this matter on 19th September, 2024.

JUDGE

Comparing Assistant