

GAHC040013142024



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

Case No. : Crl.Rev.P./17/2024

Nilotpal 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 Shri Subhash Chandra Das

C/o Director

Finsperity Limited

resident of House No. 68 L

Graham Road Tollygung

Kolkata 700040

3: Dalia Das

Age:

Occupation :

Wife of Nilotpal Das

C/o Director

Finsperity Limited

resident of House No. 68 L

Graham Road Tollygung

Kolkata 70004

VERSUS

Khoda Gyati

proprietor of M/s Amar Construction, resident of House No. IMC 651, Vivek Vihar, DN College Road, Itanagar, District Papumpare, Arunachal Pradesh.

Advocate for the Petitioner : Jyoti Zongluju, Tam Lomdak

Advocate for the Respondent : Habung Aape, Tasso Dodung, Jambey Tsering, Sumit Chhetri, Dakjum Riba, Lod Asha, T Lampung

Linked Case : IA(Crl)/82/2024

Nilotpal Das and 2 Ors

Age: 54

Occupation :

Address: 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: 33

Occupation :

Address: Son of Shri Subhash Chandra Das

C/o Director

Finsperity Limited

resident of House No. 68 L

Graham Road Tollygung

Kolkata 700040

3: Dalia Das

Age: 48

Occupation :

Address: Wife of Nilotpal Das

C/o Director

Finsperity Limited

resident of House No. 68 L

Graham Road Tollygung

Kolkata 700040

VERSUS

Khoda Gyati

Age: 0

Occupation :

Address: proprietor of M/s Amar Construction

resident of House No. IMC 651

Vivek Vihar

DN College Road

Itanagar

District Papumpare

Arunachal Pradesh.

Advocate for : Jyoti Zongluju
Advocate for : appearing for Khoda Gyati: Advocate appearing for respectively.

B E F O R E
HON'BLE MR. JUSTICE KARDAK ETE
ORDER

27.09.2024

Heard Ms. J. Zongluju, learned counsel for the petitioner.

By filing this petition, the petitioners have put to challenge the order dated 15.07.2024 passed by the learned JMFC, Yupia, whereby, the petitioners have been held guilty of offence under Section 138 of NI Act and thereby directed the petitioners to pay Rs. 65 lakhs to the complainant/respondent and also to pay Rs. 5 lakhs as interest to the complainant/respondent within 15 (fifteen) days with default stipulation that the petitioner shall undergo 6(six) months imprisonment. The petitioners have also challenged the Appellate Court order dated 03.09.2024, whereby the appeal of the petitioners has been dismissed.

Issue notice to the respondent, returnable by 4(four) weeks.

Mr. K. Gyati, learned counsel has entered appearance and accepted notice on behalf of the respondents.

List this matter after 4(four) weeks.

JUDGE

Comparing Assistant