

GAHC040009042024



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

Case No. : Crl.Petn./104/2024

Pill Takur

Son of Late Pill Teni, permanent resident of Village Korli, PO and PS Yazali, Lower Subansiri District, Arunachal Pradesh 791119 presently residing at P Sector, Itanagar, PO and PS Itanagar, Arunachal Pradesh 791111

VERSUS

The State of AP and Anr

represented by the PP of AP 2:Dulem Moyong

Age: 38

Occupation

Advocate for the Petitioner : A K Purkayastha

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MRS. JUSTICE MARLI VANKUNG

ORDER

Date : 23.07.2024

Heard Mr. S. Sharma, learned counsel for the petitioner, who has filed this instant criminal petition under Section 482 of the Code of Criminal Procedure, 1973 praying for cancellation, recalling or setting aside of the Non-Bailable Warrant of Arrest issued against the petitioner.

The learned counsel for the petitioner submits that the instant NBWA may be stayed since the Court of the learned Judicial Magistrate First Class, Namsai District in its order dated 22.05.2024 had fixed 29.08.2024 for appearance of the petitioner. The learned counsel further submits that the petitioner will be appearing before the Court of the learned Judicial Magistrate First Class, Namsai and therefore, the instant NBWA may be stayed, since the execution of the NBWA would cause un-repairable suffering to the petitioner.

Ms. T. Jini, learned Addl. Public Prosecutor has not strongly objected to the staying of the Non-Bailable Warrant of Arrest subject to the condition that the petitioner should appear before the Court of the Judicial Magistrate First Class on 28.08.2024, so that the petitioner can apply for bail before the concerned Court on 29.08.2024.

Having heard the submissions made by both the learned counsels for the parties, this Court on considering the fact that the learned counsel for the petitioner has given assurance to the Court that the petitioner would make appearance before the Court of the learned Judicial Magistrate First Class, Namsai District on 29.08.2024, find it fit to stay the Non-Bailable Warrant of Arrest issued by the Court of the Judicial Magistrate First Class, Namsai on the condition that the petitioner will make his appearance before the learned Court of the Judicial Magistrate First Class, Namsai District on 29.08.2024 for further necessary steps.

Accordingly, the instant criminal petition stands allowed and disposed of.

JUDGE

Comparing Assistant