

GAHC010009912016



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

Case No. : Crl.Rev.P./60/2016

PUTUL HAZARIKA
S/O LT. SADMUR ALI BRAHMAPUTRA HOUSING SOCIETY, BHETAPARA,
CHARIALI HOUSE NO. 16, BLOCK-A, 3RD FLOOR, GUWAHATI -28.

VERSUS

SMT. JAMUNA THAKURIA and ANR.
W/O DR. LT. DULAL THAKURIA VILL- MALIKUCHI, NEAR GOPAL GOHAIN
GHAR BIDYAPUR, P.S. and P.O. NALBARI, DIST. NALBARI. PIN- 781335.

2:THE STATE OF ASSAM

THROUGH PUBLIC PROSECUTOR
GAUHATI HIGH COURT

Advocate for the Petitioner : MR.D CHOUDHURY

Advocate for the Respondent : MR.A ACHARYA R-1

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 30.05.2024

Heard Ms. S. Sarma, learned counsel appearing on behalf Mr. D. Choudhury, learned counsel for the petitioner. Also heard Mr. S. K. Goswami, learned counsel for the respondent No. 1 and Mr. R. J. Baruah, learned Additional Public Prosecutor appearing for the State respondent.

The learned counsel for the petitioner has submitted that though by order dated 07.02.2018, the petitioner was directed to deposit an amount of Rs. 20,000/- before the Trial Court as a condition for admitting this Revision Petition and the learned counsel for the petitioner has tried his best to contact the petitioner.

However, the petitioner has not come forward to deposit the said amount. It also appears from the record that the learned counsel for the petitioner had also sent a notice to the petitioner informing him about the order of this Court regarding requirement to deposit the amount of Rs. 20,000/- before the Trial Court as a condition for admission of this instant Criminal Revision Petition.

It also appears that as the petitioner had failed to deposit the amount before the Trial Court as directed by this Court, by an order passed on 29.08.2023, this Court had vacated the stay order granted by this Court on the execution of the impugned order, making it clear that the Trial Court would be free to proceed with the execution of the order under challenge in the present criminal petition.

As the petitioner has failed to comply with the condition precedent for admission of this Criminal Petition even after lapse of more than 5 years, this Court has no other option but to dismiss this instant Criminal Revision Petition.

This Criminal Revision Petition is accordingly dismissed.

Registry to send back the case record of the Trial Court, immediately along with a copy of this order.

JUDGE

Comparing Assistant