

GAHC010010312024



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

Case No. : I.A.(Crl.)/62/2024

JESMINA PARBIN,
D/O ALHAJ ABDUS SATTAR,
W/O ABDUS SATTAR,
R/O VILL- NATUN BADLA,
P.O. TUPAMARI, P.S. NAGARBERA,
DIST. KAMRUP, ASSAM, PIN-781127

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2:ABDUS SATTAR

S/O LATE ABDUL BAREK R/O VILL- JAWKATADIYA
P.O. DEKACHUNG
P.S.BOKO
DIST. KAMRUP
ASSAM
PIN-78113

Advocate for the Petitioner : MRS A SAIKIA

Advocate for the Respondent : PP, ASSAM

Linked Case : Crl.Pet./12/2024

JESMINA PARBIN
D/O ALHAJ ABDUS SATTAR
W/O ABDUS SATTAR
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P.O. TUPAMARI

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S/O LATE ABDUL BAREK
R/O VILL- JAWKATADIYA
IN P.O. DEKACHUNG
P.S.BOKO

DIST. KAMRUP
ASSAM
PIN-781136

Advocate for : MRS A SAIKIA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

17/07/2024

Heard Ms. A Saikia, learned counsel for the applicant/appellant and Mr. D Das, learned Additional Public Prosecutor, Assam for the opposite party/respondent No. 1.

2. The applicant as petitioner filed the connected CrI. Pet. No. 12/2024 praying for quashing/suspending/cancelling the FIR No. 261/2022 dated 01.06.2022 filed by the opposite party/respondent No. 2 registered as Hatigaon P.S. Case No. 261/2022 registered under Sections 384/506 of the IPC read with Section 67 of the IT Act.

3. In the typed copy of the said FIR dated 01.06.2022 annexed to the said CrI. Pet. No. 12/2024, the petitioner inadvertently typed the name of the informant of said Hatigaon P.S. Case No. 261/2022

along with the FIR named accused, i.e., the applicant/petitioner in the same side under the name of the informant.

4. By this application, the applicant/petitioner prays for correction of the said typographical error as crept in Page-72 that relates to the typed copy of the FIR dated 01.06.2022 relating to Hatigaon P.S. Case No. 261/2022 to which Mr. D Das, learned Additional Public Prosecutor, Assam for the opposite party No. 1 has no objection.

5. It is seen that the petitioner has annexed the photocopy of the certified copy of the FIR dated 01.06.2022 relating to Hatigaon P.S. Case No. 261/2022 which is in vernacular (Assamese) with the said Crl. Pet. No. 12/2024.

6. The petitioner has also submitted a typed copy of the said FIR dated 01.06.2022 relating to Hatigaon P.S. Case No. 261/2022 and apparently there is a typographical error at Page-72 of the said Crl. Pet. No. 12/2024 incorporating the name of the FIR named accused, i.e., the applicant/petitioner under the name of the informant of the said Hatigaon P.S. Case.

7. Accordingly, the applicant/petitioner is allowed to incorporate the corrected/proper translated copy of the FIR dated 01.06.2022 registered as Hatigaon P.S. Case No. 261/2022 at Page No.72 with the connected Crl. Pet. No. 12/2024 as been mentioned/stated at Page-8 of this Interlocutory Application.

8. With the above observation, this Interlocutory Application stands allowed.

9. Registry shall list the connected Crl. Pet. No. 12/2024 for admission after the necessary correction made by the petitioner as directed above.

JUDGE

Comparing Assistant