

GAHC010017632024



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

Case No. : Crl.Rev.P./36/2024

MD. FARUK ALI
S/O- MD. CHAMCHUL ALI, R/O- VILL- DHUMGORA, P.O. AGGUMI, P.S.
CHHAYGAON, DIST.- KAMRUP (R), ASSAM, PIN- 781137

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR S K SARKAR

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

15.02.2024

Heard the learned counsel Mr. S.K. Sarkar appearing for the petitioner. Also heard Ms. B. Bhuyan, learned Senior Counsel assisted by Mr. J. Das, learned counsel representing the State of Assam.

This is an application under Section 482 of the CrPC challenging the orders dated 09.10.2023, 22.11.2023 and 21.12.2023 passed by the learned Chief Judicial Magistrate, Kamrup at Amingaon in PRC Case No.644/2022.

The petitioner has been facing trial in a case under Sections 279/304(A)/427 of the Indian Penal Code.

For certain reason, he could not appear on some dates in the court below. Therefore, the trial court issued Non-Bailable Warrant of Arrest (NBWA) against him.

After hearing both sides, this Court is of the opinion that the petitioner should be given a chance to face the trial.

According, the aforesaid impugned orders are set aside. The NBWA if any, issued in the meantime, shall be recalled.

The petitioner Md. Faruk Ali shall appear before the learned trial court on 17.02.2024 for receiving further order(s).

With the aforesaid direction, the criminal revision petition is disposed of.

JUDGE

Comparing Assistant