

GAHC010019202023



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

Case No. : Crl.Pet./91/2023

SAHARUL AHMED LASKAR AND ANR
S/O- LATE NOWADDISH ALI LASKAR, R/O- SIX MILE, PANJABARI ROAD, H
NO. 25, P.S- DISPUR, P.O- KHANAPARA, ASSAM, PIN- 781022

2: SAMSUL HUSSAIN
S/O- MD. ANOWAR HUSSAIN
R/O- PANJABARI
NAMGHAR TINIALI
H NO. 191
NEAR SBI PANJABARI
P.S- SATGAON
P.O- BAGHARBARI
GHY- 3

VERSUS

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

2:CHANDRA SHEKHAR KALAI
S/O- SRI BISHNU JOY KALAI
R/O- LALMATI
GANESHPUR PATH
GUWAHATI- 78102

Advocate for the Petitioner : MR. SK N MOHAMMAD, MR J. ISLAM,MR A IKBAL,MR. SK S
N MOHAMMAD

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

28-08-2024

Petitioners are charge-sheeted accused in Panbazar P.S. Case No. 73/2015 corresponding to G.R. No. 2715/2015 registered under Section 394 IPC. The Court of the learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati passed order of Non-Bailable Warrant of Arrest and Proclamation and Attachment against the petitioners.

2. Aggrieved, the petitioners have filed this criminal petition to set aside and quash the FIR relating to said Panbazar P.S. Case No. 73/2015 dated 17.03.2015 as well as charge-sheet No. 85/2015 dated 29.10.2022 submitted in said Panbazar P.S. Case No. 73/2015 as well as the orders passed by the learned CJM, Kamrup (M), Guwahati in said G.R. Case No. 2715/2015.

3. During the deliberation of the matter, Mr. SK S N Mohammad, learned counsel for the petitioners placed a copy of the judgment dated 01.07.2023, passed by the learned CJM, Kamrup (M), Guwahati in said G.R. No. 2715/2015 arising out of Panbazar P.S. Case No. 73/2015, acquitting the accused persons of said Panbazar P.S. Case No. 73/2015, including the petitioners herein from the charge under Section 394 IPC and set them at liberty forthwith, as the prosecution failed to prove its case against them.

4. In view of the above, this criminal petition being infructuous stands dismissed.

5. Copy of the judgment dated 01.07.2023, passed by the learned CJM, Kamrup (M), Guwahati in said G.R. No. 2715/2015 arising out of Panbazar P.S. Case No. 73/2015 be kept as part of the record.

JUDGE

Comparing Assistant