

GAHC010031472024



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

Case No. : Crl.Pet./196/2024

ALPHIUS CHINTHONG @ ALPHAIIOUS CHINGTHONG
S/O SRI MAHENNYA CHINTHONG, R/O DONKAMUKAM, PWD COLONY, P.S.
BAITHALANGSO, DIST. WEST KARBI ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. R BORA
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

21.02.2024

Heard Mr. D. Gogoi, learned counsel for the petitioner and Mr. D. P. Goswami, learned Additional Public Prosecutor, Assam.

By this application under Section 482 Cr.P.C., the petitioner has prayed for setting aside and quashing the order dated 19.08.2023 passed by the Special Judge, West Karbi Anglong at Hamren in NDPS Case No. 08/2022.

It is submitted by the learned counsel for the petitioner that only one

date i.e. on 19.08.2023, the petitioner remained absent before the Court and warrant of arrest was issued against him. On earlier occasion, the petitioner was attending the court regularly and prayed that considering the mater involved in the case, warrant of arrest against the petitioner may be set aside.

On the other hand, learned Additional Public Prosecutor has made no objection on the prayer of the petitioner.

In view of above and considering the fact that only one date the accused petitioner remained absent i.e. on 19.08.2022 and on earlier occasion he was attending the court regularly, the order dated 19.08.2023 along with subsequent orders issuing NBWA is hereby set aside.

However, the petitioner is directed to regularly attend the court henceforth.

Accordingly, this criminal petition stands disposed of.

JUDGE

Comparing Assistant