

GAHC010033002020



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

Case No. : Crl.Pet./129/2020

GOPAL SHARMA AND 3 ORS.
S/O SRI BALA KRISHNA SHARMA, R/O HOUSE NO. 12, SHANKARDEV
PATH, WEST KRISHNA NAGAR, LALGANESH, P.O. AND P.S.-ODALBAKARA,
GUWAHATI-781034, DIST-KAMRUP(M), ASSAM

2: SMTI SITA SHARMA
W/O SRI BALA KRISHNA SHARMA
R/O HOUSE NO. 12
SHANKARDEV PATH
WEST KRISHNA NAGAR
LALGANESH
P.O. AND P.S.-ODALBAKARA
GUWAHATI-781034
DIST-KAMRUP(M)
ASSAM

3: SMTI MANJU REGMI
W/O SRI MAHESH REGMI
D/O SRI BALA KRISHNA SHARMA
R/O BARPATTHAR
SHILLONG
MEGHALAYA
PIN-793003

4: MS. PUJA SHARMA
D/O SRI BALA KRISHNA SHARMA
R/O HOUSE NO. 12
SHANKARDEV PATH
WEST KRISHNA NAGAR
LALGANESH
P.O. AND P.S.-ODALBAKARA
GUWAHATI-781034
DIST-KAMRUP(M)
ASSA

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SMTI BORNALI HAZARIKA
W/O SRI RANJIT CHETRY
R/O VILL-MADHUPUR
WARD NO. 7
BISWANATH CHARIALI
P.O. AND P.S.-BISWANATH
ASSAM
PIN-78417

Advocate for the Petitioner : MR S S DEY, MR. D J KAPIL,MS. M K BROWN

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

28/08/2024

Heard Mr. S S Dey, learned counsel for the petitioners and Ms. S Jahan, learned Additional Public Prosecutor, Assam for the State respondent No. 1.

The respondent No. 2 on 04.02.2020 lodged an FIR before the Officer-in-Charge of All Women Police Station, Panbazar, Guwahati alleging offences against the FIR named accused persons, i.e., the present petitioners.

On the basis of the said FIR lodged by the respondent No. 2, All Women P.S. Case No. 23/2020 under Sections 354(A)/354(C)/376/ 420/506/34 IPC read with Section 3(1)(xi)/3(1)(xii) of the Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 corresponding to G.R. No. 1724/2020 was registered against the petitioner. Later, the said All Women Police Station Case registered on the basis of the said FIR lodged by the respondent No. 2 was transferred to Biswanath Chariali Police Station, wherein it was registered as Biswanath Chariali P.S. Case No. 61/2020.

The petitioner has filed this criminal petition for setting aside and quashing the said All Women P.S. Case No. 23/2020 registered under Sections 354(A)/354(C)/376/ 420/506/34 IPC read

with Section 3(1)(xi)/3(1)(xii) of the Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989.

During the deliberation of the matter, Ms. S Jahan, learned Additional Public Prosecutor, Assam, on instruction, submitted that police after investigating the matter submitted the final report in said Biswanath Chariali P.S. Case No. 61/2020 (arising out of All Women P.S. Case No. 23/2020) vide F.R. No. 46/2023 dated 03.11.2023.

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

JUDGE

Comparing Assistant