

GAHC010046842024



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

Case No. : Crl.Pet./259/2024

DIGANTA KALITA
S/O SRI BIRENDAR KALITA, R/O ARARA VILLAGE, P.S.-NALBARI, DIST-
NALBARI, ASSAM. EARLIER POSTED AS SUB- INSPECTOR OF ASSAM
POLICE, MARGHERITA POLICE STATION, P.S.-MARGHERITA, DIST-
TINSUKIA, ASSAM, PIN-786181

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:MANOJ DUTTA
S/O SRI B.K. DUTTA
R/O SEGUNBARI
MARGHERITA
P.S.-MARGHERITA
ASSAM
PIN-786181

3:ARYAN DUTTA
S/O SRI MANOJ DUTTA
R/O SEGUNBARI
MARGHERITA
P.S.-MARGHERITA
ASSAM
PIN-78618

Advocate for the Petitioner : MR. P DUTTA

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

11.03.2024

Heard Mr. W.R. Medhi, learned counsel for the petitioner. Also heard Mr. D. Das, learned Addl. P.P, Assam.

This is an application under Section 482 of the Cr.PC, 1973 read with Article 227 of the Constitution of India for setting aside inter alia Order dated 05.01.2024 passed by the Court of Judicial Magistrate First Class, Margherita, wherein fresh non-bailable Warrant of Arrest was issued to the petitioner in connection with CR Case No. 22/2019.

Mr. W.R. Medhi, learned counsel for the petitioner submits that the petitioner is willing to appear before the Court of Judicial Magistrate First Class, Margherita on the next date, i.e., 13.03.2024.

Mr. D. Das, learned Addl. P.P submits that the petition can be disposed of with a direction to the petitioner to appear before the Court below on the next date.

In view of the aforesaid endorsement made by the learned counsel for the petitioner, this Court is of the considered view that this criminal revision petition can be disposed of with a direction that the petitioner shall appear before the Court of Judicial Magistrate First Class, Margherita on 13.03.2024 and till then, he shall not be arrested. Upon his appearance, the Court of Judicial Magistrate First Class, Margherita shall consider the matter on its own merit.

With the aforesaid observation and direction, this criminal revision petition stands disposed of.

JUDGE

Comparing Assistant