

GAHC010053702024



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

Case No. : AB/671/2024

DEBAJIT CHANDA
S/O LATE DILIP KUMAR CHANDA, R/O GOBINDA NAGAR PATH, P.O.-
BINOVANAGAR, P.S.-FATASIL AMBARI, DIST-KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B HALDAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 24.05.2024

Heard Mr. B. Haldar, learned counsel for the petitioner. Also heard Mr. S. Barthakur, learned Additional Public Prosecutor for the State.

Apprehending arrest in connection with Fatasil Ambari P.S. Case No. 82/2024, under Section 420/406/468/471 IPC, the present application under Section 438 of Cr.P.C. 1973 is preferred by the applicant, namely Sri Debajit Chanda.

The aforesaid case has been registered on the basis of an FIR lodged by one Sri Pradyut Kumar Choudhury. The allegation made in the FIR is to the effect that the informant entered into an agreement with the applicant for construction of a multistoried building and when applying for permission, the applicant enclosed some documents containing signatures of the informant and the said signatures of the informant were not genuine and forged by the applicant.

This Court under its order dated 14.03.2024 while calling for the case diary granted interim protection from arrest to the applicant.

The case diary is produced. Perusal of the case diary discloses that the investigation has substantially progressed. The applicant has got his statement recorded. The applicant has also been co-operating with the investigating authority.

That being the position, considering the material so far collected and considering the fact that the applicant has been co-operating with the investigating authority, this Court is of the view that no custodial interrogation shall be required for further investigation.

Accordingly, the present application stands allowed and the interim order passed on 14.03.2024 is made absolute with the same terms and conditions.

JUDGE

Comparing Assistant