

GAHC010064032020



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

Case No. : CrI.L.P./32/2020

GOLAPI BORO
D/O- LATE NALINI KANTA BORO, VILL.- PUB KHAGRABARI, MAUZA-
CHAPAGURI, P.S. SIMLA, DIST.- BAKSA, ASSAM.

VERSUS

SANTOSH SWARGIARY AND ANR
S/O- LATE KAMESWAR SWARGIARY, VILL.- GOLAGAON, P.S. SIMLA, DIST.-
BAKSA (BTAD), ASSAM, PIN- 781343.

2:THE STATE OF ASSAM
REP. BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for the Petitioner : MR. J AHMED, MR A N AHMED

Advocate for the Respondent : PP, ASSAM, MR. R MAJUMDAR, MRS. A BASUMATARY, MR B C MUCHAHARY, MR R DHAR

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 05-09-2024

Heard Mrs. A. Hussain, learned counsel for the applicant. Also heard Ms. A. Parasar, learned counsel appearing on behalf of Mr. R. Dhar, learned counsel for the respondent.

The present petition has been so instituted seeking leave by the applicant herein for institution

of a connected Criminal Appeal assailing the judgment and order dated 30.01.2019 passed by Judicial Magistrate, 1st Class, Baksa, Mushalpur in C.R. Case No.103/2018.

I have heard the learned counsel for the parties.

Learned counsel for the respondent No.2 has submitted that she has no objection if the present Leave petition is allowed for institution of the connected Criminal Appeal.

In view of the above and also appreciating the submission so advanced by the learned counsel for the parties, the present Criminal Leave Petition is allowed and applicant is granted liberty to institute the connected Criminal Appeal against the judgment and order dated 30.01.2019 passed by Judicial Magistrate, 1st Class, Baksa, Mushalpur in C.R. Case No.103/2018.

Registry to register the connected Criminal Appeal and list the same for admission after 1 (one) week.

Criminal Leave petition stands disposed of.

JUDGE

Comparing Assistant