

GAHC010091762024



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

Case No. : Crl.Pet./535/2024

ASHAN ALI
S/O LATE SUKUR ALI,
WARD NO. 13, K.B ROAD, PO AND PS NORTH LAKHIMPUR, DIST
LAKHIMPUR, ASSAM

VERSUS

UNION OF INDIA
REPRESENTED BY NF RAILWAY,

Advocate for the Petitioner : MAHIBUR RAHMAN, MS ASFIA AHMED, MR AZIZUR RAHMAN

Advocate for the Respondent : SC, NF RLY, MS. B SARMA

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 31.07.2024

Heard Mr. M.Rahman, learned counsel for the petitioner and Ms. B.Sharma, learned CGC appearing for the NF Railways.

By filing this petition under Sections 482/401/397 of the Cr.P.C., the petitioner

has prayed for setting aside the order dated 06.04.2019 and subsequent order dated 12.03.2024 passed by the learned Special Railway Magistrate, Tezpur in CR Case No. 1108/2016 under Section 3 (a) of the RP (UP) Act (arising out of RPF/Post/North Lakhimpur P.S.Case No.-1 (10)15 whereby NBWA was issued against the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner had no knowledge about the pendency of the case in the court as he thought that the case was already disposed of.

On the other hand, Ms. B.Sharma, learned CGC submits that for last 5 years, petitioner is not attending the trial court and the grounds shown in the petition are not satisfactory.

Considering the averments made in the petition and the submission of the parties, it is directed that the petitioner shall appear before the learned trial court within 10 (ten) days from today and in the event of filing any bail application, learned trial court will consider the matter in accordance with law.

The criminal petition stands disposed of.

JUDGE

Comparing Assistant