

GAHC010104372024



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

Case No. : Crl.Pet./608/2024

AKHLAI UDDIN
S/O CHERAG ALI, VILL- SHERALIPUR, P.O.-LAMAJWAR, P.S.-BADARPUR,
DIST- KARIMGANJ, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR H R CHOUDHURY, A S PRODHAN, S. TALUKDAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 07.08.2024

Heard Mr. H. R. Choudhury, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 read with Section 401 of the Criminal Procedure Code, 1973 challenging the order dated 09.05.2024 passed by the learned Sessions Judge, Karimganj in Crl. Revision No. 17/2024 staying the Zimma order dated 02.04.2024 passed by the learned Chief Judicial Magistrate in G.R. Case No.1290/2023.

3. The learned Sessions Judge, Karimganj allowed the Zimma petition filed by the present petitioner in respect of seized betel nuts thereafter the respondent filed a Revision petition before the Court of Sessions challenging the aforesaid order. The said revision petition is still pending for disposal.

4. Under the given circumstances of the case, this Court is of the opinion that the revision petition should be disposed of first. Therefore, the learned Sessions Judge, Karimganj is directed to dispose of the Revision Petition No.17/2024 within next 2(two) months from receiving this order.

5. Depending upon the final result of the revision petition, the petitioner is at liberty to approach this Court again by filing a separate criminal petition.

6. With the aforesaid direction, this criminal petition stands closed and disposed of.

JUDGE

Comparing Assistant