

GAHC010110742024



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

Case No. : Crl.Pet./641/2024

MUSSTT MOMIRAN BEGUM @ BORO GEDI
W/O LATE REZZAK ALI, R/O VILL- NO. 1 TENGAARBHITA, P.S.-
GOSSAIGAON, DIST- KOKRAJHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:INSPECTOR RUSTOM RAJ BRAHMA
S/O LATE BRAJENDRA NATH BRAHMA
PANBAZAR POLICE STATION
DIST- KAMRUP (M)
ASSAM
PIN-78100

Advocate for the Petitioner : MR. U K BARMAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

04.06.2024

1. Heard Mr. R. Konwar for the petitioner, Musstt. Momiran Begum@ Boro Gedi

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- 2.** This application has been filed by the petitioner under Section 482 of the Cr. PC with prayer for quashing the NBWA issued against the petitioner.
 - 3.** The petitioner is an accused in connection with NDPS Case no. 29/2022 arising out of Panbazzar P. S. Case No. 381/2021 under Section 22(b) of the NDPS Act.
 - 4.** Heard Ms. S. Jahan, learned Additional Public Prosecutor, Assam for the respondent State.
 - 5.** The learned Additional Public Prosecutor has accepted notice on behalf of the petitioner. So, no formal notice is required to be issued.
 - 6.** It is submitted by the learned Additional Public Prosecutor that the petitioner was evading appearance for a prolonged period and she had appeared before the Court only once.
 - 7.** I have scrutinized the charge sheet annexed along with the petition. Charge sheet has been laid against her under Section 22(b) of the NDPS Act.
 - 8.** The petitioner has also annexed all the copies of the order sheets of the proceeding of NDPS Case No. 29/2022.
 - 9.** I have scrutinized the order sheets of the Case Record of NDPS Case. No 29/2022 marked as Annexure-D of the petition.
 - 10.** However, I have taken a pragmatic view.
 - 11.** The petitioner is willing to co-operate with the trial.
 - 12.** The NBWA issued against the petitioner vide order dated 03.04.2023 and subsequent orders are hereby kept in abeyance for 15 days.
 - 13.** The petitioner is directed to appear before the learned Trial Court within

15 days and co-operate with the trial.

14. The matter is thus closed.

JUDGE

Comparing Assistant