

GAHC010115352022



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

Case No. : Crl.Pet./540/2022

ASMINA KHATUN
W/O- ABDUL HAI NAGORI, VILL. NO. 1 DONGSHIAPARA, P.S. BIJNI,
DIST.CHIRANG, PIN- 783390.

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY THE P.P., ASSAM

2:RAFIKUL ISLAM
S/O- FAJAL HOQUE
VILL.- RAMPUR
P.O. RAMPUR (KALGACHIA)
P..S KALGACHIA
DIST. BARPETA
ASSAM
PIN- 781319

Advocate for the Petitioner : MR. A ROSHID

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

17-07-2024

Heard Ms. T Begum, learned counsel for the petitioner and Mr. D Das, learned Additional Public Prosecutor, Assam for the State.

Though the petitioner is not an FIR named accused in Kalgachia Police Station Case No. 47/2015 registered under Sections 366(A)/34 IPC read with Section 4 of the POCSO Act, but after investigation of the case, police submitted Charge-Sheet in said Kalgachia P.S. Case No. 47/2015 on 29.07.2021 vide Charge-Sheet No. 317/2021, showing her to be one of the absconder accused.

Being aggrieved with the same, the petitioner filed this criminal petition, praying amongst others, to set aside and quash the proceeding of said Kalgachia Police Station Case No. 47/2015, wherein Charge-Sheet was filed on 29.07.2021 vide Charge-Sheet No. 317/2021.

Ms. Begum, learned counsel for the petitioner submitted that during pendency of this criminal petition, Warrant of Arrest was issued against the petitioner for her appearance before the learned Trial Court, i.e., the learned Special Judge (POCSO), Barpeta, pursuant to which, she appeared before the said Court and obtained bail.

Ms. Begum, in view of the above and on instruction of the petitioner, is not pressing this criminal petition.

Accordingly, this criminal petition stands dismissed, being not pressed.

Registrar (Judicial) shall forward a copy of this order to the Court of the learned Special Judge (POCSO)-cum-Additional Sessions Judge, Barpeta forthwith, for his necessary information.

JUDGE

Comparing Assistant