

GAHC010123022024



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

Case No. : AB/1624/2024

MRS. DIPA DEKA MAHANTA
W/O LATE MUNIND MAHANTA, R/O JONALI, HOUSE NO. 06, P.S.-GEETA
NAGAR, GUWAHATI-781024, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. P BORAH, MRS K M SAIKIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.11.2024

Heard Mrs. K.M. Saikia, learned counsel appearing for the petitioner as well as Mr. R. R. Kaushik, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 in respect of Dispur P.S. Case No. 382/2024.
3. On 30.04.2024, the present petitioner had lodged an FIR before police alleging that

after the demise of her husband, she developed relationship with a person called Bhupen Gogoi. Pursuant to the relationship, Bhupen Gogoi had taken a large amount of money from her. Some amount of money were returned to her and some amounts of money were not returned to her. The petitioner has alleged that Bhupen Gogoi had promised to marry her. For that reason, on different occasions, she gave a large amount of money to Bhupen Gogoi. She further alleges that even her car was taken away by the said Bhupen Gogoi.

4. Before filing of the FIR by the present petitioner on 29.03.2024, Bhupen Gogoi had lodged an FIR before police alleging that some young persons having specific names have snatched away different sums of money from him. They also demanded an amount of Rs. 7 lakhs from him. Bhupen Gogoi alleges that the present petitioner Dipa Deka Mahanta was behind the said act of snatching.

5. I have considered the submissions made by the learned counsels of both sides.

6. Pursuant to the interim order granted in favour of the petitioner on 24.06.2024, she has appeared before the Investigating Officer and has co-operated with the police investigation. Under the given circumstances of the case, the petitioner does not deserve to be detained in custody. Therefore, her pre-arrest bail application is allowed.

7. The interim order granted in favour of the petitioner on 24.06.2024 is hereby made absolute.

8. With the aforesaid directions, the bail application stands disposed of
CD shall be returned.

JUDGE

Comparing Assistant