

GAHC010159972024



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

Case No. : I.A.(Crl.)/718/2024
In Crl. Rev. Pet. No. 288/2024

MOIDAN ALI AND 6 ORS
S/O FAYMUDDIN SHEIKH
R/O VILL- PASCHIM BHADRAGAON, P.S. BONGAIGAON, DIST. CHIRANG,
ASSAM

2: NIYAMAT ALI SHEIKH
S/O FAJAMUDDIN SHEIKH
R/O VILL- PASCHIM BHADRAGAON

P.S. BONGAIGAON
ASSAM
DIST. CHIRANG
ASSAM

3: RAMJAN ALI SHEIKH
S/O FAIMUDDIN SHEIKH
R/O VILL- PASCHIM BHADRAGAON

P.S. BONGAIGAON
DIST. CHIRANG
ASSAM

4: JAYNAL SHEIKKH
S/O SAMAD ALI
R/O VILL- PASCHIM BHADRAGAON

P.S. BONGAIGAON
DIST. CHIRANG
ASSAM

5: AYUB HUSSAIN
S/O IBRAHIM SHEIKH
R/O VILL- PASCHIM BHADRAGAON

BIDYA
DIST. CHIRANG
ASSAM

6: ABDUL HAI SHEIKH
S/O NURUL HOQUE
R/O VILL- BIDYAPUR
DIST. CHIRANG
ASSAM

7: AMIN ALI SHEIKH
S/O AFSER ALI
R/O VILL- PASCHIM BHADRAGAON

P.S. BONGAIGAON
DIST. CHIRANG
ASSA

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:NAJIRUDDIN AHMED
S/O AYNAL HAQUE
R/O VILL- PASCHIM BHADRAGAON

P.S. BONGAIGAON
DIST. CHIRANG
ASSA

Advocate for the Petitioner : MR. M AHMED, MD I H LASKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

08.08.2024

Heard learned counsel, Mr M Ahmed, learned counsel for the applicants, 1) Moidan Ali, 2) Niyamat Ali Sheikh, 3) Ramjan Ali Sheikh, 4) Jaynal Sheikh, 5) Ayub Hussain, 6) Abdul Hai Sheikh and 7) Amin Ali Sheikh. Also heard Mr M P Goswami, learned

Additional Public Prosecutor for the respondent/State.

2. The learned counsel for the applicants has submitted that instead of filing the criminal revision petition being Criminal Revision Petition No. 288 of 2024, under the BNSS Act, the petition was erroneously filed under the old Code. The learned counsel has prayed for correction of the Cause Title, wherever the word ‘the Code of Criminal Procedure, 1973’ occurs, as the error was inadvertent.

3. I have considered the submissions at the Bar with circumspection.

4. Wherever the word ‘the Code of Criminal Procedure, 1973’ and the Sections under the Code appears, the same may be typed and corrected as ‘Bharatiya Nagarik Suraksha Sanhita 2023’, along with the corresponding new Sections under the ‘Bharatiya Nyaya Sanhita, 2023’.

5. In terms of the above order, the application stands disposed of.

6. The learned counsel for the applicant may file an amended cause title of the petition.

JUDGE

Comparing Assistant