

GAHC010160612012



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

Case No. : Crl.Pet./185/2012

SUJIT RUDRA
SON OF LATE LAKHI KANTA RUDRA R/O WARD NO. 5, BONGAIGAON
TOWN NEAR FOREIGNER'S TRIBUNAL, P.S. and P.O. BONGAIGAON, DIST.
BONGAIGAON, ASSAM.

VERSUS

TAPAN KR. DEY
SON OF LATE RAJEN KR. DEY, R/O PAGLASTHAN BONGAIGAON TOWN,
P.S. and DIST. BONGAIGAON, ASSAM.

Advocate for the Petitioner : MR.A D CHOUDHURY

Advocate for the Respondent : MR.S S SHARMA

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

18-07-2024

Heard Mr. D. Choudhury, learned counsel for the petitioner and Mr. B. J. Mukherjee, learned counsel for the sole respondent.

The sole respondent herein filed a complaint petition before the learned Chief Judicial Magistrate, Bongaigaon against the petitioner and another stating that the accused persons including the petitioner were involved in cheating, criminal breach of trust and criminal

conspiracy and the same was registered as CR Case No. 20/2012 before the Court of learned CJM, Bongaigaon.

The learned CJM, Bongaigaon after recording the statement of the complainant and making enquiry under Section 202 Cr.P.C. took cognizance of the offence on 13.12.2012 under Section 420 IPC against the petitioner and issued summon to him.

Aggrieved with the said order dated 13.12.2012 of the learned CJM, Bongaigaon, passed in said CR Case No. 20/2012, the petitioner filed this criminal petition on 02.04.2012.

The Court on 04.04.2012 while issuing notice to the sole respondent, in the interim stayed the proceeding of said CR Case No.20/2012, pending before the learned CJM, Bongaigaon, which is still in force.

During the deliberation of the matter, both Mr. D. Choudhury, learned counsel for the petitioner as well as Mr. B. J. Mukherjee, learned counsel for the sole respondent/complainant submitted that during the pendency of this criminal petition the petitioner, Sujit Rudra, son of late Lakhi Kanta Rudra have expired in January, 2024.

Accordingly, this criminal petition, being infructuous stands closed.

Registry shall return the record of CR Case No. 20/2012 to the learned CJM, Bongaigaon forthwith along with a copy of this order.

JUDGE

Comparing Assistant