

GAHC010164172024



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

**Case No. : Crl.Pet./1020/2024**

PARTHA PRATIM DAS ALIAS SUNTI DAS  
S/O SRI MITHARAM DAS  
R/O VILL- TOWN-TELENGANIZA, P.S. BEHALI, SUB- DIVN-BISWANATH,  
DIST. SONITPUR, ASSAM, PIN-784176

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : MR P KATAKI, MS. A LALA, MRS R BEGUM

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**Date : 21-08-2024**

Heard Mr. P. Kataki, learned counsel for the petitioner Sri Partha Pratim Das, who has filed this application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 challenging the legality and validity of the order dated 23.04.2024 and the subsequent orders whereby NBWA was issued against the

petitioner.

2. Heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State. Learned Additional Public Prosecutor has accepted notice on behalf of the State respondent and thus, no formal notice is required to be issued.

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

4. It is submitted on behalf of the petitioner that the petitioner is not well and he had taken adjournment but unfortunately vide order dated 23.04.2024 in PRC Case No. 419/2022, NBWA was issued against the petitioner. The petitioner is willing to cooperate with the trial.

5. I have taken a pragmatic view. This is an old pending case registered in the year 2019 and it would not be justified to keep the case pending any further. The petitioner who is willing to cooperate with the trial, is hereby directed to appear before the trial Court within 20 (Twenty) days. Till his appearance, NBWA issued against the petitioner in PRC Case No. 419/2022 is kept in abeyance.

6. Petitioner is directed to appear and cooperate with the trial.

7. In terms of the above observations, this Criminal Petition stands disposed of.

**JUDGE**

**Comparing Assistant**