

GAHC010178802024



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

Case No. : Crl.Rev.P./339/2024

GIRISH CH KALITA
S/O LATE SULABH KALITA
R/O VILL- PANITEMA
P.O. PANITEMA
P.S.KAMALPUR,
DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : K U AHMED,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 03.10.2024

Heard Mr. K.U. Ahmed, learned counsel appearing for the petitioner. Also heard Mr. B. Sarma, learned Addln. Public Prosecutor for the state of Assam.

2. This is an application under Section 401 of the Cr.P.C. in respect of GR Case No. 3523/2012 pending in the court of the learned Chief Judicial Magistrate, Kamrup (M),

Guwahati.

3. The petitioner has been facing trial for committing offence u/s 420 of the Indian Penal Code. During COVID period, he could not appear before the trial court. Therefore, non-bailable warrant of arrest was directed to be issued against him.

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

5. The petitioner is interested in facing the trial and therefore, he should be given an opportunity to that effect.

6. Therefore, all the impugned orders directing issue of non-bailable warrant of arrest against the petitioner Girish Ch. Kalita in respect of GR Case No. 3523/2012 pending in the court of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati are set aside.

7. The petitioner Girish Ch. Kalita shall be allowed to remain on previous bail.

With the aforesaid direction, this criminal revision petition stands disposed of.

JUDGE

Comparing Assistant