

GAHC010180262024



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

Case No. : CrI.L.P./37/2024

INDIRA DAS CHOUDHURY
W/O. SHRI PRASHANTA KUMAR DAS, R/O. VILL.- SRIGOURI, P/O.
SRIGOURI, P/S.- BADARPUR, DIST.- KARIMGANJ, ASSAM,PIN-788806.

VERSUS

ABHIJIT CHAKRABORTY AND ANR
S/O. LATE APURBA CHAKRABORTY, R/O. RUPNAGAR, KARIMGANJ TOWN,
P/S. KARIMGANNJ, DIST.- KARIMGANJ, PIN-788806, ASSAM.

2:THE STATE OF ASSAM
REP. BY THE PP
ASSAM

Advocate for the Petitioner : MR. N C DAS, MS M BORAH,MS. M DEVI

Advocate for the Respondent : ,

Linked Case :

INDIRA DAS CHOUDHURY

VERSUS

ABHIJIT CHAKRABORTY AND ANR G

Advocate for : MR. N C DAS
Advocate for : appearing for ABHIJIT CHAKRABORTY AND ANR G

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 21.10. 2024

Heard Mr. N.C. Das, learned Senior Counsel, assisted by Ms. J. Baishya, learned counsel for the petitioner Smti Indra Das Choudhury, who has filed this application under Section 419(3) of BNSS, 2023 for granting special leave to prefer an appeal against the judgment and order dated 18.07.2024, passed by the learned Special Judge, Karimganj in Special (SC & ST) Case No. 13/2016.

The learned senior counsel for the petitioner has submitted that there are incriminating materials against the respondent/ accused but the respondent was acquitted from the charges of S.C. & S.T. Act and there are sufficient materials against the respondent/ accused for the offence under the IPC but the learned trial Court has acquitted the respondent/ accused Sri Abhijit Chakraborty. The incident occurred in presence of the witnesses in common room of Karimganj College.

Also heard Ms. N. Das, learned Addl. P.P. for the State respondent No. 2.

It appears that the appeal lies against the judgment and order dated 18.07.2024, passed by the learned Special Judge, Karimganj in Special (SC & ST) Case No. 13/2016.

In view of the above, the special leave petition is allowed to prefer the connected appeal.

In terms of the above direction, the leave petition is disposed of.

The Registry is directed to register the connected appeal and list accordingly.

JUDGE

Comparing Assistant