

GAHC010190872024



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

Case No. : Crl.Rev.P./364/2024

PRAVIR K ROY
S/O LATE S.N. ROY EXECUTIVE DIRECTOR, BOGIDHOLA TEA AND
TRADING COMPANY PVT. LTD. P.O. LETTAKUJAN, PIN-785613, DIST.
GOLAGHAT, ASSAM

VERSUS

THE ASSISTANT PROVIDENT FUND COMMISSIONER AND INSPECTOR
ASSAM TEA PLANTATION PROVIDENT FUND AND PENSION FUND AND
DEPOSIT LINK INSURANCE SCHEME, GOLAGHAT, GOVT. OF ASSAM

Advocate for the Petitioner : MR B KAUSHIK, K BHARALI, MR. S HAZARIKA

Advocate for the Respondent : SC, PF,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 23.09.2024

Heard Mr. B. Kaushik, learned counsel appearing for the petitioner as well as Mr. N.C. Das, learned Sr. Counsel assisted by Mr. A. Das, learned counsel appearing for the respondent.

2. This is application under Section 438 and 442 read with Section 528 of

BNSS, 2023 challenging the order dated 21.08.2024 passed by the learned SDJM, Karbi Anglong, Bokajan passed in CR Case No. 1500/2015.

3. The petitioner is an accused in CR Case No. 1500/2015. On 21.08.2024, the petitioner filed an application before the court below praying for dispensing with his personal attendance on the ground of indisposition. The trial court refused the prayer of the petitioner and directed to issue non-bailable warrant of arrest against him.

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

5. This Court is of the opinion that the petitioner should be given an opportunity to contest the case before the trial court directing issuance of non-bailable warrant of arrest against the petitioner.

6. Accordingly, the order dated 21.08.2024 passed by the learned SDJM, Karbi Anglong, Bokajan passed in C.R. Case No. 1500/2015 stands quashed and set aside.

7. The petitioner, Pravir Kumar Roy is directed to appear personally before the trial court on 18.10.2024 for receiving further order (s).

8. It is further directed that the petitioner shall not be given any more adjournment in C.R. Case No. 1500/2015.

8. With the aforesaid direction, the revision petition stands disposed of.

JUDGE

Comparing Assistant