

GAHC010191552024



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

Case No. : Crl.Pet./1158/2024

ABDUR RAHMAN
S/O MD. ABDUL MATALIB
R/O VILL- BHELOWGURI PATHAR
P.S. DOBOKA
DIST. HOJAI, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2:MUSSTT. NAZIMA EYASMIN
W/O MD. MOIDUL ISLAM
RO VILL- BHELOWGURI PATHAR
P.S. DOBOKA
DIST. HOJAI
ASSAMPIN-78244

Advocate for the Petitioner : MR J C GOGOI,
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

23.09.2024

Heard Mr. J. C. Gogoi, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor.

By this application under Section 528 of BNSS 2023, the petitioner has prayed for quashing and setting aside the order dated 28.08.2024 passed by the JMFC, Hojai, Sankardev Nagar, in connection with PRC Case No. 1359/2022 under Section 448/376/511 IPC.

Learned counsel for the petitioner submits that charge-sheet has been laid in connection with this case. Though, steps have been taken on behalf of the accused petitioner before the trial court but subsequently, the petitioner left for Kerala and failed to appear before the trial court and then warrant of arrest was issued against him. However, the petitioner is now ready to face the trial and prayed that warrant of arrest issued against the petitioner be recalled.

Mr. B. Sarma, learned Additional Public Prosecutor also submitted that the petitioner may appear before the trial court seeking regular bail.

I have considered the submissions made by the learned counsel for the parties. In view of the above, the petition is disposed of with a direction to the petitioner to appear before the trial court and in the event of filing any bail application, the trial court will consider of the matter in accordance with law.

Accordingly, the criminal petition stands disposed of.

JUDGE

Comparing Assistant