

GAHC010200682024



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

Case No. : Crl.Pet./1192/2024

KASI REDDY RAVI SANKAR AND ANR
S/O LATE KASI REDDY SANYASI RAO, P/R/O VILL- TULSHI NAGAR,
ELAMANCHILI, DIST-VISHAKAPATTANAM, ANDHRA PRADESH, PIN-531
055, P/R/A VILL AND P.O.- SREE RAMPUR BAZAR, GOSSAIGAON, DIST-
KOKRAJHAR, ASSAM, PIN-783161

2: RAJESH KASI REDDY
S/O LATE KASI REDDY SANYASI RAO
P/R/O VILL- TULSHI NAGAR
ELAMANCHILI
DIST-VISHAKAPATTANAM
ANDHRA PRADESH
PIN-531 055
P/R/A VILL AND P.O.- SREE RAMPUR BAZAR
GOSSAIGAON
DIST- KOKRAJHAR
ASSAM
PIN-78316

VERSUS

UNION OF INDIA AND ANR
REPRESENTED BY ITS ASSISTANT DIRECTOR, DIRECTORATE OF
REVENUE INTELLIGENCE, GUWAHATI REGIONAL UNIT, KRISHANAGAR,
CHANDMARI, GUWAHATI-781003

2:DIBAKAR CHOUDHURY
DIRECTORATE OF REVENUE INTELLIGENCE
GUWAHATI REGIONAL UNIT
KRISHANAGAR
CHANDMARI
GUWAHATI-78100

Advocate for the Petitioner : MR J DAS, P HAZARIKA,MR. S R RABHA

Advocate for the Respondent : SC, DRI,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 26.09.2024

Heard Mr. J. Das, learned counsel appearing for the petitioners as well as Mr. K. Jain, learned Standing Counsel appearing for the Directorate of Revenue Intelligence.

2. This is an application under Section 528 of BNSS, 2023 in respect of C.R. Case No. 1234/2016 pending in the court of the learned Additional Chief Judicial Magistrate, Kamrup (M), Guwahati.

3. The present two petitioners have been facing trial in respect of the Complaint Case No.1234/2016. They were earlier allowed to go on bail by the learned trial court, but on 22.04.2024, they could not appear before the court below.

4. Therefore, the learned trial court directed issue of non-bailable warrant of arrest against both the petitioners.

5. Mr. Das submits that both the petitioners are interested in facing the trial. According to Mr. Das, the aforesaid incident took place because of the miscommunication between the petitioners and the lawyer concerned.

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

7. This Court is of the opinion that the petitioners deserve to be given the chance to face the trial.

8. Accordingly, the impugned order dated 22.04.2024 and the subsequent orders directing issue of non-bailable warrant of arrest against the petitioners passed by the court of the learned Additional Chief Judicial Magistrate, Kamrup (M), Guwahati are set aside and quashed.

9. The petitioners are allowed to remain on previous bail. They shall appear before the

trial court regularly.

The criminal petition stands disposed of.

JUDGE

Comparing Assistant