

GAHC010269902023



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

**Case No. : AB/4054/2023**

NAMEERA HUSSAIN AND ANR  
WIFE OF JAVED ALI, RESIDENT OF LALMATI ROAD, GANDHIBASTI,  
NORTH SARANIA, CHANDMARI, PINCODE- 781003, DISTRICT- KAMRUP  
(METRO), ASSAM, POLICE STATION- CHANDMARI, POST OFFICE-  
SILPUKHURI

2: JAVED ALI  
SON OF LATE YASIN ALI  
RESIDENT OF LALMATI ROAD  
GANDHIBASTI  
NORTH SARANIA  
CHANDMARI  
PINCODE- 781003  
DISTRICT- KAMRUP (METRO)  
ASSAM  
POLICE STATION- CHANDMARI  
POST OFFICE- SILPUKHUR

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner : MR. N N B CHOUDHURY**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**12.02.2024**

Heard Mr. N.N.B. Choudhury, learned counsel for the applicants and also heard Ms. A. Begum, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

This application under Section 438 Cr.P.C. is preferred by two applicants, namely, Nameera Hussain and Javed Ali, who have been apprehending arrest in connection with Paltanbazar P.S. (MMR) Case No.59/2023, under Section 325/506/34 IPC, for grant of pre-arrest bail.

The above noted case has been registered on the basis of an FIR lodged by the mother of the applicant No.1 Goljana Nessa. The essence of allegation made in the aforesaid FIR is that the daughter of the informant eloped with applicant No.2 Javed Ali along with Rs.25,000/-.

Mr. Choudhury, learned counsel for the applicants submits that this Court, vide order dated 01.12.2023, was pleased to extend interim protection to the applicants and pursuant to the said order, they have appeared before the I.O. and they have been cooperating with the investigating agency. Further, Mr. Choudhury submits that both the applicants are major and at their own will they have got married and living together as husband and wife and therefore, it is contended that the interim order dated 01.12.2023, may be made absolute, in the same terms and conditions.

On the other hand, Ms. A. Begum, learned Additional P.P. submits that the I.O. has already completed investigation and return the case in Final Report, being F.R. No.182/2023.

Since Final Report has already been submitted by the I.O. after completion of investigation, there is no apprehension of arrest and as such, this petition becomes

infructuous and accordingly, the same stands closed.

**Sd/- *Robin Phuikan***  
**JUDGE**

**Comparing Assistant**