GAHC010070952026

2026:GAU-AS:9861

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

Case No. : Crl.Pet./539/2026

SAMPAK KAKATI
S/O BIPUL KAKATI, R/O MATAKGAON, PO SENCHOWA NEAR SHIV MANDIR, PS NAGAON, DIST NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM,

2:TARAMAI SAIKIA
W/O LATE PUTUKON SAIKIA
R/O SENSHOWA
PS SADAR
DIST NAGAON
ASSA

Advocate for the Petitioner : MR A SHARMA,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 20.07.2026

Heard learned Counsel Mr. A. Sharma for the petitioner Sampak Kakati who has filed this petition under Section 528 of the BNSS, 2023 praying for quashing and setting aside the order dated 06.03.2026 passed in PRC Case No.250/2025 by

the learned Additional CJM, arising out of Nagaon PS Case No.1304/2022 under Sections 341/307/302 of the IPC.

2. Mr. R.J.Baruah, learned Additional Public Prosecutor is present and has accepted notice on behalf of the State respondent and as such, no notice is required to be issued.

3. Petitioner is willing to co-operate with the proceedings. The petitioner has submitted that due to some personal reason, he was not residing at the given address in No.1 Colony Diphu district- Karbi Anglong and NBWA was issued as he was not found in the given address.

4. I have considered the submissions at the Bar.

5. Petitioner is willing to co-operate with the proceedings.

6. I have taken a pragmatic view.

7. The proceedings of PRC Case No.250/2025 is not required to be procrastinated. As the petitioner is willing to co-operate with the proceedings, the NBWA issued against the petitioner vide order 06.03.2026 passed in PRC Case No.250/2025 is kept in abeyance for 15 days and within these 15 days, the petitioner is directed to appear before the jurisdictional court/ Illaqa Magistrate and co-operate with the proceedings of the case.

8. In terms of the above observations, the criminal petition stands disposed of.

JUDGE

Comparing Assistant