GAHC010149092020

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

Case No. : AB/3191/2020

SHAHIN SULTANA PARBIN AND 2 ORS
W/O AZIBAR RAHMAN
D/O ABDUS SALAM
R/O VILL-TAKIMARI
P.S.-LAKHIPUR
DIST-GOALPARA
ASSAM

2: ABDUS SALAM
S/O HAJI NISHAN ALI
R/O VILL-TAKIMARI
P.S.-LAKHIPUR
DIST-GOALPARA
ASSAM

3: SHOHIJUDDIN AHMED
S/O ABDUL HAMID
R/O VILL-PUB-KATHURI
P.S.-LAKHIPUR
DIST-GOALPARA
ASSAM
VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR. A M KHAN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM: Advocate appearing for respectively.

B E F O R E

HON'BLE MR. JUSTICE HITESH KUMAR SARMA

08-12-2020

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the accused-petitioners, namely, ***1) Shahin Sultana Parbin, 2) Abdus Salam, and 3) Shohijuddin Ahmed,*** in connection with ***Jalukbari P.S. Case No.1090/2020*** registered under Sections ***406/469*** of the Indian Penal Code.

Heard Mr. A.M. Khan, learned counsel for the petitioners. Also heard Mr. M.P.Goswami, learned Additional Public Prosecutor, Assam appearing for the Respondent State.

Case diary produced has been perused.

This appears to be a case where the petitioners are alleged to have forcibly obtained signature from the informant and, subsequently, converted such signed papers to a marriage deed.

Considering the nature of the offence alleged and in view of the observations made in the connected A.B. No.3173/2020, this Court is of the view that custodial interrogation of the petitioner is not necessary and, therefore, interim protection granted to them vide order dated 12.11.2020 is made absolute by this Court on the same terms and conditions.

The anticipatory bail application, accordingly, stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant