GAHC010188092020

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

**Case No. : I.A.(Crl.)/581/2020**

ALI ASHAD @ ALI ARSHAD @ KUHIAR
S/O. MOMINULLAH, VILL. AND P.O. THENGASHALI, P.S. MIKIRBHETA,
DIST. MORIGAON, ASSAM, PIN-782105

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE P.P., GOVT. OF ASSAM

2:SAURAV BISWAS
S/O BALAI BISWAS
R/O BAROAKHARA NABADWIP
P.S.-NABADWIP
DIST-NADIA (W.B.)
C/O MADAN MOHAN OBEROI AND CO.
WAREHOUSE SERVICE PROVIDER FOR ITC LTD.
GUWAHATI
P.O. AND P.S.-GARCHUK
DIST-KAMRUP (M)
PIN-78103

**Advocate for the Petitioner** : MS. R CHOUDHURY

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

Linked Case : Crl.Pet./1456/2019

ALI ASHAD @ ALI ARSHAD @ KUHIAR

S/O MOMINULLAH
VILL AND P.O.-THENGASHALI
P.S.-MIKIRBHETA
DIST-MORIGAON (ASSAM)
PIN-782105

VERSUS

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

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P.O. AND P.S.-GARCHUK
DIST-KAMRUP (M)
PIN-781035
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Advocate for : MR. A MOBARAQUE
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

**BEFORE**
**HONOURABLE MR. JUSTICE AJIT BORTHAKUR**

**ORDER**

**21.12.2020**

Heard Ms. R. Choudhury, learned counsel for the applicant and Mr. N.K. Kalita, learned Addl. PP for the State/respondent No. 1.

By this application, the applicant has prayed for extension of time for his appearance before the learned trial Court granted vide order, dated 06.12.2019 in Crl. P. No. 1456/2019.

Ms. R. Choudhury, learned counsel for the applicant submits that due to the COVID-19 Pandemic and expiry of his father, the applicant could not appear before the learned trial Court within the stipulated date on or before 16.12.2019.

Having considered the grounds cited in the application, more particularly, in Para No. 5, this Court is of the view that for sufficient reason beyond the control of the applicant, he could not appear before the learned trial Court on or before 16.12.2019 as specified in the aforesaid order, dated 06.12.2019, in Crl P No. 1456/2019.

Therefore, on being satisfied with the grounds cited in the application, the direction passed in the order, dated 06.12.2019 aforementioned requiring the applicant to appear before the learned trial Court on or before 16.12.2019 is hereby extended for 7(seven) more days from the date of this order. Now, the applicant shall appear before the Court of learned JMFC, Kamrup(M) at Guwahati within 7(seven) days from the date of this order.

With the above direction, the IA stands disposed off.

**JUDGE**

**Comparing Assistant**