GAHC040018482026

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

Case No. : MC(Crl.Petn.)/1/2026

Vijay Pertin
Son of Shri Sadiya Pertin, resident of Ithili Village, PO and PS Shantipur, Lower Dibang Valley District, Arunachal Pradesh 792110

VERSUS

The State of AP and Anr
represented by the PP of AP 2:Inspector Tania Uli
Age: 0
Occupation :
Complainant/ Officer in Charge
Roing Police Station
Lower Dibang Valley District
Arunachal Pradesh 79211

Advocate for the Petitioner : H K Jamoh,

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

09.11.2026

By filing the instant application, the petitioner has sought restoration of the Criminal Petition No 314/2026,which was disposed of on withdrawal by the petitioner with liberty to file afresh on 05.11.2026;on the basis of

the communication received by the Additional Public Prosecutor that the charge sheet was already filed in the Roing P.S. Case No. 39/2026.

Heard Mr. H.K. Jamoh, learned counsel for the petitioner.

The learned counsel for the petitioner submits that the said submission was made on the presumption that the Charge-sheet was already filed and therefore, the petitioner withdrew the case with liberty to file afresh in order to impugn the said Charge-sheet. However, upon making an application for CTC of the Charge-sheet before the learned Trial Court, the Sheristadar of the Court of Chief Judicial Magistrate, Roing replied through letter dated 06.11.2026 that the Charge-sheet of this case has not been received in the Court from the Office of the Superintendent of Police, Roing.

In the facts and circumstances as stated above, the learned counsel for the petitioner submits that he has been left with no other option but to approach this Court by filing the instant application seeking restoration of the Criminal Petition No. 314/2026, which was disposed of as withdrawn with liberty to file afresh vide order dated 05.11.2026.

Learned Public Prosecutor Mr D Loyi, appearing for the State respondent, has not objected to the prayer for restorationin view of the fact that there appears to be some miscommunication between the Investigating Officer of the case and the Additional Public Prosecutor.

This application is accordingly allowed and the Criminal Petition No. 314/2026 is hereby restored to file.

List the Criminal Petition No. 314/2026 in Orders Column on **20.11.2026.**

JUDGE

Comparing Assistant