GAHC010062352020

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

Case No. : Crl.L.P./51/2020

SHRI RAM TRANSPORT FINANCE COMPANY LTD
A NON BANKING FINANCE COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956, HAVING ITS REGISTERED OFFICE AT 4TH FLOOR MOOKAMBIKA COMPLEX, LADY DESIKA PARK, MYLAPORE R T ROAD, CHENNAI- 600004 AND VARIOUS OTHER BRANCHES THROUGHOUT THE COUNTRY INCLUDING ONE AT A.T. ROAD, OPPOSITE HIJUGURUI POLICE OUT POST, P.O., P.S. AND DIST.- TINSUKIA, ASSAM, REP. BY ITS CONSTITUTED ATTORNEY.

VERSUS

SUKHRAM GOWALA
S/O- LATE KRISHNA GOWALA, R/O- PENGREE, P.O. PENGREE AND P.S. DIGBOI, DIST.- TINSUKIA, ASSAM, PIN- 786174.

Advocate for the Petitioner : MR. B HALDAR, MR B DEORI,MR G BHARADWAJ

Advocate for the Respondent : MR. R S MISHRA,

Linked Case : **C**rl. A. No. 2563/2020 (Filing Number)

SRI RAM TRANSPORT FINANCE COMPANY LTD

VERSUS

SRI SUKHRAM GOWALA

Advocate for :
Advocate for : appearing for SRI SUKHRAM GOWALA

BEFORE

HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

12/11/2026

Heard Mr. B Haldar, learned counsel for the petitioner.

2. The present criminal leave petition has been instituted praying for grant of leave to register the connected appeal instituted assailing the order dated 21.06.2019 passed by the Court of learned Chief Judicial Magistrate, Tinsukia in NI Case No. 53/2012, acquitting the accused therein, from the charge framed against him under Section 138 of the NI Act.

3. I have heard the learned counsel for the parties and also perused the materials available on record.

4. I have carefully perused the contentions raised by the petitioner in the present leave petition and finds that the petitioner has made out a case for grant of leave to prefer the appeal against the said judgment & order dated 21.06.2019 passed by the learned Trial Court.

5. Mr. K J Saikia, learned counsel for the respondents has vehemently

objected to the prayer made by the petitioner in the present leave petition and submits the grounds urged in the leave petition would not mandate a consideration by this Court.

6. On an examination of the grounds so urged, this Court rejects the objections raised by the learned counsel for the respondents and allows the present criminal leave petition, grating leave to the petitioner to institute the connected appeal.

7. Registry is directed to register the connected appeal and list the same before the appropriate Court.

8. With the above observations and directions, the present leave petition stands disposed of.

JUDGE

Comparing Assistant