GAHC010076162026

2026:GAU-AS:17386

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

Case No. : Crl.Pet./570/2026

SADDAM HUSSAIN
S/O ABDUL AWAL RESIDENT OF BHARALKUNDI PART VIII P.S. JOGIGHOPA
DISTRICT BONGAIGAON, ASSAM, PIN 783382

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP BY THE PP, ASSAM

2:SOHIDUL ISLAM @ RAJU
SON OF HAZARAT ALI
RESIDENT OF SHANTIPUR
KOREYA PT.I
P.S. JOGIGHOPA
DIST. BONGAIGAON
ASSAM
PIN- 783382 (THE INFORMANT)

3:SAFIQUL HUSSAIN
SON OF MD. NAZMUL HUSSAIN
SUB-INSPECTOR
JOGIGHOPA P.S.
R/O JOGIGHOPA POLICE STATION
NH17
BOLTAMARI
DIST. BONGAIGAON
ASSAM
PIN CODE- 783382 (IO OF THE CASE)

4:THE BRANCH MANAGER

ICICI BANK
JOGIGHOPA BRANCH

WARD NO.3
P.O. JOGIGHOPA
P.S. JOGIGHOPA
DIST. BONGAIGAON
ASSAM
PIN-783382.

5:THE BRANCH MANAGER

STATE BANK OF INDIA
JOGIGHOPA BRANCH
VILL- KABAITARY
PART-IV
P.O. AND P.S. JOGIGHOPA
DIST. BONGAIGAON
ASSAM
PIN-783382.

6:THE BRANCH MANAGER

AXIS BANK
BONGAIGAON BRANCH
CORPORATE TOWER
CHAPAGURI ROAD
BONGAIGAON
ASSAM
P.O. AND P.S. BONGAIGAON
ASSAM
PIN-783380.

7:THE BRANCH MANAGER

HDFC BANK
BONGAIGAON
BRANCH
BOC GATE
NORTH BONGAIGAON
ASSAM
P.O.AND P.S. BONGAIGAON
ASSAM
PIN-78338

Advocate for the Petitioner : MR G CHAMUAH,

Advocate for the Respondent : PP, ASSAM, MS. H. BORUAH (R-5),MR. H BURAGOHAIN (R-5)

BEFORE

HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

25-11-2026

Heard Mr. G. Chamuah, learned counsel for the petitioner and heard Ms. S. H. Borah, learned Additional Public Prosecutor, Assam for the respondent Nos.1 and 3. Also heard Ms. H. Boruah, learned counsel appearing for the respondent No.5.

2. From the records of the case, it is seen that service of notice on the other respondents is also complete.

3. The matter accordingly can be listed for admission hearing, but in that context, it is submitted by Ms. Borah, learned APP that the during pendency of the present criminal petition, the charge sheet has already been submitted.

4. However, the present petition was filed challenging the order passed by the learned Trial Court dated 27.03.2026 in connection with Jogighopa P.S. Case No. 124/2025, wherein the prayer for defreezing of the bank account was rejected by the learned Trial Court. But as the case has already been charge sheeted, the Trial Court will be the best Court to decide as to whether further defreezing of the account will be required and whether, those defreezing of the account will be required at the time of trial or recording evidence.

5. In view of above, Mr. Chamuah, learned counsel also submitted that the petitioner can very well approach the learned Trial Court praying for defreezing the account, as the case has already been charge sheeted.

6. Considering the entire circumstances of this case, this Court is of the opinion that the petitioner may approach the learned Trial Court with a fresh application praying for defreezing the accounts which were freezed during the investigation of the case after filing of the charge sheet as to whether there is any further requirement of defreezing may be decided by the learned Trial Court.

7. In view of this the present petition is disposed of with a direction to the petitioner to approach the learned Trial Court with an appropriate application praying for defreezing the accounts.

JUDGE

Comparing Assistant