GAHC010215632026

2026:GAU-AS:14899

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

Case No. : Crl.Pet./1398/2026

SHRI PURAN DAS
SON OF SHRI SUREN DAS RESIDENT OF VILLAGE KHERBARI POLICE STATION SAIKHOWAGHAT DISTRICT TINSUKIA ASSAM PIN 786154

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR A KHANIKAR, R L CHUTIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

06.10.2026

Heard Mr. A. Khanikar, learned counsel for the petitioner and also heard Mr. P. Borthakur, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. Mr. Khanikar, learned counsel for the petitioner submits that the petitioner is an accused in G.R. Case No.35/2026, corresponding PRC No.59/2026, pending before the Court of learned Sub-Divisional Judicial Magistrate, Sadiya, Chapakhowa. Mr. Khanikar further submits that in the said case, the petitioner was shown as absconder in the

charge-sheet and he never received any notice from the Court and also bailable warrant of arrest issued against him was never executed and ultimately, vide orders dated 21.08.2026 and 08.09.2026, non-bailable warrant of arrest was issued against him by the learned Trial Court. Mr. Khanikar submits that the petitioner will appear before the learned Trial Court on each and every date and till then, the non-bailable warrant of arrest issued against him may be recalled.

3. Mr. Borthakur submits that this petition may be disposed of at the motion stage itself by directing the petitioner to appear before the learned Trial Court and to apply for regular bail with a direction to consider the same in accordance with law.

4. Having heard the submission of learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record.

5. It appears that the petitioner herein has been shown as absconder in the charge-sheet and it also appears that vide orders dated 21.08.2026 and 08.09.2026, the learned Trial Court has issued non-bailable warrant of arrest against him. Since the petitioner is willing to appear before the learned Trial Court and to face trial, this Court is inclined to dispose of this petition by directing the petitioner to appear before the learned Trial Court on 26.10.2026 and to apply for regular bail and in the event of filing such an application, the learned Trial Court shall consider the same in accordance with law. Till then, non-bailable warrant of arrest issued against the petitioner vide orders, dated 21.08.2026 and 08.09.2026, shall be kept in abeyance.

6. In terms of above, the criminal petition stands disposed of.

Sd/- *Robin Phukan*
JUDGE

Comparing Assistant