

GAHC010041862018



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

Case No. : Crl.L.P. 17/2018

1:MISS MAHMUDA KHATUN
R/O DALANI JURIA, P.S. JURIA, DIST. NAGAON, ASSAM, PIN 782002

VERSUS

1:MD. IMAMUDDIN AND 2 ORS,
R/O DALANI JURIA, P.S. JURIA, DIST. NAGAON, ASSAM, PIN 782002

2:AHMED ALI
R/O DALANI JURIA
P.S. JURIA
DIST. NAGAON
ASSAM
PIN 782002

3:THE STATE OF ASSAM
REPRESENTED BY THE PP
ASSAM

Advocate for the Petitioner : MR A SHARMA

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE UJJAL BHUYAN
HON BLE MR. JUSTICE AJIT BORTHAKUR

ORDER

31.05.2018

(Ujjal Bhuyan, J).

Heard Mr. A. Sharma, learned counsel for the petitioner, Mr. H. Sharma, learned Addl.

Public Prosecutor, Assam and Mr. M. H. Rajborbhuyan, learned counsel for respondent Nos. 1 & 2/ accused.

This petition has been filed under Section 372 of the Code of Criminal Procedure, 1973 seeking leave to appeal against the judgment and order dated 08.11.2017 passed by the learned Session Judge, Nagaon in Sessions (T/1) Case No. 35/(N)/2011 acquitting the two accused i.e., respondent Nos. 1 and 2 from the charge under Section 302/34 IPC.

Petitioner is the daughter of the deceased.

We have heard learned counsel for the parties and gone through the judgment of acquittal.

On due consideration, we are of the view that petitioner has made out a case for grant of leave to file appeal against the judgment of acquittal.

Accordingly, leave is granted.

Office to register the related appeal and list before the court.

Criminal Leave Petition is disposed of.

JUDGE

JUDGE

Comparing Assistant