

GAHC010106212024



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

Case No. : Crl.Pet./626/2024

DILIP TANTI
S/O LAXMAN TANTI, R/O VILL- BATASIPUR, P.S.-DHEKIAJULI, DIST-
SONITPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
NIL

2:SMTI SACHI TELENGA
D/O MAYA TELENGA
VILL- BATASIPUR
P.S.-SONITPUR
DIST- SONITPUR
ASSA

Advocate for the Petitioner : MR. R BARUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 31.05.2024

Heard Mr. R.Baruah, learned counsel for the petitioner. Also heard Mr.B.Sharma, learned Additional Public Prosecutor, Assam appearing for the State respondent.

By this petition under Section 482/401 of the Cr.P.C., the petitioner has prayed for quashing

and setting aside of the impugned orders dated 18.03.2024 and 17.05.2024 passed by the learned JMFC, Tezpur in PR Case No. 765/2019 (Dhekiajuli PS Case No.665/2014) whereby Warrant of Arrest has been issued against the petitioner.

The learned counsel for petitioner submits that the petitioner is working in Hyderabad as a security guard and he has no knowledge regarding institution of the case. From the order of the trial court, it is reflected that summons were issued to the petitioner which was received by his sister and thereafter warrant of arrest was issued against the petitioner. It is further submitted that now the petitioner is ready to appear before the trial court and face the trial.

Mr.B.Sharma, learned Additional Public Prosecutor, submits that petitioner has been shown as absconder in the charge sheet. However, he may appear before the trial court seeking regular bail.

Having heard learned counsel for the parties and on perusal of documents annexed to the application and considering the averments made in the petition, it is provided that the petitioner shall appear before the learned trial court within **15 (Fifteen) days** from today and in the event of filing any bail application, trial court shall consider the same in accordance with law. Till his appearance, the execution of the warrant of arrest issued against him shall be kept in abeyance subject to the condition that this order shall remain in force till the next 15 days.

The criminal petition stands disposed of accordingly.

JUDGE

Comparing Assistant