

A.L.G. Case No. 6/2021

27.07.2022

Complainant is absent.

It is seen that the complainant has been absent in this case for three dates consecutively.

FIR was lodged by one Sri Arun Ghatowar at Duliajan P.S. regarding grabbing of residential house and land by some miscreants at Zaloni, Naoholia Gaon, under Tipling Mouza. In the FIR, five accused persons were named, namely Sri Sunil Ghatowar, Sri Dhiraj Narang, Smti. Pinki Rai Ghatowar, Sri Jiten Proja and Sri Krishna Ghatowar. A case being Duliajan P.S. Case No. 362/2019 u/s 120(B)/448/325/506 of IPC R/W Sec. 4(2) of Assam Land Grabbing (Prohibition) Act, 2010 was registered. After completion of investigation, Charge-Sheet u/s 448/294/352 of IPC was submitted against the above-named accused persons.

On 05.07.2021, order was passed by the Hon'ble Sessions Judge, Dibrugarh directing to register this case under the Assam land Grabbing (Prohibition) Act and the case record along with case diary was sent to this Court i.e. Special Tribunal, Dibrugarh for disposal.

Notice was issued to the complainant Arjun Ghatowar and accordingly on 04.02.2022 a petition was filed on behalf of the complainant Anjan Ghatowar seeking another date for

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Dibrugarh

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appearance of the complainant on the ground of illness. But despite filing the petition the complainant has been absent in this case for two dates consecutively. The order passed on the last date i.e. 03.06.2022 was shown to the learned Advocate ^{for} to the complainant who put his signature by the side of the said order. But despite that, the complainant has been absent today. It, thus, seems that the complainant is no longer ~~more~~ interested to proceed further ^{with} in this case and hence there is hardly any point keeping this case pending.

Accordingly, this case stands closed for non-prosecution.

It may be reiterated that Charge-Sheet was submitted u/s 448/294/352 of IPC. Needless to say, Special Tribunal constituted under the Assam Land Grabbing (Prohibition) Act, cannot try offences under the ^r ~~above~~ sections of IPC. Therefore, FIR, Ejahar and Charge-Sheet along with accompany documents be sent to the learned CJM, Dibrugarh along with ^{the} ~~a~~ case diary for doing the needful in accordance with the law.

True copies of the above documents be kept in the case record of the instant case.


Addl. Sessions Judge,

Addl. District & Sessions Judge
Dibrugarh