

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSSPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).20157/2024

(Arising out of impugned final judgment and order dated 27-01-2023 in AB No.235/2023 and 02-02-2024 in IA (CRL) No.381/2023 passed by the Gauhati High Court)

BIJON KUMAR MAHAJAN

Petitioner(s)

VERSUS

THE STATE OF ASSAM & ANR.

Respondent(s)

(IA No.116037/2024-CONDONATION OF DELAY IN FILING and IA No.116039/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.116035/2024-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 08-07-2024 This petition was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Mr. Arunabh Chowdhury, Sr. Adv.
Mrs. Pragya Baghel, AOR
Mr. Abhishek Roy, Adv.
Ms. Barnali Chowdhury, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Application (IA No.116035/2024) seeking permission to file Special Leave Petition is granted.
2. Delay condoned.
3. Heard learned senior counsel, Mr. Arunabh Chowdhury for the petitioner.
4. As such, the impugned orders do not require any interference, however, suffice it to say that instead of calling for the police personnel, the Court should have simply adjourned the matter and asked the petitioner, who was the practicing advocate, to leave the

Court, more particularly, when he was neither discourteous nor unruly, rather he had apologised to the Court.

5. In view of these observations, the remarks made by the Court in the impugned order dated 27.01.2023 that "Therefore, the Court had to call for the police personnel to decourt him outside the High Court campus." are expunged.

6. This being the matter between the Court and the advocate, there is no need to issue notice to the respondents.

7. It is needless to say that every advocate is expected to come to the Court in proper attire as per the Rules and behave in the Court.

8. With these observations, the present SLP is disposed of.

9. Pending applications, if any, shall also stand disposed of.

(RAVI ARORA)
COURT MASTER (SH)

(MAMTA RAWAT)
COURT MASTER (NSH)