

GAHC030005742026



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

Case No. : Crl.Pet./23/2026

Sh. Robert Romawia Royte
S/o Thanthuama Royte (L)
R/o H.No - M-2/21
Chhinga Veng
Aizawl, Mizoram
Landmark - NECS, TT Royte
Pin Code - 796 001

VERSUS

State of Mizoram
R/b the Special Public Prosecutor
Mizoram Lok Ayukta
Gauhati High Court, Aizawl Bench
Landmark - KVI Building, MINECO
Khatla, - 796 001

Advocate for the Petitioner : Lalfakawma

Advocate for the Respondent : Mr C Lalfakzuala (Special PP)

B E F O R E
HON'BLE MR. JUSTICE BUDI HABUNG
ORDER

06.08.2026

Heard Mr. Lalfakawma, learned counsel for the petitioner. Also heard Mrs. Vanneihsiami, learned Addl. PP for the State respondent and Mr. C. Lalfakzuala, learned Special PP for the Mizoram Lokayuka.

2. By filing the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, the petitioner has challenged the Order dated 24.06.2026 passed by the learned Special Judge, Prevention of Corruption Act, 1988 Aizawl, in SR (PCA) No. 2 of 2026, whereby the learned Special Court has decided to proceed to the stage of framing of charge against the petitioner. The petitioner contends that he has been deprived of the opportunity to seek discharge under Section 250 of the BNSS before the framing of charge.

3. It is submitted that although the learned Special Judge has recorded that prima facie case exist against the petitioner (A6) for framing charge against him for offence under Section 120B, 406, 409, 420 of IPC and under Section 11/13(2) read with Section 13(1)(a)(b) of Prevention of Corruption Act, 1988, no formal charge has yet been framed and the matter is fixed on 29.07.2026 for framing of charge.

4. The learned counsel for the petitioner further submits that in the meantime, the petitioner has filed discharge application before the learned Special Court under Section 250 of the BNSS seeking discharge, which is stated to be pending consideration.

5. Issue notice to the respondents.

6. Since Mrs. Vanneihsiami, learned Addl. PP appears on behalf of the State respondent and Mr. C. Lalfakzuala, learned Special PP appears on behalf of the respondent No. 2, no formal notice is required to be issued to them.

7. Call for the scanned copy of the TCR.

8. List the matter on **17.08.2026**.

9. In the meantime, the State respondents may file written objection, if so advised.

10. The learned counsel for the petitioner prays for making necessary correction in the cause title by amending the State respondent represented by PP/Addl. PP as respondent No. 1 and the Mizoram Lokayukta represented by the Secretary through the Special PP as respondent No. 2.

11. Prayer is allowed.

12. The learned counsel for the petitioner shall make necessary correction in the cause title as prayed for.

13. Having regard to the submission advanced and considering that the discharge application filed by the petitioner is stated to be pending before the learned Special Court, it is provided that further proceedings in SR(PCA) No. 2 of 2026 in so far as they relate to the framing of charge against the present petitioner, shall remain stayed till the next date of listing.

JUDGE

Comparing Assistant