

GAHC040007202024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)
Case No. : IA(Crl)/51/2024

Toni Payum
Son of Shri Tatak Payum, permanent resident of Mirem village, PO Bilat, PS Ruksin,
East Siang District, Arunachal Pradesh
VERSUS
The State of AP and Anr
represented by the PP of AP 2:Tare Tatak
Age: 0
Occupation :
Son of Shri Tahing Tatak
a resident of Lorging Model Village
PO Pessing
PS Rumgong
Siang District
Arunachal Pradesh (Father of Prosecutrix/ Victim)

Advocate for the Petitioner : David Tatak,
Advocate for the Respondent : P P of AP,

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI

HON'BLE MR. JUSTICE KARDAK ETE

11.09.2024

(Vijay Bishnoi, CJ)

The matter comes upon for consideration of the application filed on behalf of the applicant under Section 5 of the Limitation Act, 1963 with a prayer to condone the delay of 121 days in filing the Criminal Appeal against the

impugned Judgment and Order dated 04.12.2023 passed by the learned District and Sessions Judge, East Siang District, Pasighat.

Though the notices issued to the respondents of the application is served upon the State, however, the same has not been served upon the respondent No. 2, who is the first informant. However, for the purpose of condonation of delay, We are of the view that the respondent No. 2-informant is not required to be heard.

Having heard the learned counsel for the applicant/appellant as well as the State and after going through the contents of the application under Section 5 of the Limitation Act, We deem it appropriate to condone the delay of 121 days in filing the Criminal Appeal No. 16/2024 on behalf of the applicant. Hence, the I.A. is allowed. The delay of 121 days in filing the Criminal Appeal No. 16/2024 is condoned.

JUDGE

CHIEF JUSTICE

Comparing Assistant