

GAHC040008932024



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

Case No. : IA(Crl)/65/2024

Urgen Chombey
Son of Late Tashi Phuntso, permanent resident of Seru Village, PO and PS Tawang,
District Tawang, Arunachal Pradesh.

VERSUS

The State of AP and Anr
represented by its Public Prosecutor 2:Dorjee
Age: 0
Occupation

Advocate for the Petitioner : Gallen Taloh
Advocate for the Respondent : P P of AP

BEFORE
HONBLE MRS. JUSTICE MARLI VANKUNG
HONBLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 23-07-2024
(Marli Vankung, J)

Heard Mr. G. Taloh, learned counsel for the applicant.

This is an application filed under Section 5 of the Limitation Act for condoning the delay of 82 days in preferring an appeal against the Judgment & Order dated 28.02.2024 passed by the Sessions Judge, Bomdila, West Kameng in connection with Sessions Case No. 19/2023 under Section 302 of the IPC convicting the applicant under Section 302 of the IPC, wherein he was

sentenced to life imprisonment and to pay and amount of Rs. 10,000/-, i.d. S.I for 2 (two) months.

Issue notice to the respondents.

Mr. G. Tado, learned Additional Public Prosecutor accepts notice on behalf of the State respondents.

The learned counsel for the applicant submits that the delay of 82 days in filing the instant appeal is mainly due to the fact that time was taken for obtaining necessary copies and documents and for engaging the counsel to represent the convict, which is explained in detail at paragraph 2 to 4 of the condonation application.

Mr. G. Tado, learned Additional Public Prosecutor has not raised any objection to the condonation of 82 days in preferring the appeal against the Judgment & Order dated 28.02.2024.

We have considered and perused the relevant paragraphs wherein the reasons for the delay of 82 days in preferring the appeal is given. We are satisfied with the reasons and explanation given by the learned counsel for the applicant. Accordingly, the delay of 82 days in preferring the instant appeal against the Judgment & Order dated 28.02.2024 passed by the learned Sessions Judge, Bomdila, West Kameng in Sessions Case No. 19/2023 is condoned.

Accordingly, I.A.(Crl.) No. 65/2024 stands allowed and disposed of.

JUDGE

JUDGE

Comparing Assistant