

GAHC040015772022



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

Case No. : IA(Crl)/68/2022 In
Crl.A./43/2022

Nimkhil Jugli
Son of Late Khabui Jugli, Resident of new Jukhi Village, P.O., Kantang, P.S. Manmao
and District- Changlang, Arunachal Pradesh

VERSUS

THE STATE OF AP and Anr.
(Represented by the Public Prosecutor, Arunachal Pradesh.) 2:Manseng
Mossang
Age: 0
Occupation

Advocate for the Petitioner : A K Dasgupta

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE S.K.MEDHI
HONBLE MRS. JUSTICE MITALI THAKURIA

ORDER

23.01.2024

SK Medhi, J.

Seen the Office Note dated 20.01.2024 which refers to a communication from the Officer-in-Charge, Manmow Police Station to the Addl. PP, AP whereby,

it has been stated that the respondent no. 2 has been served.

The respondent no. 2 is represented by Ms. T Jini, learned Addl. PP, AP.

Accordingly, the service is deemed to be complete.

Heard Shri K Lollen, learned counsel for the applicant/appellant, who has filed this application under Section 5 of the Limitation Act, 1963 for condonation of delay of 76 days in preferring the connected criminal appeal against the judgment dated 08.08.2022 passed by the learned Special Judge (POCSO), Khonsa, Tirap in KSA/SC (POCSO) Case No. 30/2021.

Shri Lollen, learned counsel for the applicant/appellant has referred to the averments made in paragraphs 6 and 7 of the application to explain the delay.

Ms. Jini, learned Addl. PP submits that she will not have serious objection, in principle as the appeal is against an order of conviction. She, however, submits that in case the victim does not engage a counsel, a Legal Aid Counsel may be appointed.

The said aspect would be considered at the appropriate stage.

Considering the reasons cited and also taking into account that the appeal is against an order of conviction, the delay of 76 days is condoned.

Accordingly, the interlocutory application stands allowed and the delay is condoned.

The interlocutory application stands disposed of.

List the connected appeal for admission after 2 weeks.

Judge

Judge

Comparing Assistant