

GAHC010020402024



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

I.A.(CrI.)/86/2024

JITU HAZARIKA
S/O NARESWAR HAZARIKA R/O NAGAJAN BOJALONI P.S. BORDUBI DIST.
TINSUKIA
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP.B Y THE PP
ASSAM

2:SRI HRIDAYDIP PHUKAN
S/O SRI HARESH PHUKAN SI OF OIL SECURITY UNDER OIL INDIA LIMITED
DULIAJAN
P.O. AND P.S.DULIAJAN DIST. DIBRUGARH
ASSAM PIN-786602

Advocate for : MR. N HASAN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : --02.02.2024

Heard Mr. N. Hasan, learned counsel for the petitioner/applicant.

The applicant who has preferred the Criminal Revision Petition No. 34/2024 has filed this application with prayer for suspension of sentence passed by the learned Addl. Sessions Judge No. 2 (FTC), Tinsukia vide judgment and order dated 04.01.2024 in Criminal Appeal No. 5(1)/2023 upholding the conviction passed vide judgment and order dated 27.02.2023 passed by learned Chief Judicial Magistrate, Tinsukia in G.R. Case No. 465/2017 by the learned Chief Judicial Magistrate convicting the applicant u/s 411 IPC and sentencing him to undergo Rigorous Imprisonment for 2 years and a fine of Rs. 20,000/- with default stipulation.

Heard Ms. B. Bhuyan, learned Addl. PP, Assam assisted by learned counsel Mr. J. Das for the respondent No. 1.

Notice has been accepted on behalf of respondent No. 1, so no formal notice is required to be issued.

Issue notice to respondent No. 2 through registered post with A/D as well as through usual process returnable within 4 (four) weeks.

Call for the LCR of Criminal Appeal No. 5(1)/2023 and G.R. Case No. 465/2017.

The petitioner has also prayed for suspension of sentence and for bail.

The petitioner is allowed to remain on previous bail. The judgment and order of conviction and sentence impugned by the petitioner is hereby suspended until further order(s).

IA is disposed of.

JUDGE

Comparing Assistant