

GAHC010021222024



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

Case No. : I.A.(CrI.)/105/2024

DIPU NARZARY
S/O ANSAIGWRA NARZARY,
VILL.- DIMALGAON, P.S.- KOKRAJHAR, DIST.- KOKRAJHAR, ASSAM.

VERSUS

THE STATE OF ASSAM ANA ANR.
REP. BY P.P., ASSAM.

2:PRADYUT KR. BRAHMA
S/O LT. HARENDRA BRAHMA

R/O KOKRAJHAR
W/NO. 10
P.O. AND P.S.- KOKRAJHAR
DIST.- BARPETA
ASSAM
PIN- 783370

Advocate for the Petitioner : MS S MEDHI (LEGAL AID COUNSEL)
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

28.02.2024

Heard Ms. S. Medhi learned counsel for the applicants and Mr. M. P. Goswami, learned Additional Public Prosecutor, Assam.

By this interlocutory application filed under section 5 of the Limitation Act, 1963, the applicants have prayed for condonation of delay of 111 days in filing the Criminal Appeal against the impugned judgment dated 11.08.2023 as well as the order of sentence dated 14.08.2023 passed by the learned court of Session Judge, Kokrajhar in Session case No. T1/24/2021 (corresponding to G.R. Case No. 625/2021), convicting the accused/appellant for offence under Section 304 part II and under Section 324 of the IPC and sentenced the appellant to undergo ten years rigorous imprisonment under Section 304 Part II IPC and to pay fine of Rs.10,000/- only, in default, rigorous imprisonment for six months and also sentenced to undergo three years rigorous imprisonment under Section 324 IPC and to pay fine of Rs. 1000/- only, in default rigorous imprisonment for one month.

Grounds of delay as stated in the petition are found to be satisfactory.

On the other hand, Mr. M. P. Goswami, learned Additional Public Prosecutor has no objection in condoning the delay.

Accordingly, delay is condoned.

Interlocutory application stands disposed of.

Registry is directed to register the appeal and list the same for admission.

JUDGE

Comparing Assistant