

GAHC010025222024



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

Case No. : I.A.(Crl.)/164/2024

RANJIT DAS
S/O BIPIN DAS,
VILL.- AKHOIPHATIA RAJABARI GAON, P.S.- SIVASAGAR, DIST.-
SIVASAGAR (ASSAM).

VERSUS

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

2:KARABI DAS
W/O SRI GOPAL DAS

R/O PALASONI GAON
P.S.- SIVASAGAR
DIST.- SIVASAGAR (ASSAM)

Advocate for the Petitioner : MS. S G BARUAH, MR. B BORGOHAIN, MR B SAIKIA, MR. S
NEOG

Advocate for the Respondent : PP, ASSAM,

Linked Case :

RANJIT DAS

VERSUS

THE STATE OF ASSAM AND ANR. H

Advocate for : MS. S G BARUAH
Advocate for : appearing for THE STATE OF ASSAM AND ANR. H

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Advocate for : appearing for THE STATE OF ASSAM AND ANR. H

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

28.10.2024

(S.K. Medhi, J)

Heard Shri B. Saikia, learned counsel for the applicant, who by means of this application has prayed for condonation of delay of 269 days in preferring the connected appeal.

Notice was issued on 17.05.2024 and as per Office Note dated

24.10.2024, the respondent no. 2 has been duly served.

Also perused the connected service report transmitted by the Officer-in-Charge of the Sivasagar Police Station.

Service upon the respondent no. 2 is held to be complete.

Also heard Ms. A. Begum, learned Addl. Public prosecutor, Assam.

Shri Saikia, the learned counsel for the applicant by drawing the attention of this Court to the averments made in paragraphs 5, 6, 7 & 8 has submitted that there were sufficient grounds for which the appeal could not be preferred in time. He also submits that there is no intentional laches on the part of the applicant in preferring the appeal.

After hearing the parties and on consideration of the grounds cited, we are of the opinion that the delay in preferring the appeal is liable to be condoned.

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

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

JUDGE

JUDGE

Comparing Assistant