

GAHC010027772024



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

Case No. : I.A.(CrI.)/129/2024

MONBHADRA
S/O LATE SANJIB BHADRA
R/O GRANDLAND BAGISHA KALAIGAON,
P.O. BORBAGAN, P.S. DHOLA, DIST. UDALGRI

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MS. P CHAKRABORTY

Advocate for the Respondent : PP, ASSAM

Linked Case :

MONBHADRA

VERSUS

THE STATE OF ASSAM (E)

Advocate for : MS. P CHAKRABORTY
Advocate for : appearing for THE STATE OF ASSAM (E)

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

15-07-2024

Heard Ms. K Khan, learned counsel for the applicant/petitioner and Ms. S Jahan, learned Additional Public Prosecutor, Assam for the State.

By judgment dated 18.09.2023 passed in Criminal Appeal No. 22/2022, the learned Sessions Judge, Udalguri upheld the sentence passed by the learned Chief Judicial Magistrate, Udalguri dated 29.09.2022 in PRC Case No. 1298/2019 arising out of G.R. Case No. 927/2019 convicting the applicant with simple imprisonment for three months with a fine of Rs. 5,000/- under Section 324 IPC and in default of payment of fine, simple imprisonment for another month.

Aggrieved with the same, the convict accused has filed the connected revision petition with a delay of 50 days.

The applicant/petitioner submitted that he could obtain the certified copy of the order dated 18.09.2023 passed by the learned Sessions Judge, Udalguri on 09.11.2023, after applying on 21.09.2023. Thereafter, he contacted his counsel, who suddenly had to undergo medical treatment and surgery and as such, there was delay in preferring the connected revision petition against the said judgment dated 18.09.2023, noted above.

The applicant/petitioner could furnish sufficient reasons for the delay in preferring the connected revision petition.

After hearing the learned counsels for the parties and considering the entire aspect of the matter, the delay of 50 days in preferring the connected revision petition against the judgment dated 18.09.2023 passed in Criminal Appeal No. 22/2022 is hereby condoned.

Accordingly, this interlocutory application is allowed.

Registry shall register and number the connected revision petition preferred by the applicant as petitioner and shall list the matter for Admission.

JUDGE

Comparing Assistant