

GAHC010027862024



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

Case No. : CrI.A./179/2024

BELUN ROY
S/O- LT. PENDA ROY, R/O- VILL- PADMABIL, P.O AND P.S- GOSSAIGAON,
DIST- KOKRAJHAR(BTAD), ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MR P K DAS, MR. M BARUAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

07-08-2024

Heard Mr. P. K. Das, learned counsel for the appellant and Mr. K. Baishya, learned Additional Public Prosecutor, Assam for the State.

2. On the basis of an information lodged by the informant Sankar Barman Gossaigaon P.S. Case No. 152/2016 under Sections 448/326/307 IPC corresponding to G.R. No. 177/2016 was registered against the appellant.

3. The learned Assistant Sessions Judge, Kokrajhar in Sessions Case No. T2/10/2018 arising out of said Gossaigaon P.S. Case No. 152/2016 by judgment dated 28.07.2021

convicted the appellant under Section 448/324 IPC and sentenced him to undergo Simple Imprisonment for six months under Section 448 IPC and S.I. for one year for the offence under Section 324 IPC, where, both the sentences are to run concurrently.

4. Aggrieved with the said judgment of conviction and sentence dated 28.07.2021, noted above, the appellant preferred an appeal before the learned Sessions Judge, Kokrajhar being Crl. A. No. 05/2021. The learned Sessions Judge, Kokrajhar by judgment and order dated 30.09.2023, dismissed the said Crl. A. No. 05/2021 of the appellant upholding the order of the learned Assistant Sessions Judge, Kokrajhar dated 28.07.2021, passed in said Sessions Case No. T2/10/2018.

5. Thereafter, the appellant preferred this criminal appeal against the judgment dated 30.09.2023, passed by the learned Sessions Judge, Kokrajhar in Crl. A. No. 05/2021 arising out of said Sessions Case No. T2/10/2018.

6. During the deliberation of the matter, Mr. Das, learned counsel for the appellant on instruction of the appellant namely, Belun Roy, son of late Penda Roy, resident of Village – Padmabill, Post Office and Police Station – Gossaigaon, District Kokrajhar, (BTAD), Assam submitted that the said appellant is not pressing this appeal.

7. Accordingly, this criminal appeal, being not pressed, stands dismissed.

8. Registry shall forward a copy of this order forthwith to the Court of learned Assistant Sessions Judge, Kokrajhar as well as to the Court of learned Sessions Judge, Kokrajhar for their information and to do the needful.

JUDGE

Comparing Assistant