

GAHC010027872024



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

Case No. : I.A.(CrI.)/213/2024

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

VERSUS

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

Advocate for the Petitioner : MR P K DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

27.05.2024

Heard Mr P K Das, learned counsel for the applicant, Belun Roy, who has prayed for condonation of delay of 63 days in filing the appeal against the Judgment and Order of conviction dated 30.09.2023, passed by the learned Sessions Judge, Kokrajhar, vide

Criminal Appeal No. 05/2021.

2. Heard Ms A Begum, learned Additional Public Prosecutor for the State of Assam.
3. It is submitted on behalf of the applicant that immediately after the judgment was pronounced, certified copies of the same were not furnished to the applicant. The applicant, who is a daily rated labourer and who had to take care of his wife and child was precluded from filing the appeal during the period of limitation.
4. The learned Additional Public Prosecutor has raised no objection.
5. It appears that there was no willful negligence on the part of the applicant.
6. Hence, the delay is condoned.
7. Registry to register the connected appeal and list the same for hearing in usual course.
8. Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant