

GAHC010043132024



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

Case No. : I.A.(Crl.)/208/2024

JAAN BORAH @ JAAN KANTA BORAH
S/O LATE GHANAKANTA BORAH
R/O BHOGPUR, P.S. NARAYANPUR
DIST. LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, GOVT. OF ASSAM

Advocate for the Petitioner : MR A KHANIKAR

Advocate for the Respondent : PP, ASSAM

Linked Case :

JAAN BORAH @ JAAN KANTA BORAH

VERSUS

THE STATE OF ASSAM (F)

Advocate for : MR A KHANIKAR
Advocate for : appearing for THE STATE OF ASSAM (F)

Linked Case :

JAAN BORAH @ JAAN KANTA BORAH

VERSUS

THE STATE OF ASSAM

Advocate for : MR A KHANIKAR
Advocate for : appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

04.03.2024

Heard Mr. A. Khanikar, learned counsel for the applicant. Also heard Mr. P. Borthakur, learned Addl. P.P, Assam.

This is an application for condonation of delay of 1573 days which is occurred in filing the criminal revision petition.

Mr. A. Khanikar, learned counsel for the applicant submits that there has been delay in filing the present revision petition against the Judgment & Order dated 18.07.2019 passed by the Addl. Sessions Judge, FTC, Biswanath Chariali, Sonitpur in Criminal Appeal No. 12 (S-4)/2016 upholding the Judgment & Order

passed by SDJM(M) Gohpur in G.R Case No. 441/2014. He further submits that the delay was due to financial difficulties and since the applicant stays at a remote area of Arunachal Pradesh, he could not be in touch with the conducting Advocate, for which he did not have any knowledge of the said order.

Mr. P. Borthakur, learned Addl. P.P submits that he has no instructions to oppose the said prayer.

I have heard the submissions made at the bar and have perused the materials available on record.

It appears from paragraph Nos. 3 & 4 of the condonation application that the applicant could not file the connected revision petition within the prescribed time due to financial condition and also for want of knowledge. The reason appears to be genuine and unintentional. Accordingly, this Court is of the considered view that the delay of 1573 days be condoned.

As such, the delay of 1573 days is condoned.

I.A is accordingly allowed and disposed of.

Let the Registry registered the connected Revision Petition.

JUDGE

Comparing Assistant