

GAHC010048812020



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

Case No. : I.A(Crl) 171/2023

ABDUL SALAM AND 3 ORS
S/O- LT. ABDUL SATTAR
R/O- VILL- SRIMANTA KANISHAIL
P.S. KARIMGANJ
DIST.- KARIMGANJ
ASSAM

2: SHAFIQR RAHMAN
S/O- LT. ABDUL SATTAR
R/O- VILL- SRIMANTA KANISHAIL
P.S. KARIMGANJ
DIST.- KARIMGANJ
ASSAM

3: MOINA MIA
S/O- LT. SARKUM ALI
R/O- VILL- SRIMANTA KANISHAIL
P.S. KARIMGANJ
DIST.- KARIMGANJ
ASSAM

4: AFTAR ALI @ FAKKAR ALI
S/O- LT. SARKUM ALI
R/O- VILL- SRIMANTA KANISHAIL
P.S. KARIMGANJ
DIST.- KARIMGANJ
ASSAM
VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

2:TAJAMUL ALI
S/O- SURUJ ALI
R/O- VILL- NAYAGRAM
SRIMANTA KANISHAIL
P.S. KARIMGANJ
DIST.- KARIMGANJ
ASSAM

Advocate for : MR. S C BISWAS

Advocate for : PP

ASSAM appearing for THE STATE OF ASSAM AND ANR

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 24.05.2024

Heard the learned counsel for the parties.

The present application is filed under section 389 Cr.P.C praying for suspension of the sentence dated 23.12.2019 passed by the learned Sessions Judge, Karimganj in Sessions case No.21/2010 under sections 144/148/149/326/323 IPC.

The applicants were convicted and were sentenced to pay a fine of Rs.5,000/- under section 323/34 IPC and in default of payment, the appellants were to undergo simple imprisonment for three months and for conviction under section 329/34 IPC the appellants were sentenced to undergo rigorous imprisonment for two years and payment of fine of Rs.10,000 in default to undergo rigorous imprisonment for two months.

The connected appeal has already been admitted and LCR has also been received.

The applicants are on previous bail.

Considering the period of sentence and the materials available on record, the present I.A is allowed by allowing the petitioner to remain on

previous bail.

Accordingly the I.A stands disposed of.

JUDGE

Comparing Assistant