

GAHC010058592024



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

Case No. : I.A.(Crl.)/281/2024

BADAL TANTI
S/O SRI KAMAL TANTI,
VILL.- CHANDANA BAGAN, P.S.- UDALGURI, DIST.- UDALGURI (BTAD)
ASSAM.

VERSUS

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

Advocate for the Petitioner : MS. L DEVI (LEGAL AID COUNSEL)

Advocate for the Respondent : PP, ASSAM

Linked Case :

BADAL TANTI

VERSUS

THE STATE OF ASSAM AND ANR A

Advocate for : MS. L DEVI

Advocate for : appearing for THE STATE OF ASSAM AND ANR A

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 10/05/2024

Suman Shyam, J

Heard Ms. L. Devi, learned Legal Aid Counsel, appearing for the applicant. We have also heard Ms. S. Jahan, learned APP, Assam, appearing for the State.

This IA has been filed under section 5 of the Limitation Act, 1963, with a prayer to condone the delay of 69 days in preferring the jail appeal.

We have perused the explanation furnished by the applicant for the delay in filing the appeal.

Ms. S. Jahan, learned APP, Assam, submits that she has no instruction to file any objection opposing the prayer made in the IA.

We have noted that the applicant has been convicted under section 302 of the IPC and *inter alia* sentenced to undergo rigorous imprisonment for life. Therefore, he has a statutory remedy in the form of an appeal to be preferred against the judgement and order of conviction.

In view of the above and considering the explanation furnished in the IA, we are convinced that this is a fit case where the delay of 69 days in filing the connected appeal deserves to be condoned.

Ordered accordingly.

Office to register the connected appeal and list the matter for admission.

IA stands disposed of.

JUDGE

JUDGE

sukhamay

Comparing Assistant