

GAHC010059052024



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

Case No. : I.A.(Crl.)/278/2024

RAM KUMAR CHAUHAN
S/O SRI DEBANDAR CHAUHAN,
R/O SAMOGURI CHAUHAN BASTI, P.S.- HOWRAGHAT, DIST.- KARBI
ANGLONG, ASSAM, PIN- 782481, ASSAM.

VERSUS

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

2:RAJESH CHOUHAN
S/O LT. RAM AVTAR CHAUHAN
R/O VILLAGE IKRANI BASTI
P.S.- BOKAJAN
DIST.- KARBI ANGLONG
ASSAM
PIN- 782480
ASSAM

Advocate for the Petitioner : MR. A BARUAH
Advocate for the Respondent : PP, ASSAM

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

ORDER

Date : 17-05-2024

Suman Shyam, J

Heard Mr. J.P. More, learned counsel for the applicant. Also heard Ms. S. Jahan, learned Addl. P.P. Assam appearing for the State. Mr. N.J. Sarma, learned counsel is present on behalf of respondent No. 2.

This I.A. has been filed with a prayer to condone the delay of 03 days in preferring the connected appeal in connection with judgment and order dated 19-12-2023 passed by the learned Special Judge (POCSO), Karbi Anglong in POCSO Case No. 19/2022.

We have perused the explanation furnished in the I.A.

Ms. Jahan, learned Addl. P.P. Assam as well as Mr. Sarma, learned counsel appearing on behalf of respondent No. 2 have submitted that they do not have any instruction to file objection opposing the prayer made in the I.A.

In view of the above and considering the explanation furnished by the applicant, we are of the view that the applicant was prevented by sufficient cause from filing the connected appeal within the period of limitation. The delay in preferring the appeal, therefore, stands condoned.

Office to register the connected appeal and list for admission hearing in usual course.

I.A. stands disposed of.

JUDGE

JUDGE

GS

Comparing Assistant