

GAHC010109002024



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

Case No. : I.A.(Crl.)/499/2024

THIRESWAR DAS
S/O LT. PANIYA RAM DAS,
VILL. AND P.O.- ITARVITHA, P.S.- HOWLY, DIST.- BARPETA, ASSAM.

VERSUS

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

2:UDAY CH. MAJUMDAR
S/O LATE NARAYAN MAJUMDAR

VILL. AND P.O.- BAMUNBARI
P.S.- BARPETA
DIST.- BARPETA ASSAM PIN- 781312

Advocate for the Petitioner : MR. R SARMA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 03-06-2024

Heard Mr. R. Sarma, learned counsel for the applicant. Also heard Mr. R.J. Baruah, learned Additional Public Prosecutor for the State respondent No.1. and Mr. J. Deka, learned counsel for the respondent No.2.

This is an application under Section 5 of the Limitation Act, 1963 for condoning the delay of 59 days in filing the connected criminal revision petition and against judgment and order dated 25/01/2024 passed by the learned Additional Sessions Judge, Barpeta in criminal appeal No. 37/2023 affirming the judgment and order dated 26/09/2023 passed by the Ld. JMFC, Barpeta in N.I. Case No. 36/2023 convicting the petitioner SI for five months and to pay compensation of Rs. 6,60,000/-.

It is submitted by the learned counsel for the applicant that the matter has been amicably settled between the parties and the applicant has already paid the cheque amount to the respondent/claimant and learned counsel for the applicant prays to condone the delay of 59 days.

Mr. J. Deka, learned counsel for the respondent No.2 has no objection if the delay is condoned.

I have considered the submissions made by the learned counsel for the parties. The delay has been satisfactorily explained by the applicant and also the learned counsel for the respondent No.2 did not raise any objection regarding the prayer of the applicant.

Considering all, the delay of 59 days is condoned. The Registry is directed to register the connected revision and list on **04.06.2024** on admission column.

With the above observation, I/A stands disposed of.

JUDGE

Comparing Assistant