

GAHC010156342022



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

Case No. : I.A.(Crl.)/424/2022

ANITA RAY @ ANITA DAS
W/O MOHENDRA CH. RAY
VILL- BAKHOLGAON PT. II
P.O. NORTH SALMARA, P.S. ABHAYAPURI
DIST. BONGAIGAON, ASSAM
PIN-783384

VERSUS

MOHENDRA CH. RAY AND ANR.
S/O LT. DHULA RAM RAY
VILL- PACHDUAR (WARD NO. III)
P.O. AND P.S. ABHAYAPURI,
DIST. BONGAIGAON, ASSAM
PIN-783384

2:THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. M U MONDAL

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

08.01.2024

Heard Mr. A. Ahmed, learned counsel for the applicant and also heard Mr. P.P.

Medhi, learned counsel for the respondent No.1 and Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent No.2.

This interlocutory application is filed by the applicant for condonation of delay of 306 days in filing criminal revision petition against the order dated 09.07.2019 in M.R. Case No.02/2018.

Mr. Ahmed, learned counsel for the applicant submits that because of the prevailing situation due to Covid-19 pandemic from 15.03.2020 to 28.02.2022 the applicant could not approach this Court and on account of the said prevailing situation, delay of 306 days occurred in filing the connected criminal revision petition and the said delay is not intentional rather it is circumstantial and therefore, it contended to allow the petition.

At this stage, Mr. Medhi, learned counsel for the respondent No.1 submits that he has no objection in the event of condoning the delay.

In view of the submission of learned Advocates of both sides and also in view of the explanation, so forthcoming for the delay of 306 days, this Court is inclined to condone the delay.

In terms of above, this I.A. stands disposed of.

Registry to register and number the connected criminal revision petition and list the same before this Court.

Sd/- Robin Phukan
JUDGE

Comparing Assistant