

GAHC010174092024



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

Case No. : I.A.(Crl.)/840/2024

MANDIR RABHA @ PRASANTA RABHA
S/O. LOHIT RABHA, R/O. VILL.- TATLAPARA, P.S. MUSHALPUR, DIST.
BAKSA, ASSAM.

VERSUS

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

2:SRI. PUTULI RABHA
D/O. OF LT. JILKA RABHA
R/O. VILL. GAONRASTHAN (TATLAPARA)
P.S. MUSHALPUR
PIN-781377
DIST. BAKSA
ASSAM

Advocate for the Petitioner : MR. A GOGOI,

Advocate for the Respondent : PP, ASSAM,

Linked Case :

MANDIR RABHA @ PRASANTA RABHA

VERSUS

THE STATE OF ASSAM AND ANR G

Advocate for : MR. A GOGOI

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

Linked Case :

MANDIR RABHA @ PRASANTA RABHA

VERSUS

THE STATE OF ASSAM AND ANR G

Advocate for : MR. A GOGOI

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

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 18.09.2024

Heard Mr. A. Gogoi, learned counsel for the applicant and Mr. B. Sarma, learned Addl. Public Prosecutor for the State respondent No. 1.

This is an application under Section 5 of the Limitation Act for condoning the delay of 316 days in preferring the appeal against the judgment and order dated 10.08.2023, passed by the learned Sessions Judge, Baksa in Sessions Case No. 42/2022 whereby the appellant was convicted under sections 458/ 376(1) / 506 IPC and sentenced him to (i) undergo rigorous imprisonment for a period of 7 years alongwith fine of Rs. 2000/ and in default to suffer R.I for 6 months for committing offence under Section 376(1), (ii) R.I. for 5 years and fine of Rs. 2000/ and in default to suffer R.I. for another 3

months for committing offence under Section 458 IPC and (iii) R.I. for 2 years for committing offence under Section 506 IPC. The ground of delay has been mentioned in the petition and properly explained. The grounds are found satisfactory. On the other hand, learned Addl. P.P. has made no objection to condone the delay.

In view of the above, the delay of 316 days in preferring the connected appeal is hereby condoned.

The I.A. stands disposed of.

The Registry is directed to register the criminal appeal and list the matter for admission.

JUDGE

Comparing Assistant