

GAHC010187832024



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

Case No. : I.A.(CrI.)/877/2024

DEOBAR HAZARIKA AND ANR
S/O GANESH HAZARIKA
R/O SOURAGURI CHAPORI KOIBARTA GAON UNDER GAURISAGAR
POLICE STATION, IN THE DISTRICT OF SIVASAGAR, ASSAM

2: BUBUL HAZARIKA
S/O DEOBAR HAZARIKA
R/O SOURAGURI CHAPORI KOIBARTA GAON UNDER GAURISAGAR
POLICE STATION
IN THE DISTRICT OF SIVASAGAR
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR P CHOUDHURY, MR. K MOHAMMED,MS P SAIKIA

Advocate for the Respondent : PP, ASSAM,

Linked Case :

DEOBAR HAZARIKA AND ANR

VERSUS

THE STATE OF ASSAM (A)

Advocate for : MR P CHOUDHURY
Advocate for : appearing for THE STATE OF ASSAM (A)

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 19.09.2024

Heard Mr. P. Choudhury, learned counsel for the applicants. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

The present application has been filed under Section 5 of the Limitation Act, 1963 for condonation of delay of 26 days in preferring the connected revision petition against the impugned judgment and order dated 17.05.2024 passed by the learned Additional Sessions Judge, Sivasagar in Criminal Appeal No. 29(2)/2017, whereby upholding the judgment and order passed by the learned CJM, Sivasagr, wherein the accused/applicants were convicted under Section 341/324 IPC.

Mr. Choudhury, learned counsel for the applicants submits that the delay occurred in filing the connected revision is not intentional. He further submits that detailed ground of delay has been explained in the petition. Under such backdrop, the learned counsel for the applicants has prayed that the delay in regard to the filling of the connected revision petition may be condoned.

Mr. Sarma, learned Additional Public Prosecutor for the State 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 Additional Public Prosecutor for the State did not raise any objection regarding the prayer of the applicants.

Considering all, the delay of 26 days is condoned. The Registry is directed to register the connected revision petition and list it in admission column.

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

JUDGE

Comparing Assistant