

GAHC010189662024



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

Case No. : I.A.(Crl.)/902/2024

MINA BORA @ BORAH
D/O LATE TATTADHAR BORA
R/O VILL- KANDURA PATHAR
MOUZA- NAOBAICHA, P.O. DEJOO T.E.
P.S. NORTH LAKHIMPUR, DIST. LAKHIMPUR, ASSAM, PIN-787001

VERSUS

PURNA BORA AND 4 ORS
S/O LATE TATTADHAR BORA
R/O SONARI JAYANTI NAGAR, TORAJAAN, P.S. JORHAT,
P.O. TORAJAN, DIST. JORHAT, ASSAM, PIN-785001

2:SMTI. KAMALESWARI BORA
W/O LATE TATTADHAR BORA
R/O KANDURA PATHAR

P.S. NORTH LAKHIMPUR
MOUZA- NAOBAICHA
P.O. DEJOO T.E.
DIST. LAKHIMPUR
ASSAM

3:SRI LAKHESWAR BORA
S/O LATE TATTADHAR BORA
R/O KONDURA POTHAR

P.S. NORTH LAKHIMPUR
P.O. DEJOO T.E.
DIST. LAKHIMPUR
ASSAM
PIN-787001

4:SMT. PRANITA BORA
W/O SONARI JAYANTI NAGAR
TORAJAAN
P.S. JORHAT

P.O. TORAJAN
DIST. JORHAT
ASSAM
PIN-785001

5:SMTI. CHANDANA DEORI
W/O LAKHESWAR BORA
R/O KONDURA POTHAR
P.S. NORTH LAKHIMPUR
P.O. DEJOO T.E.

DIST. LAKHIMPUR
ASSAM
PIN-78700

Advocate for the Petitioner : MR. J K GOSWAMI, MR. J BARMAN

Advocate for the Respondent :

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 23-09-2024

- 1.** Heard Mr. J. Barman, the learned counsel for the applicant.
- 2.** This is an application under Section 5 of the Limitation Act for condonation of delay of 4 days in filing the criminal revision petition u/s 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (Act of 43 of 2023) against the order dated 31.05.2024 passed by the learned Judicial Magistrate First Class, Lakhimpur at North Lakhimpur whereby the accused-person/opposite-party was discharged from CR(W)/01/2018.

3. It is submitted by Mr. Barman that during trial of this case, the petitioner was not keeping well and she was under treatment. After recovery she came to know about the status of the case and then only she came to know that the case has been disposed of and all the respondents/accused-persons were discharged from the said case. After collecting the copy she accordingly filed the connected revision petition against the order passed by the learned JMFC, North Lakhimur dated 31.05.2024 in Case No. CR(W)/01/2018. Mr. Barman further submits that he has also annexed the medical certificate of the petitioner who was under treatment at the relevant time.

4. Considering the submission made by Mr. Barman and also for the ends of justice, the present petition is allowed condoning the delay of four days in preferring the connected revision petition. The delay is accordingly condoned.

5. The Registry is hereby directed to register the connected revision petition and number the case.

The IA stands disposed of.

JUDGE

Comparing Assistant