

GAHC010194692023



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

Case No. : I.A.(Crl.)/819/2023

NABA KUMAR BARUAH
S/O LATE KUSHORAM BARUAH
R/O VILL- NOLTOLI, P.O. BHUMURAGURI
P.S. ULUWONI, DIST. NAGAON, ASSAM

VERSUS

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

2:SRI RAJEN NEOG
S/O LATE PURNA NEOG
R/O VILL- MADHATARI
P.O. PUBTHORIA
P.S. KALIABOR
DIST. NAGAON
ASSAM

Advocate for the Petitioner : K U AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

16.02.2024

Heard Mr K U Ahmed, learned counsel for the applicant, Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam/respondent No. 1 and Mr S R Gogoi, learned counsel for the respondent No. 2.

2. This application under Section 5 of the Limitation Act, has been preferred by the applicant, Naba Kumar Baruah, with a prayer for condonation of delay as there was a delay of 32 days in filing the revision petition against the Judgment and Order dated 15.05.2023, passed by the learned Additional Sessions Judge No. 3, Nagaon, in Criminal Appeal No. 17(N)/2020.
3. As there is no objection from the learned counsel for the respondents for condonation of delay, the delay is condoned.
4. It is submitted on behalf of the applicant that as the applicant was not well there was a delay in filing the petition.
5. Sufficient cause has been shown and the medical documents have been annexed with the application.
6. Considering all aspects, the delay is condoned.
7. Interlocutory Application is disposed of accordingly.
8. Registry to register the connected Criminal Revision Petition and, thereafter, list the matter immediately.
9. The applicant shall furnish copies of the petition to the learned counsel for the respondent No. 2, during the course of the day.

JUDGE

Comparing Assistant