

GAHC010211232023



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

Case No. : I.A.(CrI.)/886/2023

HARIBANDHU MANDAL
S/O SRI BISWANATH MANDAL, R/O DHIRENPARA, BISHNU RABHA PATH,
P.S.- FATASIL AMBARI, DIST.- KAMRUP (M), PIN- 781025.

VERSUS

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

2:SARASWATI DEKA
W/O HARIBANDHU MANDAL

R/O DHIRENPARA
BISHNU RABHA PATH
P.S.- FATASIL AMBARI
DIST.- KAMRUP (M)
PIN- 781025

Advocate for the Petitioner : MR. S RAHMAN
Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

06.05.2024

Heard the learned counsel Mr. S. Rahman appearing for the petitioner. Also heard Ms. A. Begum, the learned Addl. Public Prosecutor, Assam representing

Opposite Party No.1. Ms. S. Goswami, learned counsel appears for Opposite Party No.2.

2. This is an application praying for suspension of sentence in respect of judgment and order dated 09.08.2023 passed by the learned Additional Sessions Judge-cum-Special Judge, POCSO, Kamrup(M), Guwahati in Sessions Case No.17/2023 (arising out of Fatasil Ambari P.S. Case No.269/2022).

3. After considering the submissions made by the learned counsel of both sides and after considering the circumstances relating to the case, the prayer for suspension of sentence is allowed.

4. Accordingly, the judgment and order dated 09.08.2023 passed by the learned Additional Sessions Judge-cum-Special Judge, POCSO, Kamrup(M), Guwahati in Sessions Case No.17/2023 (arising out of Fatasil Ambari P.S. Case No.269/2022), shall remain stayed till disposal of the connected appeal.

5. It is further directed that the petitioner Sri Haribandhu Mandal shall be released on bail of ₹25,000/- with a surety of like amount to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge, POCSO, Kamrup(M), Guwahati.

With the above direction, the Interlocutory Application is disposed of.

JUDGE

Comparing Assistant