

GAHC010225142023



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

Case No. : I.A.(CrI.)/963/2023

SANKAR RAJBONGSHI
S/O LATE ARUN RAJBONGSHI,
VILL.- TEOKGHAT DEVI TUKURABASTI, P.S.- SONARI, DIST.- CHARAIDEO,
ASSAM.

VERSUS

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

2:BIRBAL RAJUAR
S/O LATE NAKALA RAJUAR

VILL.- TEOKGHAT DEVI TUKURABASTI
P.S.- SONARI
DIST.- CHARAIDEO
ASSAM

Advocate for the Petitioner : MR. A R SHOME
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

28.02.2024

Heard Mr. A. J. Ghosh, learned counsel for the applicant and Mr. M. P. Goswami, learned Additional Public Prosecutor, Assam.

By this interlocutory application filed under section 5 of the Limitation Act, 1963, the applicant has prayed for condonation of delay of 63 days in preferring the connected appeal.

It is submitted by the learned counsel for the petitioner that after the conviction, the applicant has been detained in custody and as such he could not collect the certified copy of the impugned judgment and order and not in a position to engage a lawyer as a result of which 63 days delay has been occurred in filing the connected criminal appeal.

On the other hand, Mr. G. P. Goswami, learned Additional Public Prosecutor has no objection in condoning the delay.

Accordingly, delay is condoned.

Interlocutory application stands disposed of.

Registry is directed to register the appeal and list the same for admission.

JUDGE

Comparing Assistant