

GAHC010244962024



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

**Case No. : I.A.(Crl.)/1147/2024**

PRANJAL GOGOI  
S/O BONSHIDHAR GOGOI R/O SADHAN CHOUK GAON P.O. NITAIPUKHURI  
P.S. DEMOW DIST. SIVASAGAR  
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR  
REPRESENTED BY THE PP  
ASSAM

2:SRI INDRA GOGOI  
S/O LATE SARUKON GOGOI R/O SADHAN CHOUK GAON P.O.  
NITAIPUKHURI P.S. DEMOW DIST. SIVASAGAR  
ASSAM PIN-785662

-----  
Advocate for : MR. K GOGOI  
Advocate for : PP  
ASSAM appearing for THE STATE OF ASSAM AND ANR

**BEFORE  
HONOURABLE MRS. JUSTICE MITALI THAKURIA  
ORDER**

**26.11.2024**

Heard Ms. P. Borah, learned counsel for the applicant. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor for State respondent.

This interlocutory application is filed under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for suspension of the operation of the Judgment and Order dated 26.09.2024, passed by the learned Sessions Judge, Sivasagar, in Criminal Appeal No. 16(2)/2023, who affirmed the Judgment and Order dated 28.03.2023, passed by the learned Additional Chief Judicial Magistrate, Sivasagar, in PRC Case No. 258/2018, wherein the present petitioner was convicted and sentenced to undergo simple imprisonment (S.I.) for a period of 4 (four) months and to pay a fine of Rs. 2,000/- (Rupees two thousand) only, and in default, to suffer S.I for a period of 15 (fifteen) days under Section 324 of the IPC.

It is submitted by the learned counsel for the applicant, Ms. Borah, that the present applicant was on bail throughout the trial of the case and has never violated any of the bail conditions. Accordingly, he prays for stay of the aforesaid proceedings and request to allow the accused/petitioner to remain on previous bail, till disposal of this criminal revision petition.

On the other hand, Mr. Goswami, learned Additional Public Prosecutor, has raised no objection to the prayer made by the learned counsel for the applicant, considering the terms of conviction.

Considering the submissions of the learned counsels for both sides, the

operation of the Judgment and Order dated 26.09.2024, passed by the learned Sessions Judge, Sivasagar, in Criminal Appeal No. 16(2)/2023, which affirmed the Judgment and Order dated 28.03.2023, passed by the learned Additional Chief Judicial Magistrate, Sivasagar, in PRC Case No. 258/2018, is stayed until the disposal of the instant criminal revision petition being Crl.Rev.P.No.474/2024. Further, the accused/petitioner is allowed to remain on previous bail.

With above observations, this interlocutory application stands disposed of.

**JUDGE**

**Comparing Assistant**