

GAHC010266612023



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

Case No. : I.A.(Crl.)/1189/2023

SURAJ DUSAD
S/O GOLAP DUSAD,
R/O NEGHERITING, P.S.- DERGAON, DIST.- GOLAGHAT, ASSAM.

VERSUS

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

2:SUNIL DUSAD
S/O LATE ANATH LAL DUSAD

R/O NEGHERITING BOR LINE
P.O.- NEGHERITING
DIST.- GOLAGHAT
ASSAM
PIN- 785703

Advocate for the Petitioner : MS. P BORAH

Advocate for the Respondent : PP, ASSAM

Linked Case :

SURAJ DUSAD

VERSUS

THE STSTE OF ASSAM AND ANR . B

Advocate for : MS. P BORAH
Advocate for : appearing for THE STSTE OF ASSAM AND ANR . B

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 15.03.2024

Heard Mr. P.K. Munir, learned counsel for the applicant. Also heard Mr. M.P. Goswami, learned Additional Public Prosecutor for the State/respondent No.1.

The present application has been filed under Section 5 of the Limitation Act, 1963 for condonation of delay of 165 days in preferring the connected appeal against the judgment and order dated 13.06.2022 passed by the learned Sessions Judge, Golaghat, in Session Case No. 115/2017.

Mr. Munir, learned counsel for the applicant submits that the delay occurred in filing the connected appeal is not intentional. He further submits that detailed ground of delay has been explained in the petition.

Mr. Goswami, learned Addl.P.P. for the State has no objection if the delay is condoned.

I have considered the submissions made by the learned counsel for the parties.

The delay has been satisfactorily explained by the applicant and also the learned Addl.P.P. for the State/respondent No. 1 did not raise any objection regarding the prayer of the applicant.

Considering all, the delay of 165 days is condoned. The Registry is directed to register the connected appeal and list it in admission column.

With the above observation, I/A stands disposed of.

JUDGE

Comparing Assistant