

GAHC010294562023



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

Case No. : I.A.(CrI.)/415/2024

DUSHMANTA DOLEY @ APPLE DOLEY
S/O LT. LANKESWAR DOLEY,
R/O RATANPUR MIRI GAON, P.S.- JENGARAIMUKH, DIST.- MAJULI,
ASSAM.

VERSUS

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

2:MUHIDHAR PATIR
S/O LT. BARIKHA PATIR

VILL.- UJONI GEZERA
P.S.- JENGARAIMUKH
P.O.- GEZERA
DIST.- MAJULI
ASSAM

Advocate for the Petitioner : MR J PAYENG

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

06.05.2024

(Suman Shyam, J)

Heard Ms. A. Payeng, learned counsel for the applicant/ appellants. Also heard Ms. S. H. Bora, learned Addl. P.P., Assam appearing for the State.

This application is filed under Section 5 of the Limitation Act, 1963 with a prayer to condone the delay of 110 days in preferring the connected Criminal Appeal against the judgment dated 09.03.2023 and order dated 13.03.2023 passed by the learned Sessions Judge, Majuli in Sessions Case No.40(JM)/2021 . We have perused the explanation furnished by the applicant for the delay in preferring the appeal.

Ms. Bora submits that she does not have any instruction to file objection opposing the prayer made in the I.A.

In view of the above and taking note of the explanation furnished by the applicant, we are of the considered opinion that this is a fit case where the delay of 110 days in preferring the connected appeal ought to be condoned by this Court and the appeal be heard on merit. We accordingly, condone the delay of 110 days in preferring the appeal.

Office to register the connected appeal and list for admission.

I.A. stands disposed of.

JUDGE

JUDGE

Comparing Assistant