

GAHC030001102024



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

Case No. : I.A.(Crl.)/8/2024

Smt. Judy H. Lalmuanpuii
D/o H. Zaliana
R/o Khatla South
Aizawl
Mizoram.

VERSUS

Central Bureau of Investigation (CBI)
CBI

Advocate for the Petitioner : Mr C Lalramzauva Sr. Adv.
Advocate for the Respondent :

Linked Case No. : Crl.A./11/2024

Smt. Judy H. Lalmuanpuii
D/o H. Zaliana
R/o Khatla South, Aizawl, Mizoram.

VERSUS

Central Bureau of Investigation
CBI

Advocate for the Petitioner : Mr C Lalramzauva Sr. Adv.

Advocate for the Respondent :

ORDER

BEFORE

HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

23.02.2024

Heard Mr. C. Lalramzauva, learned senior counsel assisted by Mrs. Emily L. Chhangte, learned counsel for the applicant/appellant.

Mr. C. Lalramzauva, learned senior counsel submits that the applicant/appellant is one of the three accused persons, who had been convicted and sentenced by the learned Trial Court. He submits that there were three accused persons before the learned Trial Court and all the three accused persons, which includes the present applicant, i.e., Smt. Judy H. Lalmuanpuui, have been sentenced to undergo various terms of imprisonment, as indicated in paragraph No. 15 of the Sentence Order dated 05.02.2024 passed by the learned Trial Court.

The learned senior counsel submits that while the co-accused Sh. Zosangzuala had been sentenced to undergo 4 years imprisonment in respect of some of the charges framed against him, the present applicant and another co-accused Smt. Lalnunziri have been sentenced to undergo not more than 2 years in all the charges framed against them.

The learned senior counsel further submits that the co-accused Smt. Lalnunziri had been granted bail after this Court had suspended the impugned Judgment & Order dated 02.02.2024 and the impugned Sentence Order dated

05.02.2024 in I.A.(Crl.)No. 7/2024 arising out of Crl.A.No. 9/2024.

The learned senior counsel thus prays that the sentence should be suspended, as the maximum sentence imposed upon her in respect of all the charges is 2 years. Further, the learned Trial Court had already granted bail to the present applicant, in terms of the Order dated 06.02.2024 passed in CMA No. 4/2024.

In view of the fact that the impugned Sentence Order dated 05.02.2024 has already been suspended in I.A(Crl.) No. 7/2024, the impugned Sentence Order dated 05.2.2024 passed in SR(PCA) No. 11/2014 by the learned Trial Court, in so far as it relates to the applicant is suspended till final disposal of the appeal.

Accordingly, the bail given to the applicant by the learned Trial Court is made absolute.

I.A. is accordingly disposed of.

JUDGE

Comparing Assistant