

GAHC030002142024



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

Case No. : I.A.(Crl.)/12/2024 in Crl.A./13/2024

Sujata Chakma
Kamalanagar-IV
Lawngtlai District
Aizawl
Mizoram

VERSUS

State of Mizoram and Anr.
Aizawl

2:Lalremmawia
Inspector
Anti-Corruption Bureau
Aizawl
Mizoram
Aizawl
Mizoram

Advocate for the Petitioner : Mr Lalfakawma
Advocate for the Respondent : P.P./Addl.PP
Mizoram

ORDER
BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

28.03.2024

Heard Mr. T. Lalzekima, learned counsel for the applicant who submits that the applicant by filing this application under Section 389 Cr.PC prays for suspension of the execution of the sentence passed by the learned Special Court, P.C Act in S.R(PCA) No. 02/2023 vide Order dated 18.03.2024 and also the fine imposed upon the applicant by the same Order. The learned counsel submits that during the entire trial proceeding, the applicant was on bail and that she was taken into custody only upon passing of the Judgment & Order dated 15.03.2024, which otherwise is challenged by the applicant in the connected appeal. The learned counsel submits that the applicant has never been involved with any criminal case and considering her antecedents and pendency of the connected appeal, the impugned Order of Sentence and fine may be suspended pending final disposal of the appeal.

Mrs. Linda L. Fambawl, learned Addl. Public Prosecutor submits that considering the grounds taken in the appeal and the statements made in the instant application, Court may consider the same and pass appropriate order as it deems fit and proper.

Having considered the submissions made by the learned counsels for the rival parties and upon perusal of the materials available on record, I am inclined to allow the application. Accordingly, it is hereby directed that pending final disposal of the connected criminal appeal, the impugned Sentence Order dated 18.03.2024 and the fine imposed shall remain suspended till disposal of the connected appeal. The applicant be released on bail upon executing a bail bond of Rs. 25,000/- with one (1) local surety of the like amount to the satisfaction of the learned Trial Court i.e., Special Judge, P.C Act.

Interlocutory Application accordingly stands disposed of.

JUDGE

Comparing Assistant