

GAHC030006452024



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

Case No. : I.A.(Crl.)/48/2024

Khawpuimawia
Venglai East, Kolasib

VERSUS

The State of Mizoram r/b The Secretary to Govt. of Mizoram, Excise and Narcotics
Dept. and Anr.

Aizawl2:The Officer-in-Charge
Excise and Narcotics Police Station
Kolasib

Linked Case : Crl.A./42/2024

Khawpuimawia
Venglai East
Kolasib

VERSUS

The State of Mizoram r/b the Secretary to Govt. of Mizoram
Excise and Narcotics Dept. and Anr.

Aizawl

2:The Officer-in-Charge
Excise and Narcotics Police Station Kolasib

For the appellant (s) : Mr. A. Zothanmawia, Advocate

For the respondent (s) : Mrs. Linda L. Fambawl, Addl. PP, Mizoram

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH

O R D E R

23.10.2024

Heard Mr. A. Zothanmawia the learned counsel appearing on behalf of the applicant. Mrs. Linda L. Fambawl, the learned Additional Public Prosecutor, Mizoram appears on behalf of the respondent Nos.1 & 2.

2. This is an application for condonation of delay of 90 days in preferring the connected Criminal Appeal filed under Section 415(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 36B of the Narcotics Drugs & Psychotropic Substances Act, 1985 against the judgment and order dated 17.05.2024 passed by the learned Additional Sessions Judge, Kolasib District, Mizoram in SC (K) No.6/2023 whereby the applicant was convicted under Section 21 (b) of the Narcotics Drugs & Psychotropic Substances Act, 1985 and sentenced to undergo Rigorous Imprisonment for a period of 5 years with fine of Rs.5,000/-.

3. This Court has perused the application and also heard the learned Additional Public Prosecutor, Mizoram who submits that she has no objection in respect to the condonation of delay.

4. Accordingly, this Court allows the instant application thereby condoning the delay of 90 days in preferring the accompanying Appeal.

5. In view of the above, the instant I.A. stands disposed of.

JUDGE

Comparing Assistant