KABORAMBA M SANDEEP SINGH
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***Item No. 38***

**IN THE HIGH COURT OF MANIPUR**
**AT IMPHAL**

**MC (GCA) No. 6 of 2024**

State of Manipur

***Applicant***

**Vs.**

Irungbam Nati Singh; & Anr.

***Respondents***

BEFORE
**HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL**
**HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI**

**ORDER**

**03.09.2024**
***Siddharth Mridul, C.J.:***

Mr. Athouba Khaidem, learned Government Advocate, appears on behalf of the applicant; and Mr. S. Jhalajit, learned counsel, appears on behalf of the respondents.

The present application has been instituted on behalf of the State of Manipur, the applicant, praying as follows:

> *"In the premises stated above, your Lordship may graciously be pleased to consider the reasons and circumstances stated above as sufficient grounds for condoning the unintentional and bona-fide delay of 726 days in filing the accompanying Govt. Criminal Appeal."*

At the outset, it is observed that the present appeal assails the judgment and order dated 10.01.2022, whereby the respondents were acquitted of charges framed against them for the commission of offence under Sections 447/326/302/34 IPC.

Mr. S. Jhalajit, learned counsel appearing on behalf of the respondents, fairly does not oppose the present application.

Having heard the learned counsel appearing on behalf of the parties and in terms of the decision of the Hon'ble Supreme Court in **State (NCT OF DELHI) Vrs. Ahmed Jaan**, reported as **(2008) 14 SCC 582** and in particular paragraph 13 thereof; as well as the decision of the 3(three) Judge Bench of the Hon'ble Supreme Court in **State of Manipur & ors. Vrs. Koting Lamkang**, reported as **(2019) 10 SCC 408** and in particular paragraph 8 thereof; since the proceedings instituted on behalf of the State are not personal to its officers and the paramount consideration is that institutional interest ought not to suffer by resorting to technicalities of delay to defeat hearing on merits; the delay of 726 days in filing the accompanying Govt. Criminal Appeal is condoned.

The present application filed for condonation of delay is allowed and accordingly disposed of.

Registry is directed to number the appeal, if it is otherwise found to be in order, and list the same for admission.

**JUDGE** **CHIEF JUSTICE**

*Sandeep*