

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

MC(CrI.A.) No. 40 of 2023
(Ref: CrI.A. No. 30 of 2023)

National Investigation Agency.

...Applicant

- Versus -

Chandan Tondon @ Santosh @ Shileiba @ German Singh.

...Respondent

B E F O R E

**HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

14-08-2024

Siddharth Mridul (C.J.),

Mr. B.R. Sharma, learned CGSC, appears for the applicant and
Mr. Th. Kunjaraj, learned counsel, appears for the respondent.

The present application has been instituted on behalf of the NIA
praying as follows:—

*"In view of the above stated facts, it is respectfully prayed that
this Hon'ble Court be pleased to:*

- 1. Condone the period from 11.11.2023 to 20.12.2023 in
computing the prescribed period of 30 days, as provided
under National Investigation Agency Act, 2008, in filing the
accompanying Criminal Appeal and hear the matter on
merit;*
- 2. Pass such further other or orders or directions which this
Hon'ble Court deem fit and proper for the ends of justice."*

Learned counsel appearing on behalf of the respondent states that he does not wish to file an affidavit-in-opposition to the present application and does not oppose the limited relief prayed for therein.

Having heard 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) Vs. 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. Vs. 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 caused in filing the accompanying criminal appeal i.e. from 11.11.2023 to 20.12.2023 in computing the prescribed period of 30 days is condoned.

Accordingly, the present application is allowed and disposed of.

Registry is directed to number the criminal appeal, if it is otherwise found to be in order and list the same for admission on 10-09-2024.

JUDGE

CHIEF JUSTICE

Victoria

NINGOMBAM
BAM
VICTORIA
Digitally signed
by NINGOMBAM
VICTORIA
Date: 2024.08.20
14:45:42 +05'30'