GAHC020000352024

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

Case No. : I.A.(Crl.)/3/2024

ABUL KASEM
S/O LATE HABIB ULLAH
R/O PERMANENT-BORDUA, JAMUGURI, P.S.-JURIA, DIST- NAGAON, ASSAM-782124
PRESENT ADDRESS- VILLAGE-AHOZHE
P.S. NIULAND, NAGALAND-797116

VERSUS

THE STATE OF NAGALAND AND ANR
KOHIMA NAGALAND

Linked Case : I.A.(Crl.)/4/2024

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VERSUS

THE STATE OF NAGALAND AND ANR
NAGALAND KOHIMA

2:SHRI SHETO SUMI
S/O SUIMON
R/O LUZEHTO VILLAGE
DISTRICT- DIMAPUR
NAGALAND-797103

For the applicant (s) : Mr. Z. Khalid , Advocate

For the respondent (s) : Ms. S. Mere, PP, Nagaland

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

O R D E R

26.02.2024

(D. Baruah, J.)

This is an application filed under Section 5 of the Limitation Act for condoning the delay of 239 days in preferring the accompanying appeal against the judgment and order dated

16.03.2023 passed by the learned Special Judge (POCSO), Dimapur in connection with Fast Track Special Case No.003/2022.

2. From a perusal of the said application, we are of the opinion that taking into account that there is a right of filing an appeal and the grounds shown which lead to the delay in filing the appeal in our opinion amounts to the sufficient cause within the meaning of Section 5 of the Limitation Act.

3. Accordingly, the delay stands condoned.

4. The I.A. stands disposed of.

5. The Registry is directed to list the accompanying appeal along with Interlocutory Application seeking for bail on 28.02.2024.

JUDGE **JUDGE**

Comparing Assistant