



Serial No.01
Supple List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl. M.C. No.23 of 2025

Date of Order: 04.04.2025

Shri. James R. Marak S/o Shri Rajot R. Marak R/o Upper Rajapara, P.S. Ranikor, District South West Khasi Hills, Meghalaya.	Vs.	State of Meghalaya, represented by the Public Prosecutor for the State.
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.....Appellant.

.....Respondent.

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. B. Deb, Adv.

For the Respondent(s) : Mr. R. Gurung, GA.

Mr. H. Abraham, GA.

ORAL:-

Heard Mr. B. Deb, learned Counsel appearing for the applicant and Mr. R. Gurung, learned GA appearing for the State-respondent.

By this application, the applicant has prayed for suspension of sentence dated 13-03-2025 passed in Sessions Case No. 60 of 2020 whereby the applicant was convicted under Section 325 IPC and sentenced to undergo imprisonment for a period of 3 years along with payment of fine of Rs. 25,000/- and in default of payment, to undergo another one month's simple imprisonment.

The applicant was initially charged under Sections 307 and 325 IPC and after completion of the trial, the appellant has been convicted under



Section 325 IPC only as the learned Trial Court did not find sufficient evidence to convict the appellant under Section 307 IPC. The maximum punishment prescribed for an offence under Section 325 IPC is 7 years. The learned Trial Court after taking into consideration all the relevant aspects has decided to impose the sentence of 3 years only. It is stated by the learned Counsel for the applicant that the applicant is on bail, granted to him after his conviction and sentence by the Trial Court.

Having considered the fact that the applicant was charged under Sections 307 & 325 IPC and subsequently found guilty only under Section 325 IPC and that only 3 years' imprisonment has been awarded to him for the commission of the offence under Section 325 IPC, this Court deems it appropriate to suspend the order of sentence dated 13-03-2025 passed in Session Case No. 60 of 2020 by the learned Session Judge/Additional Deputy Commissioner (J), South West Khasi Hills District, Mawkyrwat till the disposal of the connected criminal Appeal No.12 of 2025.

The Misc. Case stands disposed of.

Judge

Meghalaya
04.04.2024
"Biswarup PS"