GAHC010158572026

2026:GAU-AS:17384

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

Case No. : I.A.(Crl.)/788/2026
in
Crl. Rev. P. 6686/2026
Filing Number

SRI SURAJ BORA
SON OF LATE BIRENSON BORA ALIAS BENUDHAR BORA, PERMANENT RESIDENT OF BOKATA KOCH GAON, P.O. DHETAI PUKHURI, P.S. GAURISAGAR, DISTRICT SIVASAGAR, ASSAM, PIN- 785640 AND PRESENTLY RESIDING AT 05 BN CRPF, MAHAVIR NAGAR, NEW DELHI, PIN-110018.

VERSUS

SMTI SADHANA CHANGMAI AND ANR
W/O NRIPEN CHANGMAI, RESIDENT OF BETBARI BOKABIL GAON, P.O. MITHAPUKHURI, P.S. AND DISTRICT SIVASAGAR, ASSAM, PIN-785640.

2:THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSA

Advocate for the Petitioner : MR A CHAKRABORTY, MR. A. GAYAN,MS S SARMA HAZARIKA,MS H.K. SUMI

Advocate for the Respondent : PP, ASSAM, MS. R DEB (R-1),MR. A R SHOME (R-1)

BEFORE

HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

25-11-2026

Heard Mr. A. Chakraborty, learned counsel for the applicant and Mr. A. R. Shome, learned counsel for the respondent No.1. Also heard Ms. S. H. Borah, learned Additional Public Prosecutor, Assam for the respondent No.2.

2. This is an application filed under Section 5 of the Limitation Act for condonation of delay of 75 days in preferring the connected criminal revision petition against the judgment and order dated 12.02.2026, passed by the learned Additional Sessions Judge, FTC, Sivasagar in Crl. Appeal No. 39(3)/2025, whereby the criminal appeal was dismissed, which was preferred by the present applicant/petitioner.

3. It is submitted by Mr. Chakraborty, learned counsel that the present applicant/petitioner is a CRPF personnel and for the duty entrusted to him during the Assembly Election, 2026 as well as for posting in the very remote area, he could not contact with the counsel to prefer the criminal revision petition in time against the order of the learned Appellate Court. However, there is no intentional latches or negligence on the part of the applicant and accordingly prayed for condonation of delay of 75 days in preferring the connected revision petition.

4. Mr. Shome, learned counsel for the respondent No.1 and Ms. Borah, learned APP, Assam for the respondent No.2 raised no objection and submitted that the delay of 75 days may be condoned and the revision petition may be numbered and registered.

5. Considering the submission made by the learned counsel for the parties, this Court is of the opinion that the grounds for delay mentioned in para 4 and 5 are found to be justified and accordingly, the delay of 75 days in preferring the connected criminal revision petition is hereby condoned.

6. The Registry is directed to register and number the connected appeal and to list the same in due course of time.

7. The Registry is directed to reflect the name of the counsel appearing for the petitioner as well as for the respondents in the cause list after registration of the case.

8. With the above observation and direction, this interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant