GAHC010209512026

2026:GAU-AS:14963

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

Case No. : I.A.(Crl.)/985/2026

SRI SANJIT ORANG ALIAS SANJIT URANG
SON OF LATE PUNA ORANG, AGE 42 YEARS RESIDENT OF SUKAFA ORANG BASTI, POST OFFICE- BHOJO, POLICE STATION-MATHURAPUR, DISTRICT- CHARAIDEO, ASSAM, PIN-785691

VERSUS

STATE OF ASSAM AND 2 ORS.
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SMTI MINAKSHI MECH BARUAH
WIFE OF LATE PRADEEP BARUAH POST OFFICE- BHOJO
POLICE STATION-MATHURAPUR
DISTRICT- CHARAIDEO
ASSAM
PIN-785691

3:SHRI MINTU BARUAH
SON OF LATE PRADEEP BARUAH POST OFFICE- BHOJO
POLICE STATION-MATHURAPUR
DISTRICT- CHARAIDEO
ASSAM
PIN-78569

Advocate for the Petitioner : MR. T DEURI, MS. P KONWAR,MS. L WANGSA,MR U SAIKIA,MRS. R S DEURI

Advocate for the Respondent : PP, ASSAM,

Linked Case : CROP(C)/0/0

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SON OF LATE PUNA ORANG
AGE 42 YEARS RESIDENT OF SUKAFA ORANG BASTI
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Advocate for : MS LIHNGAM WANGSA
Advocate for : appearing for STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

06.10.2026

1. Heard Mr. T. Deuri, learned counsel appearing for the applicant. Also heard Mr. D.P. Goswami, learned APP appearing for the State of Assam.

2. By this application filed under Section 5 of the Limitation Act, the petitioner has prayed for condonation of the delay of 142 days in filing the connected criminal revision petition whereby the judgment and order dated 30.01.2026 passed by the learned Sessions Judge, Charaideo in Criminal Appeal No. 08(4)/2019 is sought to be challenged. The petitioner also seeks to challenge in the connected criminal revision petition the judgment and order dated 21.11.2019 passed by the learned Sub-Divisional Judicial Magistrate (M), Charaideo, Sonari in G.R. Case No. 179/2026.

3. The learned counsel appearing for the applicant submits that the grounds for condonation of the delay have been stated in paragraph Nos. 6 to 11 of the present application. It is submitted that after the judgment and order of the appellate Court was passed on 30.01.2026 the petitioner could not arrange the requisite fees of the engaged counsel as he belongs to a financially poor family. It is however submitted that the petitioner subsequently managed to arrange the requisite fees and in the second week of May 2026 he fell ill and was consequently unable to pursue the filing of the instant petition. Thereafter, it is submitted that upon recovery the petitioner came to Guwahati in the second week of June 2026 and met his counsel. However, he again fell ill due to which the further pursuit of the matter was stalled. Upon subsequent recovery, the petitioner again met his counsel and requested him to file the instant petition. It is further submitted that in the meantime a NBWA was issued against the petitioner pursuant to which he was taken into custody and sent to jail to serve out the sentence imposed upon him. Thereafter, the sister-in-law of the petitioner met the learned counsel who upon perusal of the relevant papers prepared the criminal revision petition. It is submitted that owing to the aforesaid circumstances a delay of 142 days occurred in filing the petition.

4. Mr. D.P. Goswami, learned APP in his usual fairness submits that the delay may

be condoned and the connected criminal revision petition may be heard on its merits.

5. Having considered the grounds stated in the application, this Court is satisfied that sufficient cause has been shown for the delay. Accordingly, the delay of 142 days in filing the connected criminal revision petition is hereby condoned.

6. Accordingly, the I.A. stands allowed.

7. The Registry is directed to register the connected criminal revision petition and list the same for admission.

JUDGE

Comparing Assistant