GAHC010224952026

2026:GAU-AS:15287

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

Case No. : I.A.(Crl.)/1038/2026

MD SAIDUL ALI
S/O TABIB ALI, R/O- VILL-NO.5 GORESWAR, P.S. - TAMULPUR, DIST-TAMULPUR, BTR, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P. ASSAM

Advocate for the Petitioner : MR S C DAS, MS. J DAS,MR. H DAS,MR. C. SHIL,P BURAGOHAIN

Advocate for the Respondent : PP, ASSAM,

Linked Case : OTC/0/0

MD SAIDUL ALI
S/O TABIB ALI
R/O- VILL-NO.5 GORESWAR
P.S. - TAMULPUR
DIST- TAMULPUR
BTR
ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P. ASSAM

Advocate for : PANKAJ BURAGOHAIN
Advocate for : appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

09.10.2026

1. Heard Mr. S.C. Das, learned counsel appearing for the applicant. Also heard Mr. R.J. Baruah, learned counsel appearing for the State of Assam.

2. By this application, the petitioner has prayed for condonation of the delay of 111 days in filing the connected criminal revision petition.

3. The petitioner seeks to challenge the judgment and order dated 17.03.2026 passed by the learned Sessions Judge, Baksa, Mushalpur in Criminal Appeal No. 15/2024 whereby the judgment and order dated 11.11.2024 passed by the learned Additional Chief Judicial Magistrate, Baksa was upheld. By the said judgment and order dated 11.11.2024 the petitioner was convicted under Sections 448 and 354 A(1) of the IPC and sentenced to undergo simple imprisonment for six months under each of the aforesaid sections along with a fine of Rs. 500/- with a default stipulation of simple imprisonment for 20 days.

4. The learned counsel appearing for the petitioner has explained the reasons for the delay in paragraph 6 of the petition wherein it is stated that following the judgment and order dated 17.03.2026, the petitioner owing to financial constraints could not approach the Court within the prescribed period. It is

further stated that the petitioner consulted his counsel to explore the appropriate legal recourse for challenging the said judgment and order.

5. It is further stated that the family members of the applicant met the engaged counsel on 27.09.2026 and handed over the necessary documents to him on the same day. However, in the meantime the applicant was arrested and his signature could not be obtained. It is also stated that the engaged counsel took four to five days to prepare the case which ultimately resulted in a delay of 111 days in preferring the connected criminal revision petition.

6. This Court is satisfied with the reasons assigned for the delay and accordingly condones the delay of 111 days in filing the connected criminal revision petition.

7. The interlocutory application stands disposed of.

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

JUDGE

Comparing Assistant