GAHC010246822026

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

Case No. : I.A.(Crl.)/1136/2026

MUKUNDA SAIKIA
SON OF- LATE GULOSH SAIKIA, RESIDENT OF - VILLAGE - SONOWAL GAON, P.S. AND P.O.- KAMARGAON, DISTRICT - GOLAGHAT, ASSAM, PIN -783391.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P, GAUHATI HIGH COURT

Advocate for the Petitioner : MS. P SAHARIA, LEGAL AID COUNSEL

Advocate for the Respondent : PP, ASSAM,

Linked Case : CRL.A(J)/10232/2026

MUKUNDA SAIKIA
SON OF- LATE GULOSH SAIKIA
RESIDENT OF - VILLAGE - SONOWAL GAON
P.S P.O - KAMARGAON
DISTRICT - GOLAGHAT
ASSAM
PIN -783391.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P
GAUHATI HIGH COURT.

Advocate for : MS PAPUMONI SAHARIA
Advocate for : appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 11.11.2026

Heard Ms. P. Saharia, learned Legal Aid Counsel appearing for the appellant and Mr. MP Goswami, learned Additional Public Prosecutor for the State.

2. By this application filed under Section 5 of the Limitation Act, the petitioner has prayed for condoning the delay of 24 days in preferring the connected criminal appeal challenging the judgment dated 23.07.2026 and the sentencing order dated 27.07.2026 passed by the Court of Additional Sessions Judge, Golaghat in Sessions Case No. 11/2024 by which the appellant was convicted under Section 457/324/326 of the IPC.

3. By the said sentencing order, the appellant was sentenced to undergo RI for one year with fine and default stipulation under Section 457 IPC as well as to undergo RI for a period of two years under Section 324 IPC along with a punishment to undergo RI for a period of seven years with fine and default stipulation under Section 326 IPC.

4. All the sentences were directed to run concurrently.

5. The learned Counsel for the petitioner submits that the reasons for the said delay has been mentioned in paragraph nos. 3, 4 and 5 of the petition, wherein it was stated that after the judgment and order was passed on 23.07.2026/27.07.2026, the appellant had submitted one petition on 28.08.2026 before the Superintendent of District, Jail, Golaghat for preferring an appeal and that the said Superintendent vide letter dated 28.08.2026 forwarded the petition to the District Legal Service Authority. It was further stated that the District Legal Service Authority had forwarded the application to the High Court Legal Service Committee for preferring an appeal on 05.09.2026 and that the High Court Legal Service Committee engaged the present counsel for giving the necessary legal assistance to the petitioner. It is thereafter stated that the Legal Aid Counsel preferred the appeal and filed it before this Court, which resulted in a delay of 24 days.

6. The reasons assigned by the petitioner in the instant application is found to be satisfactory and this Court is inclined to condone the delay. As such, the delay of 24 days in filing the connected criminal appeal is condoned and the Registry is directed to register the criminal appeal and list it for admission.

7. The Interlocutory Application is disposed of.

JUDGE

Comparing Assistant