

GAHC010288102025



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

**Case No. : I.A.(Crl.)/23/2026**

PRAKASHIT TOPNO  
SON OF SRI ARUN TOPNO, RESIDENT OF VILL. RANGOLI, P.S. MORANHAT,  
DISTRICT- CHARAIDEO, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:BITUL SANGMA  
SON OF LATE SAMU SANGMA  
RESIDENT OF VILL.- PACHIM BASTI  
P.S.- BOKOTA NEMUGURI  
DISTRICT- SIVSAGAR  
ASSA

**Advocate for the Petitioner : MR. D K BAIDYA, P MAZUMDAR,A HALIM**

**Advocate for the Respondent : PP, ASSAM,**

Linked Case : ST.Rev./0/0

SRI PRAKASHIT TOPNO  
SON OF SRI ARUN TOPNO  
RESIDENT OF VILL. RANGOLI  
P.S. MORANHAT  
DISTRICT- CHARAIDEO  
ASSAM.

VERSUS

THE STATE OF ASSAM  
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR  
ASSAM.

2:SRI BITUL SANGMA

SON OF LATE SAMU SANGMA  
RESIDENT OF VILL. PACHIM BASTI  
P.S. BOKOTA NEMUGURI  
DISTRICT- SIVSAGAR  
ASSAM

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Advocate for : MR DEBANGA KUMAR BAIDYA  
Advocate for : appearing for THE STATE OF ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 20.01.2026**

Heard Mr. D K Baidya, the learned counsel appearing for the applicant. Also heard Mr. R J Baruah, the learned Addl. Public Prosecutor appearing for the State of Assam.

2. This application has been filed under Section 5 of the Limitation Act, 1963 praying for condonation of delay of 52 days in preferring the appeal.
  3. I have found that the delay has been satisfactorily explained.
  4. Going for issuance of notice to the private respondent would be nothing but sheer waste of time.
  5. Therefore, the delay stands condoned.
  6. The connected appeal shall be registered and listed for admission hearing.
- This IA stands disposed of accordingly.

**JUDGE**

**Comparing Assistant**