

GAHC010003702024



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

Case No. : CRL.A(J)/41/2024

AC/2007 SRI R SARVANAN
S/O-LATE RAMA SWAMY THEVAR, R/O-VILLAGE-ACHILAPURAM,
DISTRICT-BIRUDHUNAGAR, TAMILNADU

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR

Advocate for the Petitioner : MS. B SARMA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

01.05.2024

[M. Choudhury, J.]

Heard Ms. B. Sarma, learned Legal Aid Counsel for the accused-appellant and Ms. S. Jahan, learned Additional Public Prosecutor for the respondent no. 1, State of Assam.

This criminal appeal from jail is directed against a Judgment and Order dated 20.08.2015,

passed by the learned Sessions Judge, Chirang at Kajalgaon in Sessions Case no. 144[Basu]/2015. By the said Judgment and Order dated 20.08.2015, the accused-appellant has been convicted under Section 302 of the Indian Penal Code [IPC] and sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs. 5,000/-, in default of payment of fine, to undergo rigorous imprisonment for another 6 [six] months.

The appeal is admitted for hearing.

The case records of Sessions Case no. 144[Basu]/2015 be called for from the learned trial court.

Issue notice, returnable in 4 [four] weeks.

As Ms. Jahan, learned Additional Public Prosecutor, Assam has appeared and accepted notice on behalf of the respondent no. 1, State of Assam, issuance of formal notice to the respondent no. 1 is dispensed with.

It is noticed that an interlocutory application, I.A. [Crl.] no. 59/2024 was preferred for seeking condonation of delay in filing the instant criminal appeal and this Court observed that the respondent no. 2 was not a necessary party for the interlocutory application as well as the connected criminal appeal and accordingly, by its order dated 20.03.2024, the name of the respondent no. 2 was ordered to be struck off.

In view of the same, there is no necessity to issue notice to the respondent no. 2-informant and as such, the name of the respondent no. 2 is to be struck off from the array of the respondents.

List the case after 4 [four] weeks.

JUDGE

JUDGE

Comparing Assistant