

GAHC010019252025



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

**Case No. : I.A.(CrI.)/1350/2025**

RUPESWAR GOGOI  
S/O  
LATE KUKHESWAR GOGOI  
R/O  
VILL- PUKHURI PORIA  
P.S- LALUK  
DIST- LAKHIMPUR  
ASSAM

VERSUS

THE STATE OF ASSAM  
REP BY PP ASSAM

2:SMTI SATYAWATI LALUNG  
W/O  
SRI LAKHIDHAR LALUNG  
R/O  
VILL- LALUNG KAPATOLI  
P.S- SILAPATHAR  
DIST- DHEMAJI  
ASSAM

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Advocate for : MRS SANGEETA KHATANIAR  
Advocate for : PP  
ASSAM appearing for THE STATE OF ASSAM

Linked Case : CRL.A(J)/200/2025

RUPESWAR GOGOI  
S/O , LATE KUKHESWAR GOGOI

R/O, VILL- PUKHURI PORIA  
P.S. LALUK  
DIST- LAKHIMPUR, ASSAM

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P.S- SILAPATHAR  
DIST- DHEMAJI  
ASSA

**Advocate for the Petitioner** : , ,MRS. S KHATANAR, LEGAL AID COUNSEL

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

**BEFORE**  
**HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**  
**HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

**Date : 23.04.2026**  
*(M. Zothankhuma, J)*

Mrs. S. Khataniar, learned Legal Aid Counsel appears for the applicant/appellant, while Ms. A. Begum, learned Addl. PP appears for the State.

2. No one appears for the informant/respondent No.2, even though notice has been served upon the respondent No.2.

3. This is an application under Section 430 BNSS praying for suspension of the sentence imposed upon the applicant/appellant on being convicted under Section 4 & 8 of the POCSO Act, 2012 vide Judgment dated 11.09.2024, passed by the Court of

the learned Special Judge (POCSO), Dhemaji in Special (POCSO) Case No.2/2020, arising out of Silapathar P.S. Case No.364/2019.

4. On considering the statement of the victim and keeping in view the fact that the appeal has been fixed for final hearing on 02.06.2026, we are not inclined to allow the present application. The same is accordingly dismissed.

**JUDGE**

**JUDGE**

**Comparing Assistant**