

GAHC010211232022



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

Case No. : I.A.(Crl.)/139/2023

SAJEN PUMA
S/O LATE HAREN PUMA
R/O BILAMPUR (FAKLIHATI)
UNDER JAGIROAD POLICE STATION
IN THE DISTRICT OF MORIGAON
ASSAM
PIN- 782410.

VERSUS

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

2:KALESWAR PATOR
S/O LATE MONBOR PATOR
R/O VILL-BILAMPUR (FAKLIHATI)
UNDER JAGIROAD POLICE STATION
IN THE DISTRICT OF MORIGAON
ASSAM
PIN-782410

Advocate for : MR D K BHATTACHARYYA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

in Crl.A./3/2023

SAJEN PUMA
Address - S/O LATE HAREN PUMA, R/O BILAMPUR (FAKLIHATI), UNDER
JAGIROAD POLICE STATION, IN THE DISTRICT OF MORIGAON, ASSAM,

PIN- 782410.

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PUBLIC PROSECUTOR.

2:KALESWAR PATOR
S/O LATE MONBOR PATOR
VILL.- BILAMPUR (FAKLIHATI)
UNDER JAGIROAD POLICE STATION
IN THE DISTRICT OF MORIGAON
ASSAM
PIN- 782410

Advocate for the Petitioner : MR D K BHATTACHARYYA, MR A ATREYA

Advocate for the Respondent : PP, ASSAM, MS. D GHOSH (LEGAL AID COUNSEL FOR R-2)

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

ORDER

Date : 08/01/2026
(Michael Zothankhuma, J)

Heard Mr. D. K. Bhattaharyya, learned counsel for the applicant. Also heard Ms. A. Begum, learned APP, Assam, appearing for the State and Ms. D. Ghosh, learned Legal Aid Counsel for the respondent no.2.

This is an application under section 430 BNSS for suspension of sentence, due to the conviction of the appellant under section 376(3) IPC/4(2) of the POCSO Act and the consequential sentence under section 4(2) of the POCSO Act, in relation to the impugned judgement dated 18/06/2022 passed by the learned Additional Sessions Judge –cum- Special Judge (POCSO), Morigaon, in POCSO case No. 79/2021.

On considering the seriousness of the crime in question and on perusing the evidence on record, we are of the *prima facie* view that the prayer for suspension of the sentence cannot be allowed at this stage. Accordingly, the application is rejected.

IA is accordingly disposed of.

JUDGE

JUDGE

Comparing Assistant