

GAHC010024952026



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

Case No. : I.A.(Crl.)/202/2026

MD SWEET RAHMAN
SON OF LATE HORUSON RAHMAN RESIDENT OF NO.1 KHOOMTAI GAON UNDER
MORANHAT POLICE STATION IN THE DISTRICT OF CHARAIDEO
ASSAM

2: MD JALAL ALI ALIAS RAMJAN ALI
SON OF LATE MOJID ALI RESIDENT OF NO.1 KHOOMTAI GAON UNDER MORANHAT
POLICE STATION IN THE DISTRICT OF CHARAIDEO
ASSAM

3: MD PROMISE ALI
SON OF MD. HABIB ALI RESIDENT OF NO.1 KHOOMTAI GAON UNDER MORANHAT POLICE
STATION IN THE DISTRICT OF CHARAIDEO
ASSAM
VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP ASSAM

Advocate for : UJJAL CHOUDHURY
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

in CRL.A(J)/25/2026

MD SWEET RAHMAN
SON OF LATE HORUSON RAHMAN RESIDENT OF NO.1 KHOOMTAI GAON
UNDER MORANHAT POLICE STATION IN THE DISTRICT OF CHARAIDEO,
ASSAM

2: MD JALAL ALI ALIAS RAMJAN ALI
SON OF LATE MOJID ALI RESIDENT OF NO.1 KHOOMTAI GAON UNDER

MORANHAT POLICE STATION IN THE DISTRICT OF CHARAIDEO
ASSAM

3: MD PROMISE ALI
SON OF MD. HABIB ALI RESIDENT OF NO.1 KHOOMTAI GAON UNDER
MORANHAT POLICE STATION IN THE DISTRICT OF CHARAIDEO
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : UJJAL CHOUDHURY,

Advocate for the Respondent : PP, ASSAM,

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

ORDER

Date : 30/03/2026

(Michael Zothankhuma, J)

1. Heard Mr. U. Choudhury, learned Legal Aid Counsel for the applicant, who submits that the applicants are the 3 out of the 4 accused persons, who have been convicted by the Court of the Special Judge Charaideo, Sonari, in Special (POCSO) Case No. 3/2019 under section 342/323/34 IPC.

2. He submits that the applicants herein have been sentenced to undergo simple imprisonment for a period of 6 months and to pay a fine of Rs. 500/-, in default, to undergo simple imprisonment for 15 days under section 342/34 IPC. They have also been sentenced to undergo simple imprisonment for a period of 6 months for the offence under section 323/34 IPC and to pay a fine of Rs. 500/- for the offence under section 323/34 IPC. Both the sentences to run concurrently. He submits that in view of the above, the applicants may be allowed to remain on previous bail granted by the learned trial Court and the sentences

imposed upon them should be suspended.

3. Mr. R.R. Kaushik, learned APP, Assam, submits that he has got no objection to the same.

4. On considering the sentence imposed upon the applicants and the fact that they have been convicted only under section 342/323/34 IPC, we suspend the sentence imposed upon the present applicants, vide the impugned judgement and order dated 11/07/2025 passed by the learned Trial Court. The applicants are allowed to remain on bail as per the bail order granted by the learned Trial Court.

5. IA is accordingly disposed of.

JUDGE

JUDGE

Comparing Assistant