

GAHC010080282025



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

Case No. : I.A.(Crl.)/377/2025
in
Crl.A./136/2025

AMAR MANDAL
S/O- NABIN MANDAL R/O- SANKARDEV NAGAR
WARD NO.5
P.O.- MORIGAON
P.S.- MORIGAON. PIN- 782105 DIST.- MORIGAON
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY PP
STATE OF ASSAM
GAUHATI HIGH COURT.

2:SMTI. KABITA PATAR
W/O- BABUL PATAR

R/O- VILL.- BANPARA
UNDER MORIGAON POLICE STATION
DIST.- MORIGAON
ASSAM
PIN- 782105

Advocate for : MRS PURABI HAZARIKA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

23.04.2025

(S.K. Medhi, J.)

Heard Shri DK Bhattacharyya, learned counsel for the applicant, who has preferred this application under Section 430 of the BNS, 2023 for suspending the judgment and order of sentence dated 24.02.2025 passed by the learned Additional Sessions Judge-cum-Special Judge (POCSO), Morigaon in POCSO Case No. 07/2024 sentencing the appellant to undergo RI for 20 years with a fine of Rs.10,000/- and in default to further undergo RI for three months for the offence under Section 376(3) of the Indian Penal Code read with Section 4(2) of the POCSO Act.

2. The connected appeal has been admitted today.
3. Let notice be issued, returnable by 6(six) weeks.
4. Ms. S. Jahan, learned Additional Public Prosecutor, Assam accepts notice on behalf of the respondent no. 1.
5. Let steps for service of notice upon the respondent no. 2 be taken by the applicant which is to be routed through the Office of the learned PP, Assam within two working days.
6. List after 6(six) weeks along with the service report.

JUDGE

JUDGE

Comparing Assistant