

GAHC010164912022



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

Case No. : Crl.A./199/2022

POBITRA GOGOI AND ANR
S/O. GOLAP GOGOI,

2: JANMONI GOGOI @ JAN GOGOI

S/O. HOLIRAM GOGOI
BOTH ARE R/O. VILL. DIHINGIA GAON
SILONIJAN
P.O. AND P.S. BARPATHAR
KARBI-ANGLONG
ASSAM

VERSUS

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

2:AGA RENGMA
S/O. LT. REGON SINGH RENGMA
R/O. KHOWANI GAON
P.S. BARPATHAR
DIST. KARBI ANGLONG
ASSAM

Advocate for the Petitioner : MR. S K DEORI

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 25.08.2022

Heard Ms. Somila, learned counsel for the appellant. Also heard Mr. Bhaskar Sarma, learned APP for the State.

This appeal under section 374 (2) Cr.P.C. is preferred against the judgment and order dated 28.07.2022 passed by the learned Assistant Sessions Judge, Diphu, Karbi Anglong in Sessions Case No. 20/2011, thereby convicting the appellants under section 376(2)(g) IPC and sentencing them to undergo rigorous imprisonment for a term of 10 (ten) years and fine of Rs.10,000/- only, in default of payment, to undergo simple imprisonment for 3 (three) months.

Appeal is admitted for hearing.

Call for the records.

Issue notice returnable on 28.09.2022.

No formal steps is required to be taken in respect of respondent no.1, who is represented by the learned APP.

The appellants shall take steps within 2 days for service of notice on respondent no. 2 by registered post with A/D as well as by usual process through jurisdictional Magistrate in terms of Gauhati High Court Rules.

It may be mentioned that this is a case where the prosecutrix was sexually assaulted and the name of the prosecutrix has been masked. Therefore, the notice issued on the respondent no. 2, who suffice as a notice on the victim. Accordingly, upon receipt of notice by respondent no.2, the victim is also at liberty to appear before the Court.

List on 28.09.2022.

JUDGE

Comparing Assistant