

GAHC010181722025



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

Case No. : I.A.(Crl.)/914/2025

KARTIK GARH
S/O. LT. BISHNU GARH, R/O. DOBA GRANT, P/O. DUBBA, MAHMORA, DIST.
CHARAIDEO, PIN-785673, ASSAM.
VERSUS
THE STATE OF ASSAM AND ANR.
REP BY THE PP, ASSAM

2:MANJU GARH
D/O. LT. JAGAT GARH
R/O. VILL.- DOBA GRANT
P/S. MORANHAT
DIST. CHARAIDEO
PIN-785673
ASSAM

Advocate for the Petitioner : MR D K NATH,
Advocate for the Respondent : PP, ASSAM,

Linked Case : EC/0/0
SRI KARTIK GARH
ASSAM
VERSUS
THE STATE OF ASSAM
ASAM

Advocate for : MR DIGANTA KUMAR NATH
Advocate for : appearing for THE STATE OF ASSAM

Linked Case : ST.Rev./0/0

SRI KARTIK GARH
ASSAM

VERSUS

THE STATE OF ASSAM
ASSAM

Advocate for : MR DIGANTA KUMAR NATH
Advocate for : appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 30.01.2026

Heard Mr. D.K. Nath, learned counsel for the applicant and Mr. D.P. Goswami, learned Addl. Public Prosecutor for the State respondent No. 1.

This interlocutory application has been filed for condoning the delay of 68 days in filing the connected appeal against the impugned judgment and order of conviction and sentence dated 18.03.2025 passed by the learned Sessions Judge, Charaideo, Sonari in Sessions (Cha) Case No. 62/2021.

It is submitted by the learned counsel for the applicant that the grounds for delay have been categorically stated in paragraph Nos. 9, 10 and 11 of this interlocutory application, which I have perused.

The applicant although requested his mother to prefer a criminal appeal against the impugned judgment and order of conviction, but due to financial crisis of the mother of the applicant, she could not arrange money. However, after arranging some money, the mother of the applicant met the concerned Advocate at Charaideo who obtained certified copy of the impugned judgment and order on 27.06.2025 and advised her to prefer appeal at High Court.

Accordingly, the mother of the applicant came to Guwahati on 05.07.2025 and met the present Advocate and requested him to prefer an appeal before

this Court. In the meantime, some time is required to get full instruction and relevant documents. The present advocate required some instruction from the applicant, who is in jail. However, the mother could get instruction from the applicant from jail and again met to the present Advocate on 13.7.2025. Accordingly, the learned Advocate could file the same on 25.07.2025, which causes the delay of 68 days due to the aforesaid exercise done by the mother of the applicant.

The aforesaid averments are supported by affidavit and upon consideration of the same; I am of the view that the applicant has been able to make out sufficient ground to condone the delay of 68 days in preferring the connected appeal. Accordingly, the delay is condoned.

The I.A. stands disposed of.

The Registry is directed to register the connected appeal and list it on 18.02.2026 admission hearing.

JUDGE

Comparing Assistant