

GAHC010174602025



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

Case No. : Crl.A./314/2025

ABDUL HAMID
SON OF TOMIZ UDDIN, RESIDENT OF VILLAGE BORKURANI, P/S.
MAYONG, P/O. GAGALMARI, DIST. MORIGAON, ASSAM-782121

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM.

Advocate for the Petitioner : S K PODDAR, R MANDAL, MR. C SHARMA, MS. N
PODDAR, DARAK ULLAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 14.08.2025

Heard Mr. S.K. Poddar, learned counsel for the appellant and Mr. R.R. Kaushik, learned Additional Public Prosecutor for the respondent State of Assam.

2. This criminal appeal under Section 415[2], Bharatiya Nagarik Suraksha Sanhita [BNSS], 2023 is preferred against a Judgment dated 10.07.2025 and an Order on Sentence dated 11.07.2025 passed by the Court of learned Additional Sessions Judge, Morigaon in Sessions Case no. 97/2017. The appellant in the

trial was named as A-2. By the Judgment, the appellant has been found guilty of the offences under Section 307 r/w Section 34, IPC; Section 326 r/w Section 34, IPC; and Section 341 r/w Section 34, IPC. By the Order on Sentence dated 11.07.2025, the appellant has been sentenced to undergo simple imprisonment for one month with fine and default stipulation under Sections 341/34, IPC; rigorous imprisonment for ten years with fine and default stipulation under Sections 326/34, IPC; and rigorous imprisonment for ten years with fine and default stipulation under Sections 307/34, IPC.

3. I have gone through the contents of the memorandum of the criminal appeal.

4. The criminal appeal is admitted for hearing.

5. Let the case records of Sessions Case no. 97/2017 be called for.

6. Issue notice, returnable on 08.09.2025.

7. As Mr. Kaushik, learned Additional Public Prosecutor has appeared and accepted notice in respect of the respondent, issuance of formal notice in respect of the respondent is dispensed with. The learned counsel for the appellant shall serve an extra copy of the memo of appeal along with annexures to Mr. Kaushik within 3 [three] working days from today.

8. List the case on 08.09.2025.

JUDGE

Comparing Assistant