

GAHC010175372025



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

Case No. : CrI.A./306/2025

JIYARUL ISLAM AND ANR.
S/O JALAL UDDIN

2: HASINA BEGUM @ KHATUN
D/O JALAL UDDIN
BOTH ARE R/O VILLAGE KALAKUCHI
JANGAL BASTI
MIKIRBHETA
DIST. MORIGAON
ASSAM-782106

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY THE PP, ASSAM

2:IMAN ALI
SON OF LATE APTAR ALI
R/O PARLIGURI
P/S. MIKIRBHETA
DIST. MORIGAON ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HON'BLE MR JUSTICE ANJAN MONI KALITA
ORDER

13.08.2025

(Michael Zothankhuma, J.)

Heard Mr S K Poddar, learned counsel for the appellants, who submits that vide Judgment dated 18.06.2025, passed by the learned Additional Sessions Judge –cum-Special Judge (POCSO), Morigaon, in POCSO Case No. 132 of 2024, arising out of Mikirbheta PS Case No. 119 of 2024, the appellant Jiyarul Islam has been convicted under Section 6 of the POCSO Act and under Section 87 BNS. The co-appellant, Hasina Begum @ Khatun has been convicted under Section 96 BNS.

2. Since Ms A Begum, learned Additional Public Prosecutor, accepts notice on behalf of the respondent No. 1/State, there is no requirement of issuing notice to the respondent No. 1.
3. Admit the appeal.
4. Call for the TCR.
5. Issue notice, returnable within 4 (four) weeks.
6. The appellant shall take steps upon the respondent No. 2 (informant), by serving a soft copy of the appeal/petition to the Public Prosecutor's office, who shall, thereafter, have the same served through the Officer-In-Charge of the concerned Police Station.
7. List the matter after 4 (four) weeks.

JUDGE

JUDGE

Comparing Assistant