

GAHC010213822022



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

Case No. : Crl.A./298/2022

SONAM KEMPRAI
S/O SOYEM KEMPRAI,
R/O BORO LAMBONG,
VILL.- LANGTING BAZAR,
P.O. AND P.S.- LANGTING,
DIST.- DIMA HASAO, PIN- 788830, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.
THROUGH THE P.P., ASSAM.

2:MOMOTA LANGTHASA
D/O LATE PANESHWAR LANGTHASA

VILL.- HASIN- I

P.S.- LANGTING

DIST.- DIMA HASAO
PIN- 788830
ASSAM

Advocate for the Petitioner : MR S BHARALI

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 21.11.2022

Heard Mr. S. Bharali, learned counsel for the accused-appellant and Mr. B. Sharma, learned Additional Public Prosecutor for the respondent no. 1, State of Assam.

This appeal under Section 374, Code of Criminal Procedure, 1973 [CrPC] is directed against a judgment and order dated 18.08.2022 passed by the learned Sessions Judge, Dima Hasao, Hanflong [‘the trial court’, for short] in Sessions Case no. 09/2020, arising out of G.R. Case no. 152/2020. By the impugned judgment and order dated 18.08.2022, the learned trial court has convicted the accused-appellant for the offence under Section 376, Indian Penal Code and he has been sentenced to undergo 10 years rigorous imprisonment and to pay a fine of Rs. 10,000/-, in default of payment of fine, to undergo simple imprisonment for further 6 months.

The appeal is admitted.

Let the LCR be called for.

Issue notice, returnable in 4 [four] weeks.

As Mr. Sharma, learned Additional Public Prosecutor has appeared and accepted notice on behalf of the respondent no. 1, State of Assam, no formal notice need to be issued to the said respondent. Mr. Bharali, learned counsel for the accused-appellant shall furnish an extra copy of the memo of appeal along with the annexures, to Mr. Sharma within 3 [three] working days from today.

The appellant shall take steps for service of notice upon the respondent no. 2 by registered post with A/D as well as by usual process within 3 [three] working days from today.

List the case again on receipt of the LCR.

JUDGE

Comparing Assistant