

GAHC010241652023



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

Case No. : I.A.(Crl.)/1259/2023

JAGADISH MOHAN
S/O LT LILARAM MOHAN,
R/O MOTHIASIGA MOHAN GAON, P.O.- NAZIRA, P.S.- NAZIRA, DIST.-
SIVASAGAR, ASSAM.

VERSUS

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

2:RUNU LAHON
W/O TANU LAHON

MADURI GOHAIN GAON
P.O. AND P.S.- NAZIRA
DIST.- SIVASAGAR
ASSAM

Advocate for the Petitioner : MR. P J SAIKIA

Advocate for the Respondent : PP, ASSAM

Linked Case : Crl. A. No. 408/2023 (Filing Number)

JAGADISH MOHAN

VERSUS

THE STATE OF ASSAM AND ANR . A

Advocate for : MR. P J SAIKIA

Advocate for : appearing for THE STATE OF ASSAM AND ANR . A

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

HON'BLE MRS. JUSTICE MITALI THAKURIA

22/12/2023

(M.R. Pathak, J)

Heard Ms. D Dutta, learned counsel for the applicant and Ms. A Begum, learned Additional Public Prosecutor, Assam for the opposite party No. 1.

The applicant as an appellant being aggrieved with the judgment of conviction and sentence dated 21.10.2022 passed by the learned Special Judge (POCSO), Sivasagar in Special (POCSO) Case No. 25/2021 arising out of Nazira P.S. Case No. 158/2021, whereby he has been convicted and sentenced under Section 6 of the POCSO Act with Rigorous Imprisonment for a period of 20 years and fine of Rs.10,000/- filed the connected Criminal Appeal (Filing No. 408/2023) on 16.12.2023 with a delay of 20 days.

Hence, this Interlocutory Application filed by the applicant/appellant for condonation of delay of said 20 days in preferring the said criminal appeal.

Issue notice, returnable by **6 (six) weeks**.

As Ms. A Begum, learned Additional Public Prosecutor, Assam has accepted notice on behalf of the opposite party No. 1, no formal notice need to be issued to the said opposite party.

Applicant shall serve requisite extra copies of this writ petition along with the Annexures appended thereto to Ms. A Begum, learned Additional Public Prosecutor, Assam during the course of the day, obtaining necessary acknowledgment from her in that regard.

Applicant shall take step for service of notice on the opposite party No. 2 by registered post with A/D during the course of the day, providing her proper and correct address with requisite postal stamp.

List accordingly on a date to be fixed by the Registry.

JUDGE

JUDGE

Comparing Assistant