

GAHC010250852023



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

Case No. : CrI.A./415/2023

SURESH PEGU
S/O BHULA PEGU,
VILL.- BHAKURI CHAPORI AHOM PATHAR, P.O.- DIHINGMUKH, P.S.-
DEMOW, DIST.- SHIVASAGAR, ASSAM, PIN- 785671.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE P.P., ASSAM.

2:MAKANA PANGING
S/O LATE LAXMAN

VILL.- BHEKURI CHAPORI AHOM PATHAR
P.O.- DIHINGMUKH
P.S.- DEMOW
DIST.- SHIVASAGAR
ASSAM
PIN- 785671

Advocate for the Petitioner : MR. A CHAMUAH

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 28.02.2024

Heard Ms. P.K. Devi, learned counsel for the appellant and Mr. D.P. Goswami, learned Additional Public Prosecutor for the State of Assam/respondent No.1.

This is an appeal filed under Section 374(2) Cr.P.C. against the judgment and order dated 19.09.2023 passed by the learned Special Judge, POCSO, Shivasagar, Assam in connection with Special (POCSO) Case No. 61/2022, whereby the accused/appellant was convicted under Section 376(2) IPC, sentenced him to undergo rigorous imprisonment for 10(ten) years and also to pay a fine of Rs.10,000/-, in default, rigorous imprisonment for another 6(six) months.

The appeal is admitted.

Issue notice.

The learned counsel for the appellant is directed to take step for service of notice upon the respondent No. 2 by way of registered post with AD as well as other usual process returnable within 4(four) weeks. The steps be taken within 7(seven) days.

No formal notice required to be served upon the respondent No.1 as because Mr. Goswami, learned Addl.P.P. has entered appearance.

Extra copy of the petition shall be provided to Mr. Goswami.

Call for the LCR.

List accordingly.

JUDGE

Comparing Assistant