

GAHC010251352023



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

Case No. : CrI.A./437/2023

GIRIN GOGOI
S/O LT. GULAP GOGOI,
VILL.- PATSAKU BAILUNG GAON,
P.S.- BOKOTA NEMUGURI,
DIST.- SIVASAGAR, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE P.P., ASSAM.
2:GAYATRI PHUKAN
W/O SRI GUNUTTAM PHUKAN
VILL.- PATSAKU BAILUNG GAON
P.S.- BOKOTA NEMUGURI
DIST.- SIVASAGAR
ASSAM

Advocate for the Petitioner : MR. K BORUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 21.2.2024

Heard Mr. K. Barua, learned counsel for the applicant. Also heard Ms. A. Begum, learned Addl. P.P. for the State respondent.

This application u/s 389(1) of Cr.P.C. is preferred by applicant Girin Gogoi,

who stood convicted in Special POCSO Case No.06/2023, vide judgment and order dated 17.10.2023 and sentenced to suffer rigorous imprisonment for five years, u/s 10 of the POCSO and also to pay a fine of Rs. 5,000/- with default stipulation.

Connected Criminal Appeal has already been admitted and record has also been called for and notice has been issued to the respondent No.2

Let notice be issued to the respondent No.2 in this I. A. also by registered post and also by usual process, returnable in four weeks.

However, no formal notice is required to be issued to the respondent No.1, since Ms. A. Begum, learned Addl. P.P. appears and received notice. However, extra requisite copy of petition be furnished to her during the course of the day.

List the matter on 27.3.2024.

JUDGE

Comparing Assistant