

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 appellant. Also heard Ms. A. Begum, learned Addl. P.P. for the State respondent.

In this appeal, u/s 374(2) Cr. P. C., the appellant, namely, Girin Gogoi has

challenged the correctness or otherwise of the judgment and order dated 17.10.2023, passed by the learned Special Judge, POCSO in Sivasagar, in Special POCSO Case No.06/2023

It is to be noted here that vide impugned judgment and order dtd. 17.10.2023, the learned Court below has convicted the appellant, u/s 10 of the POCSO Act and sentenced him to suffer rigorous imprisonment for five years and also to pay a fine of Rs.5,000/- with default stipulation.

Perused the memo of appeal and the grounds mentioned therein and also perused the impugned judgment and order dated 17.10.2023.

Admit.

Issue notice to the respondent returnable in four weeks.

Steps upon respondent No.2 be taken by registered post with A/D and also by usual process within a week from today.

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 memo of appeal be furnished to her during the course of the day.

Registry shall call for the record from the learned Court below.

List the matter on 27.3.2024.

JUDGE

Comparing Assistant