

GAHC010275592025



2026:GAU-AS:4064

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

Case No. : I.A.(Crl.)/1376/2025

SRI KAMAL LOCHAN BORA
S/O- LATE BHUBENESWAR BORA, R/O VILL- TENGARA, P.S- SIPAJHAR.
DIST- DARRANG ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM.

2:SRI HIRENDRA DEKA
S/O- LATE GOPAL DEKA. R/O VILL. GERIMARI
P.S -MANGALDAI. DIST- DARRANG ASSAM. PIN CODE. 784125

Advocate for the Petitioner : MR. R C DAS, A JUBARIA,MR. H RAHMAN,MR S HUSSAIN

Advocate for the Respondent : PP, ASSAM, MR. N K DAS (R-2),MR. I CHOUDHURY (R-2)

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 20-03-2026

Heard Mr. R C Das, the learned counsel for the applicant. Also heard Mr. N K Das, the learned counsel appearing for the respondent no. 2 and Mr. B. Sharma, the learned Addl. PP appearing on behalf of State respondent.

- 2.** This is an application u/s 5 of the Limitation Act praying for condoning the delay of 49 days in filing the connected Criminal Revision Petition against the impugned judgment and order dated 14.07.2025 passed in Criminal Appeal No. 17/2024 by the learned Addl. Sessions Judge (FTC), Darrang, Mangaldai whereby the judgment & order dated 30.04.2024 passed in N.I. Case No. 15/2022 passed by the learned Additional CJM, Darrang, Mangaldoi has been upheld.
- 3.** It is submitted by Mr. Das that there was delay of 49 days in preferring the appeal as the applicant/petitioner was busy for treatment of her 8 years old child and for that reason there was delay in filing the connected Criminal Revision Petition. However, there was no intentional laches and negligent on his part.
- 4.** Mr. Das, the learned counsel appearing for the respondent raised no objection if 49 days of delay is condoned and he also submitted that the matter has already been settled outside the Court.
- 5.** In view of this and for the ends of justice, the delay of 49 days is hereby condoned.
- 6.** The present application is hereby allowed condoning the delay of 49 days in preferring the connected petition.
- 7.** Registry will do the needful in registering the connected Criminal Revision Petition and matter may be listed after registering and numbering.
- 8.** With the above observations, this Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant