

GAHC010287602025



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

Case No. : CrI.A./95/2026

MAHIBUL ISLAM
S/O- KASHEM ALI,
VILL-BHALUKI SALMARA,
P.S- BARPETA ROAD,
DIST-BARPETA , ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP, ASSAM

2:SUDEV SARKAR
S/O-LATE SENIRAM SARKAR
VILL-KAWAIMARI
7 NO. BLOCK
P.O- KARAGARI
P.S- SARTHEBARI

DIST- BARPETA
ASSA

Advocate for the Petitioner : , MR H A AHMED,N PERVIN,MR. MUSTAFA HUSSAIN,MR. R ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 18/03/2026

(Michael Zothankhuma, J)

Heard Mr. R. Ali, learned counsel for the appellant, who submits that the impugned judgement dated 29/01/2024 passed by the Court of the Additional Sessions Judge-cum-Special Judge, POCSO at Barpeta in Special (PCOSO)_Case No. 53/2020, arising out of Sartebari PS case No. 200/2020, by which the appellant has been convicted under section 4(2) of the POCSO Act read with section 363 IPC, should be set aside.

Admit the appeal.

Call for the TCR.

Issue notice to the respondents.

Mr. R.R. Kaushik, learned APP, Assam, appears on behalf of the State.

The appellant shall furnish a soft copy of the appeal to the Office of the learned PP, who shall forward the same to the Officer-in-Charge of the Sartebari Police Station. The Officer-in-Charge shall thereafter furnish a copy of the appeal to the respondent no.2 and file a report thereafter.

List the matter on 08/05/2026.

JUDGE

JUDGE

Comparing Assistant