

GAHC020000742026



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

Case No. : I.A.(Crl.)/10/2026

SRI. BISHNU SHARMA
S/O LATE DILU RAM SHARMA
R/O DAMAK VILLAGE
JHAPA NEPAL
PRESENT ADDRESS LUYONG WARD
MOKOKCHUNG
NAGALAND.

VERSUS

STATE OF NAGALAND AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR

2:SMTI TAKOTOLA
R/O HOUSE NO. 30 B1
SANGTEMLA WARD
MOKOKCHUNG
NAGALAND

Advocate for : MEDO VERO
Advocate for : appearing for STATE OF NAGALAND AND ANR

Linked Case : CRL.REVN/4/2026

SRI. BISHNU SHARMA
AGED ABOUT 40 YEARS, S/O LATE DILU RAM SHARMA, R/O DAMAK
VILLAGE, JHAPA NEPAL. PRESENT ADDRESS - LUYONG WARD,
MOKOKCHUNG, NAGALAND, 798601

VERSUS

STATE OF NAGALAND AND ANR
REPRESENTED BY PUBLIC PROSECUTOR

2:SMTI. TAKOTOLA
R/O HOUSE NO. 30B1
SANGTEMLA WARD
MOKOKCHUNG
NAGALAND - 79860

Advocate for the Petitioner : MEDO VERO,

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

04.05.2026

This I.A.(Crl.)/10/2026 has been preferred challenging the Judgment & Order dated 25.04.2025, passed in Criminal Appeal No. 01/2024 by the learned Principal District & Sessions Judge, Mokokchung upholding the Judgment & Order dated 09.04.2024 passed by the learned Chief Judicial Magistrate, Mokokchung, Nagaland in GR Case No. 105/2021. The learned Trial Court had sentenced the present petitioner/accused to undergo SI for 1 (one) year and to pay fine of Rs. 500/- (Rupees five hundred only) and in default of payment, SI for 15 (fifteen) days for the offence under Section 498, IPC and also a similar sentence was passed for an offence under Section 354, IPC, which has been upheld by the appellate court.

2. Heard learned counsel for the applicant/accused, Mr. Gourab Gogoi. Also heard Mr. E. Thiba Phom, learned Public Prosecutor for the State

respondents.

3. It appears that by way of the appellate Judgment & Order, while dismissing the appeal, the petitioner has been directed to appear before the learned Chief Judicial Magistrate, Mokokchung within a period of 30 (thirty) days from the judgment and subsequently, NBWA has been issued against the applicant by the learned Chief Judicial Magistrate, Mokokchung as submitted by the learned counsel for the applicant.

4. Having regard to the materials available on record and the quantum of sentence imposed, I am of the view that the execution of the sentence is required to be suspended during the pendency of the connected CRL.REVN/4/2026. Accordingly, the sentence imposed upon the present petitioner/accused by the learned Chief Judicial Magistrate, Mokokchung vide its Judgment & Order dated 09.04.2024 in GR Case No. 105/2021 as affirmed by the learned Principal District and Sessions Judge, Mokokchung vide Judgment & Order dated 09.04.2024 in Criminal Appeal 01/2024 is hereby suspended until further orders and the petitioner is allowed to remain on previous bail.

5. I.A. stands disposed of accordingly.

JUDGE

Comparing Assistant