



GAHC030000532024



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

Case No. : Crl.A./8/2024

Sh. C. Lalchawiliana
Chanmari (C-IV)
Lawngtlai
Mizoram

VERSUS

State of Mizoram
Aizawl

Advocate for the Petitioner : Mr J C Lalnunsanga
Advocate for the Respondent : P.P./Addl.PP
Mizoram

Linked Case : I.A.(Crl.)/6/2024

Sh. C. Lalchawiliana
Lawngtlai Chanmari, Lawngtlai, Mizoram

VERSUS

State of Mizoram
Aizawl, Mizoram

Advocate for the Petitioner : Mr J C Lalnunsanga

Advocate for the Respondent : P.P./Addl.PP, Mizoram



**BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG
ORDER**

Date : 21.02.2024

Heard Mr. J.C. Lalnunsanga, learned counsel for the appellant, who has filed this instant criminal appeal under Section 27 of the Prevention of Corruption Act, 1988 r/w Section 374(2) & 482 Cr.P.C to set aside the Judgment & Order dated 19.01.2024 passed by the learned Special Judge, PC Act, Mizoram in SR(PCA) No. 01/2019 under Section 13(1)(d)/13(2) of PC Act, 1988 under Section 120B/109/420 IPC.

The learned counsel for the appellant submits that there are sufficient grounds for setting aside the impugned Judgment & Order dated 19.01.2024, since the learned Special Judge had convicted the instant appellant on the grounds of his statement made under Section 313 Cr.P.C., wherein he had not admitted his involvement and also from the deposition of the defence witness and also from the cross examination of the defence witness by the prosecution. He submits that there was no prosecution evidence to prove the guilt of the appellant beyond any reasonable doubt and for that reason, the judgment and order of the learned Special Judge is liable to be set aside and quashed.

Having heard the submissions made by the learned counsel for the appellant, appeal is admitted.

Notice is to be issued to the State respondent.

Mrs. Mary L. Khiangte, learned Additional Public Prosecutor accepts notice on behalf of the State respondent. Formal notice is therefore not required



to be issued.

LCR to be called for and copies of the appeal petition is also to be duly furnished to the learned Additional Public Prosecutor.

List the matter **after 3 (three) weeks.**

JUDGE

Comparing Assistant