

GAHC040009912021



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

Case No. : IA(Crl) 27/2021

1:Jumde Geyi
S/o Shri Pagjum Geyi

Resident of Doji Jelly Village
PO/PS Aalo
West Siang District
Arunachal Pradesh

VERSUS

1:THE STATE OF AP and Anr.
Through the Public Prosecutor
Arunachal Pradesh

2:Tobom Ngomdir
S/o Tobom Ngomdir
S/o Lt. Gumto Ngomdir
Resident of Doji Jelly Village
PO/PS Aalo
West Siang District
Arunachal Pradesh

Advocate for the Petitioner : Kemo Lollen
Advocate for the Respondent : P P of AP

Linked Case:Crl.A. 10/2021

1:Jumde Geyi
S/o Shri Pagjum Geyi,
Resident of Doji Jelly Village,

PO/PS Aalo, West Siang District, Arunachal Pradesh

VERSUS

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Resident of Doji Jelly Village
PO/PS Aalo
West Siang District
Arunachal Pradesh

Advocate for the Petitioner : Kemo Lollen

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE KALYAN RAI SURANA
HONBLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 29-10-2021
(R. Phukan, J)

This application under Section 389 (2) of the Cr.P.C. is preferred by the accused/ appellant for suspension of sentences and realization of fine during the pendency of the proceedings.

It is to be mentioned herein that vide judgment and order, dated 08.09.2021, learned Special Judge (POCSO Act), West Siang District, Aalo in Special (POCSO) Case No. 10/2020 has convicted the accused appellant Under Section 6 of the POCSO Act, *read with* Section 376 (2) (a) (i) of IPC, and sentenced him to suffer rigorous imprisonment for 20 years and also to pay a fine of Rs. 10,000/- (Rupees Ten Thousand), in default simple imprisonment for 6 (six) months, and also convicted him under Section 8 of

the POCSO Act and sentenced him to undergo rigorous imprisonment for 3 (three) years and also to pay a fine of Rs. 5000/- (Rupees Five Thousand) in default simple imprisonment for another 3 (three) months.

Heard Mr. K. Lollen, learned counsel for the appellant and Ms. T. Jini, learned Additional Public Prosecutor for the State.

Let notice be issued to the respondents, returnable in 4 (four) weeks.

As Ms. Jini, learned Additional Public Prosecutor for the State accepts notice on behalf of the State respondent, no formal notice is required to be sent. However, requisite extra copies of the petition be furnish to her during the course of the day.

The appellant side to take steps for service of notice upon the respondent no. 2 by registered post with A/D as well as by usual course.

List the matter after 4 (four) weeks.

The prayer made in this interlocutory application will be considered on receipt of the LCR from the learned Court below.

JUDGE

JUDGE

Comparing Assistant