

GAHC040012462021



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

Case No. : IA(Crl) 33/2021

1:Topha Wangsu
S/o Late Athuak Wangsu,
R/o Longkhaw Village, PO/PS Longding, District Longding, Arunachal Pradesh

VERSUS

1:THE STATE OF AP and Anr.
Represented by P.P, Arunachal Pradesh

2:Phohe Wangsa
D/o Late Akha Wangsa

R/o Bonia Village
P.S Longding
District Longding
Arunachal Pradesh

Advocate for the Petitioner : M Biswas

Advocate for the Respondent : P P of AP

Linked Case : Crl.A. 13/2021

1:Topha Wangsu
S/o Late Athuak Wangsu

Village Longkhaw

P.O and P.S Longding

District Longding
Arunachal Pradesh

VERSUS

1:THE STATE OF AP and Anr.
Represented by Public Prosecutor/Special Public Prosecutor
at Gauhati High Court Itanagar

2:Phohe Wangsa
D/o Late Akha Wangsa

R/o Bonia Village
Police Station Pongchau
District Longding
Arunachal Pradesh

Advocate for the Petitioner : M Biswas
Advocate for the Respondent : P P of AP

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

ORDER

Date : 26-04-2022
(R. Phukan, J.)

Heard Mr. T. Tapak, learned counsel for the applicant and Ms. T. Jini, learned Additional Public Prosecutor for the State.

This interlocutory application is filed under Section 389 of the Cr.P.C., for suspension of sentence of the applicant who is convicted vide judgment and order dated 15.03.2021 passed by the learned Special Judge (POCSO), Tirap, Changlang and Longding Districts at Khonsa, wherein the applicant was convicted under Section 4 of the POCSO Act, 2012 in Khonsa Spl. (POCSO) Case No. 25/2020, sentencing the applicant to undergo 20 years

of rigorous imprisonment and to pay a fine of Rs. 20,000/- and further simple imprisonment for another 2 (two) months in default of payment of fine.

It appears that in the connected appeal, record has been called for from the learned Court below.

The prayer made in this interlocutory application will be considered after receiving the record from the learned Court below.

List after 4 (four) weeks.

JUDGE

JUDGE

Comparing Assistant