

GAHC040014822023



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

Case No. : CRL.A(J)/34/2023

Adungfa Jebisow
S/o Shri Gandhi Jebisow, Resident of Vill Power House Colony, Upper Bhalukpong,
PO/PS Bhalukpong, Dist West Kameng, Arunachal Pradesh

VERSUS

THE STATE OF AP
Through the Public Prosecutor

Advocate for the Petitioner : Legal Aid Counsel

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE MANASH RANJAN PATHAK
HONBLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 25.06.2024
(M.R. Pathak, J)

Mr. Token Ete, learned Additional Public Prosecutor appearing for the State placing reliance on the judgment and order of the Hon'ble Supreme Court in the case of *Jagjeet Singh & Others Vs. Ashish Mishra @ Monu & Another* reported in (2022) 9 SSC 321, submitted before the Court that notice should also go to the victim and not only to the informant of the case.

It is seen from the judgment of the learned Trial Court that the deceased lost her parents during her childhood and from the evidence of the PW-2 and PW-4, it is clear that since her childhood, the deceased grown up with their family and help them in their household activities and on attaining of her marriageable age, she got married to the accused.

Said PW-2 and PW-4 does not come under the definition of 2(wa) of the CrPC. As such, sending information/notice to the victim as submitted by the learned Additional Public Prosecutor does not arise in this case.

This appeal was already admitted by order dated 07.11.2023 and the paper book has also been prepared by the Registry.

List this matter for hearing in its usual course.

JUDGE

JUDGE

Comparing Assistant