



2026:MNHC:180

Item no. 141 & 142

REPORTABLE

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

**Crl. Rev. P. No. 9 of 2026
with
MC(Crl. Rev. P.) No. 22 of 2026**

[Ref: Special Trial Case No. 16 of 2025]

Mrs. Leila @ Fajitun, aged about 45 years, W/o Md. Fajurruddin, Keirao Makting Mayai Leikai, P.O. Singjamei and P.S. Irilbung, Imphal East District, Manipur at present residing at Kshetri Awang Litan Makhong, Iril Turel Mapan, P.O. & P.S. Porompat, Imphal East District, Manipur

.... Petitioner

- Versus -

1. The State of Manipur represented by the Commissioner Home Government of Manipur, New Secretariat, Western Block, Babupara, Imphal, Manipur 795001.
2. The Officer in Charge, Porompat Police Station, Imphal East, Manipur-795005

.... Respondents

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

**JUDGMENT & ORDER
(Oral)**

17.08.2026

[1] Heard Mrs. G. Pushpa, learned counsel along with Ms. Th. Ranjeeta, learned counsel on behalf of the petitioner and Mr. H. Samarjit, learned PP assisted by Mr. W. Niranjit, learned Dy. GA on behalf of the State respondents.



[2] The important question of law arisen in the present petition is regarding '*jurisdiction of a trial Court in a criminal trial to recall the plea of guilty of an accused recorded under Section 228(2) of Code of Criminal Procedure, 1973 (in short, CrPC) [now, Section 251(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, BNSS)] and order of conviction on such plea of guilty passed under Section 229 of CrPC (now, Section 252 of BNSS); and procedures to be followed by trial Court while convicting an accused on plea of guilty without conducting a full trial involving examination of witnesses, the accused and after hearing both the prosecution and accused parties*'.

[3] The petitioner (Mrs. Leila @ Fajitun) and one, Md. Sabir Khan @ Somi are accused nos. 1 & 2 in FIR No. 10(01)2020 Porompat P.S., Imphal East under Sections 21(b)/22(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act). The petitioner herein was arrested on 13.01.2020 and released on bail on 17.01.2020.

[4] On 11.03.2026, learned Special Court (ND&PS), Manipur at Lamphelpat framed charges against the petitioner under Sections 21(b) & 22(b) of the ND&PS Act. The petitioner herein, who is an accused no. 1, pleaded guilty and accused no. 2 did not plead guilty and claimed to be tried. On the same day, i.e., on 11.03.2026, accused no. 1, the petitioner herein, was convicted by the learned Special Judge (ND&PS), Manipur under Sections 21(b) & 22(b) of the ND & PS Act on her plea of guilty and fixed on 16.03.2026 for hearing on sentence; and on 27.03.2026 for prosecution witnesses with respect to the accused no. 2. On 11.03.2026, the petitioner was taken into custody and since then, she was in custody, post-conviction on her plea of guilty by an order dated 11.03.2026.

[5] Admittedly, after conviction on plead guilty, on 16.03.2026 the petitioner filed an application, being Cril. Misc. Bail Application No. 67 of 2026 under Section 229 of CrPC/Section 252 of BNSS, for allowing her to retract from the plea of guilty made on 11.03.2026. It is stated in para nos. 2 and 7 of the application dated 16.03.2026 that the plea of guilty was made under wrong assumption and understanding of facts and law; and she was not aware of the



outcome of such plea of guilty; and in the circumstances, the application was made to retract from the plea of guilty and prayed that petitioner be tried as per law.

[6] However, by the impugned order dated 23.03.2026, the application being Cril. Misc. Case No. 67 of 2026 in Special Trial Case No. 16 of 2025 was dismissed on the ground that the Special Court (ND&PS) has no power and jurisdiction to recall recording of the plea of guilty by petitioner/accused no. 1 under Section 228(2) of CrPC and to recall the conviction order dated 11.03.2026. It was held in para 7 of the impugned that '*... It is a well settled law that a criminal Court has no power to alter or review its own order except to correct a clerical/arithmetical error.*' The petitioner challenged the impugned order dated 23.03.2026 by way of present petition under Section 36(B) of ND & PS read with Section 442 of BNSS/401 of CrPC, for setting aside the order dated 23.03.2026 passed by learned Special Court (ND&PS), Manipur. Before the Special Court, the petitioner relied on the decision of Gauhati High Court in the case of '**Samanungba vs. State of Nagaland: 2024 Legal Eagle (GHC) (Gau) 156**' the same was also rejected in the judgment as not applicable. In a similarly factual circumstances, in the case of **Samanungba**, the plea of guilty made before the Special Court (ND&PS) was intended to be retracted and the same was rejected by the trial Court. However, Gauhati High Court, in exercise of inherent and revisional power, allowed the petition on the ground that there was lacking of voluntariness in the plea of guilty made by the accused and also failure to comply with the mandatory provisions of ND&PS Act. In the present case at hand, learned Special Judge (ND&PS), Manipur held that the decision of Gauhati High Court in **Samanungba (supra)** does not lay down the proposition that the Special Court has power to retract the plea of guilty recorded by it and also to recall the order of conviction on such plea.

[7] On 31.03.2026, this Court issued notice to the present petition and also stayed further proceeding of the trial Court. During the pendency of the present petition, the petitioner also filed an application being MC (Cril. Rev. P.) No. 22 of 2026 for staying of the conviction order and releasing her on bail.



[8] The petitioner has also filed another application being MC(Crl. Rev. P.) No. 15 of 2026 under Section 528 of BNSS praying for allowing to amend the Cril. Revision Petition No. 9 of 2026 at para no. 2, prayer portion and for filing a copy of impugned conviction order dated 11.03.2026 passed in Spl. Trial No. 16 of 2025 by learned Special Court (ND&PS), Manipur. The application was made on the ground that at the time of filing of the Cril. Revision Petition No. 9 of 2026 before this Court, there was no conviction order dated 11.03.2026 in the file of the Special Court (ND&PS), Manipur and as such, a copy of the same could not be annexed by the petitioner. In the present application, the prayer is made to place on record copy of the order dated 23.03.2026 and order dated 11.03.2026 passed by the learned Special Court, ND&PS, Manipur on the record of present petition; by an order dated 13.07.2026, the afore-mentioned prayer was allowed; and subsequently, the petitioner filed re-cast petition along with the additional documents as prayed for. The order dated 13.07.2026 has attained finality.

[9] Mrs. G. Pushpa, learned counsel for the petitioner has raised 2(two) points in the present petition- (i) without fully knowing the effect and implication of recording a plea of guilty, the petitioner herein, took the plea of guilty on the 2 charges framed against her under Sections 21(b) & 22(b) of the ND&PS Act on the wrong assumption that lenient view would be taken in her case; and by such plea and she would be released on the period already undergone; & (ii) while convicting the petitioner by order dated 11.03.2026, the learned Special Court (ND&PS), Manipur has failed to exercise its discretion prudently to believe that the plea of guilty recorded by the petitioner, was genuine and on clear understanding of all implications. It is highlighted that one line conviction order (*as passed in the present case in order dated 11.03.2026*) does not satisfy the statutory requirements of Section 229 of CrPC imposed on a trial Court, while convicting an accused on plea of guilty without conducting a full trial.

[10] The learned counsel for the petitioner refers to the decision of Hon'ble Supreme Court in the case of '**State of Maharashtra vs. Sukhdev**



Singh and Anr.’ reported in (1992) 3 SCC 700’ at para 52 to the point that plea of guilty is only an admission of fact and before convicting on such plea, the Court has to satisfy that the plea recorded by the accused must be clear, unambiguous and on full understanding of all implication. On being satisfied with genuineness of the plea of guilty with clear understanding of all circumstances and results, the Court may convict an accused on such plea. She has further pointed out that the trial Judge has not applied mind for convicting the accused on plea of guilty and without following procedural safeguards. The learned counsel for the petitioner also refers to another decision of Gauhati High Court in the case of **‘Nilima Bose vs. State of Assam & Ors.’ reported in 2022 Legal Eagle (GHC) 661: 2023 (1) GLT 458** at para 42 to the point that plea of guilty is an admission of fact on which charge is founded and before convicting an accused, it must be established that all the facts of which charge is found as well as guilt in respect of them. A scanned reproduction of relevant para is reproduced below:

42. The plea of guilty is an admission of all the facts on which charge is founded as well as admission of guilty in respect of them. A plea of guilt in a criminal case can only be made in response to a charge and an informal admission as to guilt does not amount to formal plea of guilty and such admission has not in fact or law the same binding fact as plea of guilty. Before an accused can be convicted on a plea of guilty, it must be established that he has admitted all the facts of which charge is founded as well as guilt in respect of them [See 1957 Cril. Law Journal 144, Judicial Commissioner, Manipur].

Accordingly, it has been cautioned by the Hon'ble Supreme Court in a number of cases that the plea of the accused must therefore, be clear, unambiguous and unqualified. The Court must be also satisfied that he has understood that the nature of allegations made against him and admits them. The Court must therefore, act with caution and circumspection before accepting and acting on the plea of guilt and once these requirements are satisfied the law permits the Judge trying the case to record a conviction based on the plea of guilt. [See State of Maharashtra Vs. Sukdeo @ Sukha, 1992 3 SCC 700]

It has been also emphasized by the Hon'ble Supreme Court that before the trial Judge accepts and acts on the plea of guilt, he must administer the same caution unto himself.

The aforesaid observation was made with reference to serious offences.

[11] It is also alleged by the learned counsel for the petitioner that the conviction order dated 11.03.2026 is a post-dated conviction order. When the learned counsel for the petitioner inspected the file of the trial Court for preferring the present revision petition, there was no such order; and hence a



copy of the order dated 11.03.2026 could not be annexed with the petition filed by her and the same was brought on record by way of MC(Cril.Rev.P.) No. 15 of 2026. It is submitted that since the learned trial Court has failed to exercise statutory requirement under section 229 of the CrPC/252 of BNSS, the conviction order dated 11.03.2026 is liable to be set aside and petitioner be permitted to face trial as per law. It is further prayed that she may be released on bail after setting aside the conviction order dated 11.03.2026 based on her plea of guilty.

[12] On the other hand, Mr. H. Samarjit, learned PP submits that in the petition filed before this Court as well as in the application for retraction being Cril. Misc. Case No. 67 of 2026 filed before the trial Court, it is admitted by the petitioner herself that the learned Judge has explained to her about the charge in the language known to her and after fully knowing, she recorded the plea of guilty; and the counsel for the petitioner was also present at that time. It is explained that it would be wrong to allege that the trial Judge has failed to explain the nature of the charge and record shows otherwise. In the impugned conviction order dated 11.03.2026 at para 6, the plea guilty of the petitioner herein is reproduced and upon being satisfied of all the circumstances, the petitioner was convicted under Sections 21(b) and 22(b) of the ND&PS Act. It is submitted that there is no infirmity in order of conviction dated 11.03.2026, as the subjective satisfaction mandated under Section 229 of the CrPC has been complied with by the learned trial Court. Learned PP has also pointed out that learned trial Judge was right in holding that the trial Court has no power to allow to retract the recording of plea of guilty by an accused and conviction of such plea of guilty; and the application for recall was rightly rejected. He further submits that there is no merit and present petition may be dismissed on this ground alone. The plea of non-existence of conviction order dated 11.03.2026 and the same being a post-dated order, is only an allegation without any substance.

[13] Learned PP also refers to the same decision of Hon'ble Supreme Court reported in **(1992) 3 SCC 700** at para 52 to emphasize that the requirements under Section 229 of CrPC as mentioned in the same para, have



fully been complied with by the trial Court by recording the plea of guilty; explanation was given to the petitioner in the language known to her; and having been satisfied about the genuineness of plea of guilty in presence of her counsel, she was convicted. Learned PP submits that there is no legal infirmity in the impugned order dated 11.03.2026 and application for retraction of plea of guilty was rightly rejected as the trial Court has no jurisdiction to do so.

[14] ***The points for determination involved in the present case are-***

(i) Whether trial Court, especially Special Court (ND&PS), Manipur has jurisdiction to recall recording of the plea of guilty of accused no. 1 recorded under Section 229 of CrPC/Section 251 of BNSS in charge order dated 11.03.2026 and subsequent conviction order dated 11.03.2026 on such plea of guilty under Section 229 of CrPC/Section 252 of BNSS?

(ii) Whether the conviction on plea of guilty vide order dated 11.03.2026 satisfies the mandatory provisions of Section 229 of Cr.P.C./252 of BNSS?

[15] This Court has gone through in detail the impugned order dated 23.03.2026 and decision of Gauhati High Court in the case of **Samanungba (supra)** cited before the Special Court (ND&PS), Manipur. In **Samanungba**, conviction order was passed on the basis of plea of guilty; and later on, the application for retraction of plea of guilty was rejected by the Special Court. However, Gauhati High Court set aside the conviction order on the ground that plea of guilty was not made voluntarily and without understanding of the nature of the allegation. This Court agrees with the observations made by the learned Special Court, Manipur in para 7 & 8 of the impugned order dated 23.03.2026 to the points that the decision in **Samanungba** is not a proposition to the point that Special Court, ND&PS, Manipur has power to recall and review the order of recording of plea of guilty and subsequent conviction on such plea. The scanned



copy of relevant para nos. 7 & 8 in order dated 23.03.2026 are reproduced below:

7. The point of determination in the present case is whether this Court has the power to review/recall its own order dated 11.03.2026 i.e. whether this Court has power to allow the Convict/Petitioner to retract her plea of guilt and whether this Court has power to set aside conviction if the prayer of the Convict/Petitioner to retract her plea of guilt is allowed. It is a well settled law that a criminal Court has no power to alter or review its own order except to correct a clerical/arithmetical error.

8. In *Samanungba vs. State of Nagaland, 2024 Legal Eagle (GHC) (Gau) 156*, cited by the Id. counsel for the Convict/Petitioner, it is seen that Hon'ble High court allowed retraction of the plea of guilt of the accused on the ground that there is no reflection in the order regarding the satisfaction of the trial Court as to whether the plea of the accused/Petitioner was voluntarily clear and unambiguous and the matter was remanded back for fresh trial. This case does not discuss the review power of the trial Court either for allowing the retraction for the plea of guilt or for setting aside conviction based on the plea of guilt. As such, this case is not applicable to the present case at hand.

[16] Accordingly, first point is decided to the effect that a trial Court including the Court of Special Judge (ND&PS), Manipur, has no jurisdiction and power to recall the recording of plea of guilty of an accused under Section 228(2) of CrPC/Section 251(2) of BNSS and conviction on such plea of guilty exercising the power conferred under Section 229 of CrPC/Section 252 of BNSS. However, it is clarified that such plea of retracting is amenable to revisional jurisdiction of higher courts.

[17] With respect to the second point that the plea of guilty was genuine or not, it will be relevant to reproduce the provision of Section 228(2) of CrPC.

Section 228: Framing of Charge

(1)

(2) *Where the Judge frames any charge under clause (b) of sub-section (1), the charge shall be read and explained to the accused and accused shall be asked whether he pleads guilty of the offence charged or claims to be tried.*

Section 229: Conviction on plea of guilty



If the accused pleads guilty, the Judge shall record the plea and may, in his discretion, convict him thereon.

[18] On perusal of sub-clause 2 of Section 228 of CrPC, it is clear that after framing of charge, the Judge has to explain the nature and implication of charge to the accused and accused shall be asked whether he/she pleads guilty or not; if the accused does not plead guilty, he/she will face trial; and if pleads claim guilty, the Court may convict him under Section 229 of CrPC without proceeding further. It will be relevant to refer the law propounded by Hon'ble Supreme Court in the case of **Sukhdev Singh (supra)** at para 52. In that case Hon'ble Supreme Court says that the plea of guilty is nothing but an admission of fact and upon recording of such fact, the trial Court has to embark upon a proceeding where, it should be satisfied that the accused makes the plea of guilty with clear understanding of the circumstances; such plea should not be conditional; and should not be made on ambiguous understanding of the nature of plea. The scanned copy of relevant para 52 is reproduced below:

Where the Judge frames the charge, the charge so framed has to be read over and explained to the accused and the accused is required to be asked whether he pleads guilty of the offence charged or claims to be tried. Section 229 next provides that if the accused pleads guilty, the Judge shall record the plea and may, in his discretion, convict him thereon. The plain language of this provision shows that if the accused pleads guilty the Judge has to record the plea and thereafter decide whether or not to convict the accused. The plea of guilt tantamounts to an admission of all the facts constituting the offence. It is, therefore, essential that before accepting and acting on the plea the Judge must feel satisfied that the accused admits facts or ingredients constituting the offence. The plea of the accused must, therefore, be clear, unambiguous and unqualified and the Court must be satisfied that he has understood the nature of the allegations made against him and admits them. The Court must act with caution and circumspection before accepting and acting on the plea of guilt. Once these requirements are satisfied the law permits the Judge trying the case to record a conviction based on the plea of guilt. If, however, the accused does not plead guilty or the learned Judge does not act on his plea he must fix a date for the examination of the witnesses i.e. the trial of the case. There is nothing in this Chapter which prevents the accused from pleading guilty at any subsequent stage of the trial. But before the trial Judge accepts and acts on that plea he must administer the same caution unto himself. This plea of guilt may also be put forward by the accused in his statement recorded under Section 313 of the Code,



[19] In the case of **Nilima Bose (supra)**, Gauhati High Court in para 42, 43, 63 & 64 held that before an accused be convicted, it must be established by trial Court that he has admitted the fact on which charge is found, guilty in respect of them. Plea must be on clear understanding and in serious offence, extra care should be taken and in 'para 63 & 64' it is held that voluntariness of the plea of guilty must be examined. The aforesaid relevant paras are reproduced below:

"43. Thus, in cases involving serious offences, it has been highlighted that though the plea of guilt can be the basis for conviction, before the order of conviction is passed on the basis of the plea of guilty, the Court must ensure that the accused who pleads guilty has been doing so with full knowledge and was also aware of the consequences of his plea.

44. Therefore, what can be said is that though an accused can be convicted on his pleading guilty, yet, the Court must exercise due care and caution to ensure that such a plea had been taken by the accused voluntarily and with full knowledge and understanding of the implications, more so, when it relates to serious offence, for which the Court must also consider the attending and surrounding circumstances.

63. That apart, we have also noted a significant irregularity in the proceeding.

The impugned order dated 21.01.2016 records that "considering the materials on record, Charge under Sec. 14 of Foreigners Act, 1946, is framed against the accused Amit Bose and the contents of the same is read over and explained to the accused, to which he pleaded guilty." However, there is nothing on record to show that such charge was framed as mentioned in the impugned order. The original record requisitioned contains 30 pages and we have gone through each and every page. Though charge-sheet prepared by the prosecution which was submitted to the Magistrate, on 18.01.2016 is in the record, yet, there is no document or record in which framing of charge against accused is recorded. What is the exact charge framed against the petitioner's son? There is no such framing of charge in the record. This itself indicates that the Magistrate proceeded



against the accused in a hurry. It is difficult to assess the plea of guilty without reference to the charge framed. In the present case, we are not able to find the charge framed against the petitioner's son. Non-availability of document indicating framing of charge on the record is one of the factors which has been taken into consideration by this Court in coming to the conclusion that the Magistrate appeared to have proceeded against the accused in posthaste to convict the accused on the said plea of guilty.

As discussed above, the manner in which the learned Magistrate proceeded to convict the accused, it does not appear that the plea of guilt was made by the accused voluntarily and after understanding the consequences thereof.

64. There is nothing on record to indicate that the Magistrate had taken due care and caution to make the accused understand that what he was stating before the Court had been made voluntarily and that he made the statement having fully understood the implications thereof."

[20] It may be appropriate to refer a decision of Division Bench of this Court in the case of **Krishna Bhandari vs. State of Manipur** in CrI. A. No. 23 of 2025 dated 11.05.2026. In that case while recording the plea of guilty, the accused also asked to be tried as per law. However, on such plea of guilty the accused was convicted by one line order. Division Bench of this Court set aside the conviction under Section 302 IPC as the plea of guilty was not genuine; and remanded the matter to be tried afresh, as if the accused did not plead guilty. In the factual matrix of the present case, it is admitted that on 11.03.2026, the petitioner, who is an accused no. 1, pleaded guilty and on the basis of such plea of guilty, the petitioner was convicted under Sections 21(b) & 22(b) of the ND&PS Act. While recording the conviction, the plea of guilty and explanation by the Court has been has been recorded in the order of conviction dated 11.03.2026.

[21] This Court is of the view that up to this stage, the first requirement of the provisions of Section 229 of CrPC that the Judge shall record the plea of guilty is satisfied. However, it is a settled proposition of law that a plea of guilty by the accused does not mandatorily amount to conviction for the



said offence; and it will be indicated by the second part of Section 229 of CrPC, which lays down a Court may convict an accused on such plea, if the Court is otherwise satisfied that the plea was made with clear understanding of the offences and implications thereof. In the present case, after making plea of guilty on 11.03.2026, the petitioner immediately filed an application i.e. Cril. Misc. Case No. 67 of 2026 on 16.03.2026 for recalling the plea of guilty on the ground that she was under a mistaken impression and was not fully aware of the nature of the plea made by her. The scanned copy of the relevant para nos. 2 & 7 of the aforesaid application are reproduced below for clarity:

2. That on 11/03/2026 the accused person who is the applicant herein had pleaded guilty to the charge level against her which are for having in possession of about 431 numbers of SPAS PRIMEVON Capsules weighing about 228.43 gram along with 69 numbers of NITAKAS-10 tablets weighing about 40.71 gram during search and cordoned operation which was out of mistake as the applicant was not aware of the wrong/mistake committed by her. That the applicant is an illiterate woman who is quite innocent to the charges levelled against her.

7. Further the applicant on 11/03/2026 had wrongly pleaded herself guilty of the charges levelled against her due to mistaken belief and the applicant wished to retract the plea of guilty to not guilty as on date she is fully understanding whether the plea of guilty was correctly made or not. Therefore under such circumstances, the accused/applicant may be allowed to retract from the plea of Guilty to not Guilty and be tried accordingly for the just determination of the case.

[22] From the above quoted para 2 & 7 of the application, it is clear as daylight that at the time of making plea of guilty on 11.03.2026, the petitioner was not fully aware of the nature of the charge and the consequence of plead guilty; and the same was made under the impression that a lenient view would be taken. Later on, she came to know that she would be liable to be sentenced with a maximum imprisonment of 10 years. In the circumstances, the application for retraction and recall of the plea of guilty was made. However, the same was rejected by the learned Special Court (ND&PS), Manipur, as it does not have any jurisdiction for retraction of the plea of guilty and conviction made on such plea.

[23] This Court is of the view that reading together 'paras 2 & 7' of the application made by her before the trial Court post-conviction on plea of guilty, it appears that petitioner did not have a clear understanding about the plea of



guilty made by her, implications and the subsequent effect on her; perhaps she made the plea expecting a lenient view from the Court. On perusal of the conviction order dated 11.03.2026, it is evident that conviction order is 'one and half line' which means that the trial Judge did not exercise the discretion conferred on it by the mandatory provisions of Section 229 of CrPC, as explained by Hon'ble Supreme Court in the case of **Sukhdev Singh (supra)**. It is not in dispute that recording the plea of guilty by the accused is nothing but an admission of the fact; however, before convicting on the plea of guilty in exercise of the power under Section 229 of the CrPC without going into full trial, it is the duty of the trial Court to have a subjective satisfaction to all the factual circumstances that the plea is genuine or is made on clear understanding of the offences and all the consequent results of such plea. Making an application for retraction shows that the plea of guilty made by the petitioner, is without complete understanding of the nature of plea including the consequence thereof.

[24] In the circumstances, this Court is of the view that the second limb of the mandatory provisions of Section 229 of CrPC is not satisfied in the present case. Hence, the conviction order dated 11.03.2026 passed by the learned Special Judge (ND & PS), Manipur in Special Trial Case No. 16 of 2025 is set aside qua the petitioner herein, who is an accused no. 1 (Mrs. Leila @ Fajitun); and she be tried afresh, as if she did not plead guilty. Matter is remanded to the learned Special Judge (ND&PS), Manipur for proceeding as per law. Both accused no. 1 (the petitioner herein) and accused no. 2 (Md. Sabir Khan @ Somi) are directed to be tried together for the offences charged order dated 11.03.2026 against them, as if both did not plead guilty. Since the petitioner is in custody post-conviction order dated 11.03.2026, she be **immediately released** from the custody, if not required in any other case, on the same conditions as contained in the bail order dated 17.01.2020 passed by the trial Court.

[25] With these observations, the Cril. Rev. Pet. No. 9 of 2026 is allowed, conviction order dated 11.03.2026 is set aside; and matter is remanded for retrial, as directed supra. All pending applications are disposed of accordingly.



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[26] Send a copy of this order to the (i) Special Judge (ND&PS), Manipur for information and proceeding as per law, & (ii) Superintendent of Manipur Central Jail, Imphal for effecting release of the petitioner. Further, Registry is directed to make available a copy of this order to the learned counsel appearing for the parties.

[27] Registry is also directed to send a copy of this order to the Director, Manipur Judicial Academy with a request for imparting awareness of this decision on Sections 228/229 of CrPC (now, Sections 251/251 of BNSS) to all Judicial Officers.

JUDGE

FR/NFR
Thoiba