

Serial No. 08
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

W.P.(Crl.) No. 2 of 2021

Date of Order: 03.06.2022

Shri. Chandra Mohan Jha & 3 Ors. Vs. State of Meghalaya & Anr.

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s)	:	Mr. A.P. Singh, Adv. Mr. D.K. Dutta, Adv.
For the Respondent(s)	:	Mr. S.K. Hassan, Adv. vice Mr. K. Khan, Special PP.

1. Heard Mr. A.P. Singh, learned counsel for the petitioners.
2. Also heard Mr. S.K. Hassan, learned counsel appearing on behalf of Mr. K. Khan, learned Special PP who is stated to be indisposed for the day and could not appear before this Court, for which some time is prayed for.
3. In the meantime, the learned counsel for the petitioners has brought to the notice of this Court the order dated 26.04.2022 passed by the learned Chief Judicial Magistrate, Shillong by which order Bailable Warrant of Arrest was issued against the petitioners herein i.e. Shri. Chandra Mohan Jha, Shri. Govind Jha and Shri. Gopal Jha. However, it is also the assertion of the learned counsel that the said order was never uploaded in the CIS, but was uploaded only on 02.06.2022 in the presence of the said counsel, thereby depriving the petitioner to seek for relief, as far as the issuance of

the said Bailable Warrant of Arrest is concerned. It is also submitted that the Presiding Officer of the Court i.e. the learned Chief Judicial Magistrate, Shillong is said to be on leave on the said date and therefore, on the next fixed i.e. 02.06.2022, no effective order was passed in the case.

4. The learned counsel for the petitioner has also submitted that he may be allowed to file a separate application before this Court as regard this matter and in the meantime, it is prayed that the said order dated 26.04.2022 be stayed, as far as issuance of the Bailable Warrant of Arrest is concerned.

5. On consideration of the submission made at the bar, in view of the urgency of the matter, this Court hereby allows the prayer made as regard the order dated 26.04.2022. The petitioner is directed to file the said application, if so instructed within 1(one) week from today.

6. In the meantime, as prayed for, the order whereby the Bailable Warrant of Arrest has been issued against the said petitioners herein is hereby put on hold till the next date fixed.

7. List this matter on **10.06.2022**.

Judge

Meghalaya
03.06.2022
"D. Nary, PS"