

HIGH COURT OF SIKKIM
Record of Proceedings

IA No.01 of 2025 in Crl.Rev.P/18/2025/(Filing No.)

BIDHAN TRIKHATRI AND ANOTHER

APPLICANTS

VERSUS

STATE OF SIKKIM

RESPONDENT

Date: 14.05.2025

CORAM:

THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

For Applicants Mr. Kazi Sangay Thupden, Advocate (Pro Bono Legal Aid Counsel).

For Respondent Mr. Thinlay Dorjee Sharma, Public Prosecutor.

ORDER

Heard Learned Counsel for the Applicants.

Issue Notice to the State-Respondent.

Learned Public Prosecutor is present on advance notice and waives formal notice.

I.A. No.01 of 2025 is an application seeking condonation of thirty-three days delay in filing the instant Criminal Revision Petition. It is submitted by Learned Counsel for the Applicants that the delay occurred on account of the fact that initially another Legal Aid Counsel had been appointed by the Sikkim State Legal Services Authority (for short, "SSLSA"), however, she expressed her inability to take up the matter. Thereafter, the File was made over to Learned Pro Bono Legal Aid Counsel in the Panel of SSLSA on 25-02-2025, and received by him on 26-02-2025. That, the delay is *bona fide* and not out of any wilful negligence. That, the delay may be accordingly condoned.

Learned Public Prosecutor has no serious objection to the prayer for condonation of delay in view of the grounds put forth.

Having considered the arguments advanced, I am of the considered view that the delay has been explained with sufficient cause. There does not appear to be any gross negligence or deliberate inaction on the part of the Applicants, it was merely on ground of change of Counsel that the delay has occurred. In any event, the

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course of justice ought to be advanced and the technicalities ought not to be an impediment herein.

Delay of thirty-three days is accordingly condoned.

I.A. No.01 of 2025 stands disposed of.

Register the Criminal Revision Petition.

Heard on admission.

Admit.

Call for the records from the Learned Trial Court.

Let Paper-Books be prepared.

List on 30-06-2025.

Judge
14.05.2025

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