

IN THE HIGH COURT OF SIKKIM
CRIMINAL REVISIONAL JURISDICTION.

CrI. Rev. P. No. 07 of 2015

Mr. Gopal Pradhan,
S/o Late Lall Bahadur Pradhan,
R/o Indira Bye - Pass,
Gangtok,
East Sikkim,
Presently at Rongyek,
Central Prison,
East Sikkim.

-VERSUS-

State of Sikkim,
Through the Chief Secretary,
Government of Sikkim,
Gangtok, East Sikkim. ----- Respondent.

PETITIONER
ADVOCATE (S)
FOR ----- Mr. A. K. Upadhyaya, Senior Advocate with
Ms. Binita Chhetri and Ms. Aruna Chhetri.

RESPONDENT
ADVOCATE (S)
FOR ----- Mr. J. B. Pradhan, Public Prosecutor, Mr. Karma
Thinlay, Addl. Public Prosecutor, Mr. S.K. Chettri
and Pollin Rai, Asstt. Public Prosecutor.

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
01.	23.06.15	Crl. Rev. P. No. 07/2015 Gopal Pradhan vs. State of Sikkim BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S.K. SINHA Present: Mr. A.K. Upadhyaya, Sr. Advocate with Ms. Binita Chhetri, Advocate for the Petitioners. Mr. S.K. Chhetri, Asstt. Public Prosecutor for the State on advance copy. ... Heard on admission. Admit. Issue notice. Mr. S.K. Chhetri, Asstt. Public Prosecutor takes notice on behalf of Respondent and prays for and is granted six weeks' time to seek further instructions. List for further orders on 29.07.2015. Call for the records of the Courts below.  Chief Justice 23.06.2015

pm/jk Index : Yes / No
Internet : Yes / No

IN THE HIGH COURT OF SIKKIM

Crl. M. Appl. No. 30 of 2015
(In Crl. Rev. P. No. 07 of 2015)

Mr. Gopal Pradhan,
S/o Late Lall Bahadur Pradhan,
R/o Indira Bye – Pass,
Gangtok,
East Sikkim,
Presently at Rongyek,
Central Prison,
East Sikkim.

----- Applicant/Petitioner.

-VERSUS-

State of Sikkim,
Through the Chief Secretary,
Government of Sikkim,
Gangtok, East Sikkim. ----- Respondents.

PETITIONER
ADVOCATE (S)
FOR ----- Mr. A. K. Upadhyaya, Senior Advocate with
Ms. Binita Chhetri and Ms. Aruna Chhetri.

RESPONDENT
ADVOCATE (S)
FOR ----- Mr. J. B. Pradhan, Public Prosecutor, Mr. Karma
Thinlay, Addl. Public Prosecutor, Mr. S.K. Chettri
and Pollin Rai, Asstt. Public Prosecutor.

Case No.....

Serial No.	Date	Order (s) with Signature (s)
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01.	23.06.15	Crl. M.A. No. 30/2015 in Crl. Rev. P. No. 07/2015 Gopal Pradhan vs. State of Sikkim BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S.K. SINHA Present: Mr. A.K. Upadhyaya, Sr. Advocate with Ms. Binita Chhetri, Advocate for the Petitioners. Mr. S.K. Chhetri, Asstt. Public Prosecutor for the State. ... Heard. This is an Application for suspension of sentence and grant of bail. The Petitioner was convicted by the Chief Judicial Magistrate, East and North Sikkim at Gangtok, under Section 354 IPC and sentenced to undergo SI for 2 years. The conviction and sentence awarded to the Petitioner has been confirmed by the Sessions Court, West Sikkim at Gyalshing. The Petitioner is in jail since 08.06.2015. Mr. Upadhyaya, learned Senior Counsel appearing on behalf of the Petitioner, took me to many paragraphs of the Judgment passed by the trial Court as well as Appellate Court and tried to demonstrate that the findings recorded are perverse. He also submitted that the final disposal of the Revision may take some more time, therefore, the sentence imposed against the Petitioner may be suspended

Case No. Cr. M. A. No. 39255

Serial No.	Date	Order (s) with Signature (s)
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		and he may be released on bail during the pendency of the Revision. On the other hand, Mr. Chettri, learned Assistant Public Prosecutor appearing on behalf of the State, has opposed these arguments. On due consideration of the submissions made by the learned counsel for the parties and the grounds taken in the Application, I am of the opinion that present is a fit case in which the sentence imposed against the Petitioner should be suspended during the pendency of the Revision Petition. Consequently, CrI. M. Appl. No. 30/2015 is allowed and it is directed that on the Petitioner's furnishing personal bond of Rs.25,000/- with one surety of like sum to the satisfaction of the trial Court, the sentence imposed against him shall remain suspended and he shall be released on bail during the pendency of the Petition. The Petitioner shall make his appearance before this Court on 29.07.2015. CrI. M. Appl. No. 30/2015 stands finally disposed of.  Chief Justice 23.06.2015

pm/jk Index : Yes / No
Internet : Yes / No