

HIGH COURT OF SIKKIM

Record of proceedings

I.A. No. 01/2025

IN

CRL.A. No.28 of 2025 (Filing No.)

X

..... APPLICANT

VERSUS

STATE OF SIKKIM & ANR.

..... RESPONDENTS

Date: 15.09.2025

CORAM :

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Applicant : Mr. Kazi Sangay Thupden, Advocate.
Ms. Prerana Rai, Advocate.
Ms. Srijana Bagdas, Advocate.

For Respondent : Mr. Thinlay Dorjee Bhutia, Public Prosecutor.
No.1. Mr. Yadev Sharma, Additional Public
Prosecutor.

For Respondent : None.
No.2.

.....

1. The victim is aggrieved by the acquittal of respondent no.2 in a criminal prosecution under the Protection of Children from Sexual Offences Act, 2012 (the POCSO Act) for offences under sections 9(f) and 9(m) punishable under section 10 of the said Act, as well as under section 354 of the Indian Penal Code, 1860 (the IPC). Since respondent no.2 had not been served prior to the filing of the appeal, this Court thought it fit to allow the appellant to do so. An affidavit of service dated 11.09.2025 has been filed by the appellant which reflects that respondent no.2 was served on 01.09.2025. Despite such service, the respondent no.2 has neither entered appearance through counsel nor appeared in person before this Court.

2. Issue notice upon respondents in application for condonation of delay subject to filing of requisite within three

HIGH COURT OF SIKKIM
Record of proceedings

days. The learned Public Prosecutor appearing on behalf of respondent no.1 accepts notice and waives formal notice thereof.

3. The learned Public Prosecutor submits that he does not desire to file any response to the application for condonation of delay.

4. List this matter on 28.10.2025.

Judge