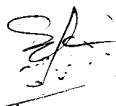
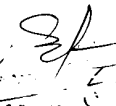


Crl. A. No. 09 of 2015

-VERSUS-

1. Suren Rai,
S/o Late Bir Bahadur Rai,
R/o Rai Gaon,
Chakung, West Sikkim.
2. Khem Bahadur Gurung @ Khempay,
S/o Damber Gurung,
R/o Chakung Bazar, West Sikkim.
3. Hiran Gurung,
S/o Jiwan Gurung,
R/o Mendogaon,
Chakung, West Sikkim.
4. Roshan Gurung,
S/o Bhakta Bhadur Gurung,
R/o Pakha Gaon,
Chakung, West Sikkim.
5. Deepak Gurung,
S/o Late Prem Bahadur Gurung,
R/o Mendogaon,
Chakung, West Sikkim.
6. Santa Bir Rai,
S/o Shri. Jogdhan Rai,
R/o Shawali Gaon,
Gelling, West Sikkim.
7. Suman Gurung,
S/o Suk Bahadur Gurung,
R/o Dupin Dara,
Chakung, West Sikkim.
8. Dawa Lepcha,
S/c Shri. Chung Tshering Lepcha,
R/o Lepcha Gaon,
Chakung, West Sikkim.

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		CRL. A. No. 09/2015 State of Sikkim vs. Suren Rai & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S.K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI M RAI, JUDGE 02. 15.06.15 Present: Mr. S.K. Chettri, Asstt. Public Prosecutor for the (Sinha, CJ) Petitioner-State. Ms. Bandana Pradhan, Advocate for Respondents 1 to 4 and 6 to 8. None for Respondent no. 5, though served. ... Heard on admission. Admit. Issue notice to the Respondents. Ms. Bandana Pradhan takes notice on behalf of Respondents 1 to 4 and 6 to 8 and prays for and is granted six weeks' time to seek further instructions. The State is directed to take further steps for issuance of notice to Respondent No. 5 and service report shall be submitted on the next date. Call for the records of the Sessions Court. List for further orders on 17.08.2015.  Judge 15.06.2015  Chief Justice 15.06.2015
at/jk	Index : Yes / No Internet : Yes / No	

Crl. L. P. No. 04 of 2015

State of Sikkim. ----- Appellant.

-VERSUS-

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

RESPONDENT
ADVOCATE (S)
FOR -----

Case No.

Serial No.	Date	Order (s) with Signature (s)
1	2	3
02.	15.06.15 (Sinha, CJ)	CRL. L.P. No. 04/2015 State of Sikkim vs. Suren Rai & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S.K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI M RAI, JUDGE Present: Mr. S.K. Chettri, Asstt. Public Prosecutor for the Petitioner-State. Ms. Bandana Pradhan, Advocate for Respondents 1 to 4 and 6 to 8. None for Respondent no. 5, though served. ... Heard. This is an Application for grant of leave to file an Appeal against the Judgment of acquittal dated 21.11.2014 passed in Sessions Trial Case No. 13 of 2014 by the Sessions Judge, West Sikkim at Gyalshing. By the impugned Judgment, the Respondents have been acquitted of the charges framed under Section 302 read with 34 of the IPC. Mr. Chettri, learned Asstt. Public Prosecutor, appearing on behalf of the State, took us to various paragraphs of the Judgment and submitted that the material evidence available on record have been ignored in the process of appreciation. On due consideration of the submissions made by learned counsel for the parties, we are of the view that the

Case No.

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		present is a fit case in which leave should be granted to file the Appeal. Accordingly, the Petition is allowed and the State is granted leave to file Appeal against the Judgment of acquittal dated 21.11.2014 passed by the Sessions Judge, West Sikkim at Gyalshing. Crl. L.P. No. 04/2015 stands finally disposed of.  Judge 15.06.2015  Chief Justice 15.06.2015

at/jk

Index : Yes / No
Internet : Yes / No

**IN THE HIGH COURT OF SIKKIM
CRIMINAL APPEAL JURISDICTION**

Crl. A. No. 25 of 2015
(In Crl. L. P. No. 04 of 2015)

State of Sikkim. ----- Applicant/Appellant.

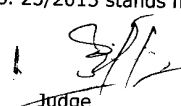
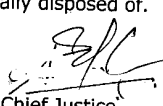
-VERSUS-

1. Suren Rai,
S/o Late Bir Bahadur Rai,
R/o Rai Gaon,
Chakung, West Sikkim.
2. Khem Bahadur Gurung @ Khempay,
S/o Damber Gurung,
R/o Chakung Bazar, West Sikkim.
3. Hiran Gurung,
S/o Jiwan Gurung,
R/o Mendogaon,
Chakung, West Sikkim.
4. Roshan Gurung,
S/o Bhakta Bhadur Gurung,
R/o Pakha Gaon,
Chakung, West Sikkim.
5. Deepak Gurung,
S/o Late Prem Bahadur Gurung,
R/o Mendogaon,
Chakung, West Sikkim.
6. Santa Bir Rai,
S/o Shri. Jogdhan Rai,
R/o Shawali Gaon,
Gelling, West Sikkim.
7. Suman Gurung,
S/o Suk Bahadur Gurung,
R/o Dupin Dara,
Chakung, West Sikkim.
8. Dawa Lepcha,
S/o Shri. Chung Tshering Lepcha,
R/o Lepcha Gaon,
Chakung, West Sikkim. ----- Respondent.

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

RESPONDENT
ADVOCATE (S)
FOR -----

Case No.

Serial No.	Date	Order (s) with Signature (s)
1	2	3
02.	15.06.15 (Sinha, CJ)	Crl. M. Appl. No. 25/2015 in CRL. L.P. No. 04/2015 State of Sikkim vs. Suren Rai & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S.K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI M RAI, JUDGE Present: Mr. S.K. Chettri, Asstt. Public Prosecutor for the Petitioner-State. Ms. Bandana Pradhan, Advocate for Respondents 1 to 4 and 6 to 8. None for Respondent no. 5, though served. ... Heard. This is an Application for condonation of delay in filing the Leave Petition. The Leave Petition is barred by 74 days of limitation. On due consideration of the submissions made by learned counsel for the parties and the grounds taken in the Application, we are satisfied that the Appellant/State has shown sufficient cause for not filing the Petition in time and the delay in filing the Leave Petition deserves to be condoned. Accordingly, Crl. M. Appl. No. 25/2015 is allowed and delay in filing the Leave Petition is condoned. Crl. M. Appl. No. 25/2015 stands finally disposed of.  Judge 15.06.2015  Chief Justice 15.06.2015

at/jk

Index : Yes / No
 Internet : Yes / No