

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

Tr. P. (Crl.) No. 03 OF 2016

1. Shri Vibhor Kumar Singh,
S/o Late Kunwar Onkar Singh,
E-9, Second Floor, Panchasheel Park,
New Delhi & H-3, Sector-41, Noida, U. P.
2. Shri Shamme Kapoor,
S/o Shri N. P. Gupta,
R/o Arithang, Gantok, East Sikkim. ----- Petitioners.

-VERSUS-

State of Sikkim,
Through the Superintendent
of Vigilance Police,
Government of Sikkim, Gangtok. ----- Respondent.

PETITIONER

ADVOCATE (S)

FOR ----- Mr. A. K. Upadhyaya, Sr. 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. Chhetri
and Ms. Pollin Rai, Asstt. Public Prosecutor.

Case No.....

Ser N°	Date	Order (s) with Signature (s)
1	2	3
3.	30.08.2016	Tr. P. (Crl.) No. 03 of 2016 Vibhor Kumar Singh & Anr. vs. State of Sikkim BEFORE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE Present: Mr. A.K. Upadhyaya, Sr. Advocate with Ms. Binita Chhetri, Advocate for the Petitioner No.1. Mrs. Laxmi Chakraborty and Manju Rai, Advocates for the Petitioner No.2. Mr. Karma Thinlay Namgyal, Addl. Public Prosecutor with Mr. S.K. Chettrii, Asst. Public Prosecutor for the State-Respondent. ----- Heard learned Counsel for the Petitioners. It is submitted that the matter was transferred to the Court of the learned Judicial Magistrate, North at Mangan in view of the fact that the learned Chief Judicial Magistrate, East and North at Gangtok was a Chamber Junior of learned Senior Counsel for the Petitioner No.1 herein, and therefore, was not inclined to take up the matter as also the learned Senior Counsel was not inclined to appear before the learned Court. That, presently there is a Judicial Magistrate in the East District at Gangtok in place and, since the matter is one pertaining to the East jurisdiction, the matter be transferred to the said Court. The prayer is not objected to by learned Additional Public Prosecutor. Considered submissions. In view of the grounds put forth, let the matter be transferred to the Court of the learned Judicial Magistrate,

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		East at Gangtok, from the Court of the learned Judicial Magistrate, North at Mangan, with immediate effect. The learned Judicial Magistrate, North shall take necessary steps in this regard and the learned Judicial Magistrate, East shall dispose of the matter as per law. Accordingly, Transfer Petition (Criminal) No. 03 of 2016 stands disposed of. <i>sd-</i> Judge 09/07/2016

Index : Yes / No
Internet : Yes / No
ds/bp