

**SESSIONS CASE NO. 128 OF 2013**

**Order no. 130 dated 16.05.2018.**

Record is put up today on prayer of ld. advocate for the accused persons namely Pemba Tshering @ Ola and Devendra Sharma.

Ld. advocate for the accused persons namely Pemba Tshering @ Ola and Devendra Sharma files another petition along with two photo copies of application for information and two extracts from Magistrate order copy stating that the accused/ petitioners namely Pemba Tshering @ Ola and Devendra Sharma have been enlarged on bail in connection with Sadar( Darjeeling) P.S. case no. 115/17 and in connection with Mirik P.S. case no. 79/17, Mirik P.S. case no. 94/17 and Darjeeling P.S. case no. 177/17 respectively and also praying for an order to recall the production warrant of the above named accused/ petitioners in connection with the instant case.

Copy served upon prosecution.

Seen the same.

Heard the ld. advocate for the accused/petitioners and ld. P.P.

It appears from the record that ld. advocate for the accused person namely Pemba Tshering @ Ola filed a petition on 24.10.2017 praying for passing order for production of the accused person namely Pemba Tshering @ Ola who was arrested in connection with G.R.229/17 arising out of Sadar( Darjeeling) P.S. case no. 115/17 and detained in Siliguri Correctional Home and this court had issued production warrant against the above named accused person vide order no. 106 dated 24.10.2017.

It also appears from the record that ld. advocate for the accused person namely Devendra Sharma filed a petition on 15.11.2017 praying for passing order for production of the accused person namely Devendra Sharma who was arrested in connection with Mirik P.S. case no. 79/17, Mirik P.S. case no. 94/17 and Darjeeling P.S. case no. 177/17 and detained in Siliguri Correctional Home and this court had issued production warrant against the above named accused person vide order no. 109 dated 15.11.2017.

Ld. P.P. raises no objection to the contention of the petition filed on behalf of the above named accused persons.

In view of the above, the petition praying for an order to recall the production warrant of the above named accused/ petitioners namely Pemba Tshering @ Ola and Devendra Sharma in connection with the instant case is considered and allowed if the accused persons are not detained in connection with any other case/ cases save and except the above mentioned cases.

Accordingly, recall the production warrant passed by this court vide order no. 106 dated 24.10.2017 and 109 dated 15.11.2017 at once.

Office to do needful.

Let a copy of this order be sent the Superintendent, Siliguri Correctional Home for information.

To-date i.e. 01.06.2018.

D/C by me

Chief Judge  
City Sessions Court  
Calcutta.

Chief Judge  
City Sessions Court  
Calcutta

