

SESSIONS CASE NO 128 OF 2013

Order no 132 dated 01.06.2018

Ld. P.O is on leave today.

Today is fixed for appearance of the accused persons, awaiting further order from the Hon'ble Apex Court and report.

Ld. P.P. is present and hazira filed in that regard.

Accused persons namely 1. Subhash Tamang 2.Prashant Chhetri @ Yogen Rai 3.Asish Tamang 4.Sudesh Rai Majhi 5.Sunil Rai 6.Tilak Rai 7.Dipen Malay 08. Arun Moktan 09. Sanjay Tamang 10. Bhanu Rai 11. Kamal Singha 12.Dawa Sangey Sherpa 13.Suraj Singh 14. Amol Lama 15. Prabin Subba 16.Goutam Tamang 17.Ruden Sada Lepcha 18. Edwin Sanchabir Subba 19.Khagen Tamang 20.Ranjit Rai 21.Alok Kanta Mani Thulung @ Rai 22.Kesav Raj Pokhrel 23.Puran Thami 24.Kismat Chhetri 25. Dinesh Gurung @ Karate Kaila 26.Tenzing Khambache 27.Naresh Rai 28.Nagendra Pradhan 29.Kesar Rai 30. Binoy Tamang 31. Col. Ramesh Aley 32.Dinesh Theeng 33 Asha Gurung 34.Sushma Rai 35.Sandhya Gurung 36.Urmila Rumba 37.Anita Lakhandri 38. Kabita Dahal 39.Babita Ganguly 40.Sona Sherpa 41 Roshan Giri 42.Jiten Tamang 43.Pradeep @Bhupendra Pradhan 44.Harka Bahadur Chettri, 45. Rabin Subba and 46. Pemba Tshering @ Ola on court bail are absent on calls.

Ld. advocates for the above named 46 (Forty- six) accused persons have filed four separate petitions seeking permission to represent the above named accused persons u/s 317 Cr. P. C after serving copy to the prosecution.

Heard. Considered.

Prayer is allowed.

All the above named 46 (Forty six) accused persons are hereby permitted to be represented u/s 317 Cr.P.C. by their respective ld. advocates.

No complete report in terms of order no 118 dated 10.01.2018 passed by this court is received from the Executive Engineer, IT Division, PWD, Kolkata.

Accordingly, issue reminder.

Ld. Advocate files another petition on behalf of accused Debendra Sharma stating that the said accused who is in bail in this case, was arrested in connection with Sadar (Darjeeling) P.S case no. 128 of 2017 dated 17.06.2017 (G.R 264 of 2017) pending before Ld. CJM, Darjeeling and presently he is in judicial custody at Darjeeling Correctional Home in abovementioned case reference and also prayed for passing necessary order for production of accused Debendra Sharma before this court after serving copy to the prosecution.

Ld. Spl P.P raised no objection, if the court issued production warrant in respect of the accused Debendra Sharma.

Perused the case record and the petition.

Since the accused Debendra Sharma is in custody, in connection with Sadar (Darjeeling) P.S case no. 128 of 2017 dated 17.06.2017 (G.R 264 of 2017), as such **issue production warrant aganst the abovementioned accused.**

Office to do the needful.

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It reveals from the case record that as per order dated 06.04.2018 passed by the Hon'ble Supreme Court of India in connection with Writ Petition (Crl) No (S) 159 of 2012 with Special Leave to Appeal (CRL) no. 9541-9546 of 2017 (II-B) that the Hon'ble Supreme Court of India has been pleased to pass an order that **“List after two weeks. Interim order shall continue to operate for a period of three months from today.”**

And also as per Resolution of Local Bar case is adjourned today.

Fix **03.07.2018** for production of the accused person namely Devendra Sharma, awaiting further order from the Hon'ble Apex Court and report.

Let a copy of this order sheet be sent to the Executive Engineer, IT Division, PWD, Kolkata for information and necessary action.

Let a copy of this order be sent to the Superintendent, Darjeeling Correctional Home for information and necessary action.

D/C by me

Chief Judge (In-charge)
City Sessions Court
Calcutta.

Chief Judge(In-charge)
City Sessions Court
Calcutta