

SESSIONS CASE NO 128 OF 2013

CNR-WBCS01-000139-2013

Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order no 177 dated 31.07.2023

Today is fixed for bringing updated order from the Hon'ble Supreme Court and further order of Hon'ble High Court, Calcutta.

Ld. Special P.P. is present and files hazira.

Hazira is filed on behalf of the De-facto Complainant.

Out of (47) Accused persons, (47) Accused persons namely 1. Subhash Tamang, 2.Prashant Chhetri @ Yogen Rai, 3.Asish Tamang, 4.Sudesh Rai Majhi, 5.Sunil 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 Chhettri, 25. Dinesh Gurung @ Karate Kaila, 26.Tenzing Khambache, 27.Naresh Rai, 28.Nagendra Pradhan, 29.Kesar Rai, 30. Binoy Tamang, 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, 46. Pemba Tshering @ Ola and 48. Devendra Sharma on Court Bail are found absent on calls.

A petition has been filed for the Accused person namely **44) Harka Bahadur Chettri** praying for allowing his Ld. Advocate to represent the Accused person u/s 317 of Cr. P.C. on the ground stated therein.

Heard both sides.

The prayer is considered and allowed.

The Accused person namely **44) Harka Bahadur Chettri** is allowed to be represented through his Ld. Advocate u/s 317 Cr. P.C.

Three more petitions have been filed on behalf of the rest of the Accused persons praying for condoning their absence and also for an adjournment on the ground stated therein.

No further order is received from Hon'ble Supreme Court as yet.

No compliance report is received from the Ld. CMM, Calcutta in terms of the order no. 176, dated 27.06.2023.

Ld. Advocate for the widow of the deceased filed a hazira along with the net copy of order dated 27.07.2023 of Hon'ble High Court, Calcutta passed in CRR No. 3685 of 2017 with CRR 50 of 2018. Herein, Hon'ble Court has been pleased to pass an order that "*An accommodation is sought for on behalf of the petitioner. Accordingly the matter is adjourned today.*

List the matter on September, 14, 2023."

Ld. Spl P.P and Ld. Advocate for the widow of the deceased submits before this Court that the proceedings are stayed by the Hon'ble Supreme Court of India.

Contd.....

Contd..order no 177 dated 31.07.2023.

In view of the order dated 27.07.2023 passed by Hon'ble High Court, Calcutta in CRR No. 3685 of 2017 with CRR 50 of 2018 and submission Ld. Spl P.P and Ld. Advocate for the widow of the deceased the case is adjourned for the ends of justice

On consent of both side, fixing **22.09.2023** for bringing updated order from the Hon'ble Supreme Court of India and bringing order of Hon'ble High Court, Calcutta.

To-date for taking steps by all the accused regarding their appearance.

Let a copy of this order be sent to the Ld. CMM, Calcutta for information and necessary action.

D/C by me.

Sd./-

Chief Judge
City Sessions Court, Calcutta

Chief Judge
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