

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.182 dated 03.04.2024

Today is fixed for bringing updated order from the Hon'ble Supreme Court of India and bringing updated order, if any, of Hon'ble High Court, Calcutta in CRR No. 3685 of 2017.

Ld. Special P.P. is present by filing hazira.

Ld. Counsel for the De-facto Complainant is present.

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 Chhetri, 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.

Two separate petitions have been filed for the Accused persons namely 42) Jiten Tamang, 43) Pradeep @ Bhupendra Pradhan and 44) Harka Bahadur Chettri praying for allowing their Ld. Counsels to represent the Accused person u/s 317 of Cr. P.C. on the ground stated therein.

Heard both sides on the point of condoning absence of the accused person.

The prayers are considered and allowed.

The Accused persons namely 42) Jiten Tamang, 43) Pradeep @ Bhupendra Pradhan and 44) Harka Bahadur Chettri are allowed to be represented through their Ld. Counsel u/s 317 Cr. P.C.

Two more petitions have been filed on behalf of the rest of the Accused persons praying for condoning their absence on the ground stated therein with a further prayer for an adjournment.

Ld. Counsel for the widow of the deceased filed one hazira along with a CIS copy of order dated 28.03.2024 of Hon'ble High Court, Calcutta passed in CRR No. 3685 of 2017 wherein the Hon'ble Court has been pleased to observe in order dated 28.03.2024 as follows:

*"Let the matter appear on May 2, 2024 at 2.00 P.M. under the heading "Specially Fixed Matter."*

Perused CIS copy of order dated 28.03.2024 of Hon'ble High Court, Calcutta passed in CRR No. 3685 of 2017.

Continued.....

Continued order no.182 dated 03.04.2024

Ld. Spl. P.P and Ld. Counsel for the widow of the deceased submit before this Court that next date is fixed before the Hon'ble High Court at Calcutta on 02.05.2024 for hearing and the proceedings are stayed by the Hon'ble Supreme Court of India.

In view of the order dated 28.03.2024 passed by Hon'ble High Court, Calcutta in CRR No. 3685 of 2017 and also in view of the prayer of the Ld. Counsel for the widow of the deceased and Ld. Counsels for the accused persons for adjournment in terms of stay of trial granted by the Hon'ble Supreme Court of India, the case is adjourned for the ends of justice.

On consent of both sides, fix **15.05.2024** for bringing updated order from the Hon'ble Supreme Court of India and bringing updated order, if any, of Hon'ble High Court, Calcutta in CRR No. 3685 of 2017.

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

D/C by me.

Sd./-  
Chief Judge  
City Sessions Court, Calcutta

Chief Judge  
City Sessions Court, Calcutta