

Sessions Case no. 128 of 2013

CNR–WBCS01-000139-2013

Registration no. 782 of 2014

Present: Sri Sukumar Ray

J.O. CODE NO.WB00590

Chief Judge,

City Sessions Court, Calcutta

Order no. 10 dated 03.02.2026

1. Today is fixed for for appearance of the accused persons, hearing of the petition regarding engagement of Nepali-English Translator, hearing of the petition dated 31.10.2025 filed on behalf of the Prosecution, hearing of the petition dated 31.10.2025 filed on behalf of the accused persons, W/O, if any, in the meantime and evidence of C.S.W.-13.
2. Accused persons, namely, 01. Keshab Raj Pokhrel, 02. Arun Moktan, 03. Tenzing Khambachay (Sherpa), 04. Kamal Sinha, 05. Puran Thami, 06. Keshar Rai, 07. Dawa Sangey Sherpa, 08. Suraj Singh, 09. Kismat Chhettri, 11. Sanjoy Tamang, 12. Bhanu Rai, 13. Amol Lama, 14. Nagendra Pradhan, 15. Ashis Tamang, 16. Sona Sherpa, 18. Babita Ganguly, 19. Naresh Rai, 21. Sunil Rai, 22. Prasant Chhettri @ Yogen, 23. Sudesh Rai Majhi, 24. Puran Bahadur Rai @ Puran Rai 25. Asha Gurung, 26. Rabin Subba, 27. Anita Lakhandri, 28. Sandhya Gurung, 29. Kabita Dahal, 30. Miss. Urmila Rumba, 31. Jiten Tamang, 32. Pema Tshering ola, 33. Sushma Rai, 35. Khagen Tamang, 36. Ruden Sada Lepcha, 37. Edwin Sanchabir Subba 38. Ranjit Rai, 39. Gautam Tamang, 43. Devendra Sharma and 45. Pradeep @ Bhupendra Pradhan, on Court Bail, are present through audio-video electronic means from the Remote Point at Darjeeling Court.
3. Accused persons, namely, 10. Alok Kantamoni Thulung, 20. Prabin Subba, 34. Dipen Malay, 40. Bimal Gurung, 41. Roshan Giri, 42. Binoy Tamang, 44. Harka Bahadur Chettri and 46. Col. Ramesh Alay, are absent and being represented by petition u/s 317 of the Cr.P.C.
4. The Ld. Counsel, appearing through virtual mode from the Remote Point at Darjeeling Court for the above named eight (08) accused persons, has prayed for allowing him to represent these accused persons u/s 317 of the Cr.P.C.
5. Ld. Special Public Prosecutor for the CBI and the Ld. Advocates for all the accused persons are present before this Court.
6. Ld. Advocate for the victim is also present.
7. Heard both sides.
8. Prayer is considered and allowed.
9. CSW-13 Mohan Sharma is present.
10. Hazira of the accused persons have been received through Gmail. Let the same be kept with the record.
11. Petition u/s 317 of the Cr.P.C. for the accused persons have been received through Gmail. Let the same be kept with the record.
12. Accused persons, namely, 17. Dinesh Gurung @ Karate Kaila, is found absent on call.
13. Ld. Advocate for the accused 17. Dinesh Gurung @ Karate Kalia has submitted that this accused has already expired and prays for passing necessary order.
14. Heard the Ld. Special Public Prosecutor for the CBI.
15. Perused the case record.

16. Accordingly, the Investigating Officer is directed to submit a report regarding the death of the accused Dinesh Gurung @ Karate Kalia.
17. The case is adjourned for today.
18. Fix **06.03.2026** for appearance of the accused persons and submission of report by the Investigating Officer.
19. Accused persons, on bail, are as before.
20. CSW-13 Mohan Sharma is discharged without examination.
21. The Hon'ble High Court at Calcutta, vide Notification No. 3097-G dated 16.12.2021, published in the Kolkata Gazette on 24.12.2021, has framed the Rules for Video Conferencing for Courts. Consequently, upon analogous reading of the solemn direction of the Hon'ble Supreme Court of India in Transfer Petition (Criminal)\No. 238 of 2017 as well as the Rules for Video Conferencing for Courts of the Hon'ble High Court at Calcutta, this court has no hesitation to hold that for this present case record, the City Sessions Court, Calcutta is the 'Court Point'.
22. In consideration of the fact that there has been no specific petition made from the end of the defense in consonance with the direction of the Hon'ble Supreme Court of India mentioned hereinabove, this court in terms of Rule 5.3.2 of the Rules for Video Conferencing for Courts, is of the considered view that the District Court at Darjeeling is the best fit location for acting as the 'Remote Point' for the trial of this case record. Needless to mention in this respect that in consideration of the sensitive nature of the case record, this court is of the view that the District Court at Darjeeling is the best location to be used as a remote point to rule out possibility of any foul play.
23. Accordingly, in consideration of the facts and circumstances of the case, this Court hereby appoints Shri Sourav Roy, Learned Registrar, City Sessions Court, Calcutta to act as 'Court Point Coordinator' in this case record.
24. Let a copy of this order be communicated to Ld. District Judge, Darjeeling with a request to appoint a 'Remote Point Coordinator' for this case until its conclusion and communicate the same to this Court. Such communication to the Ld. District Judge, Darjeeling should include the contact details and email id of the Court Point Coordinator for establishing necessary communication with the Remote Point Coordinator.
25. It is directed that trial via video conferencing in this case record would be done using the 'Google Meet' Platform, link whereof would be created by the Court Point Coordinator and communicated to the Remote Point Coordinator in advance. The accused persons are accordingly directed to appear before this court, in this case record on all dates, via video conference from the Remote Point so fixed by the Ld. District Judge, Darjeeling; unless this court otherwise directs.
26. Let a copy of this order be sent to the Investigating Officer of this case through the Ld. Special Public Prosecutor for the CBI for information and necessary action.

Dictated & corrected by me,

Chief Judge,
City Sessions Court, Calcutta.

Chief Judge,
City Sessions Court, Calcutta.