

High Court of Sikkim

Record of proceedings

CRL.L.P No.11 of 2025

State of Sikkim

Petitioner

VERSUS

Cmon Gurung

Respondent

Date : **23-03-2026**

CORAM : **THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**
THE HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE

For Petitioner Mr. S. K. Chettri, Additional Public Prosecutor.

For Respondent None present.

ORDER

Rai, J.

We have examined the Affidavit of Service of Notice filed by Learned Additional Public Prosecutor and we find that in the first instance in Memo bearing No.229/JPS, dated 20-02-2026, it is recorded that Mr. Cmon Gurung Respondent could not be traced. Thereafter, in Annexure-A1 of the Affidavit of Service of Notice the name of one Cmon Gurung appears with the endorsement "Received". However, the Affidavit of Service does not give details as to who went to serve the Notice on Cmon Gurung and who identified the person as the said Cmon Gurung.

The Affidavit of Service of Notice, lacking in specifics cannot be considered.

Let a fresh Notice be issued to the Respondent, in the interest of justice.

Let it be served by "*dasti*" as undertaken by Learned Additional Public Prosecutor, who shall furnish a proper report, on Affidavit, with specific details after serving it.

Registry to take necessary steps.

Let requisites be filed within three days.

List on 22-04-2026.

Judge
23-03-2026

Judge
23-03-2026