

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 56/2001

(From the judgement and order dated 28/08/2000 in CMA 129/98
of The HIGH COURT OF SIKKIM)

GULSHAN RAI NAGPAL

Petitioner (s)

VERSUS

PRINCIPAL, SIKKIM GOVT. LAW COLLEGE

Respondent (s)

(With Appln(s). for ex-Parte stay)

Date : 19/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Jai Prakash Pandey,adv.
Mr. Somnath Mukherjee,Adv.

For Respondent (s) Mr. A.Mariarputham,adv.
Mrs. Aruna Mathur,adv.
Mr. Anurag D.Mathur,adv.for
M/s Arputham,Aruna & Co.,Adv.

UPON hearing counsel the Court made the following
O R D E R

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.SP2

Learned counsel submits that the petitioner would be advised to face the criminal prosecution and raise all his contentions there. His only apprehension is that the criminal court will be prejudiced or trammelled by the observations contained in the impugned judgment of the High Court. We have no reason to think that the criminal court will be trammelled by such observation. He also requests that he may be exempted from personal appearance in the criminal court . It is for him to make the application for

it after making the initial appearance and getting himself enlarged on bail. If any such application is made by him exemption from personal appearance thereafter shall be granted on the following conditions:

1. A counsel on his behalf would be present in the court whenever his case is taken up.

2. He will not dispute his identity as the accused in the case.

3. He will be present in court when such presence is imperatively needed.

The special leave petition is disposed of accordingly.

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(Suman Wadhwa)
PA to Addl.Regr.

(Ramesh Chand)
Court Master