

THE HIGH COURT OF MEGHALAYA

BA. No. 22 of 2014

Shri Kerlic Siangshai.

...Applicant

-Versus-

State of Meghalaya.

...Respondent

Mr. KC Gautam, Advocate, present for the applicant.

Mrs. NG Shylla, GA, present for the respondents.

Date of Order 2nd June, 2014.

ORDER

HON'BLE PRAFULLA. C.PANT, CHIEF JUSTICE

1. Heard.
2. By means of this application, applicant Kerlic Siangshai has prayed for releasing accused, Dekles Siangshai on bail, who is in jail in connection with Jowai P.S. Case No. 149 (8) of 2013 relating to offence punishable under Section 376/511 I.P.C. pending in the court of Sessions Judge, Jowai.
3. Learned counsel for the applicant submitted that in substance, it is a case of criminal house trespass and molestation. It is further submitted that the applicant is in jail for last nine months. It is also pointed out that the

victim has already been examined by the court and there is no possibility of influencing or winning over the witness.

4. Having heard learned counsel for the applicant and learned counsel for the State and after going through the papers on record, without expressing any opinion as to the final merits of the case pending before the trial court, this court is of the view that the accused deserves bail.
5. Accordingly, the Bail Application is allowed. Let accused Dekles Siangshai be released on bail on execution of personal bond and furnishing two sureties each of like amount to the satisfaction of the Chief Judicial Magistrate, Jowai.

S.Rynjah

(Prafulla C.Pant)
CHIEF JUSTICE

THE HIGH COURT OF MEGHALAYA

CRL.PETN. No. 6 of 2014

**M/s Kim Hyundai, presented by its Director Mr Paul Leong,
Salonsar Mansion, Police Bazar, Shillong.**

...Petitioner

-Versus-

**Shri Sumo Singh, M/s. S.M.Motor, S/o (L) Kh. Mubi, Khurai
Slamthong, Imphal, Manipur.**

...Respondent

Mr. S. Marpan, Advocate, present for the petitioner.

Date of Order 2nd June, 2014.

ORDER

HON'BLE PRAFULLA. C.PANT, CHIEF JUSTICE

1. Heard.
2. By means of this application moved under Section 482 Cr.P.C, 1973, the applicant has sought expeditious disposal of CR Case. No. 586 (S) 2005 of M/s Kim Hyundai vrs Sumo Singh relating to offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and 420, 406 I.P.C. pending in the court of the Chief Judicial Magistrate, East Khasi Hills, Shillong. The applicant has further challenged order dated 15-4-2014 passed by the trial court

whereby the defense has been allowed to examine two more witnesses.

3. As far as expeditious trial is concerned, prayed made in the petition is innocuous. Sub Section (3) of Section 143 of Negotiable Instruments Act, 1881, requires that disposal of a case under the Act be made within a period of six months. It appears that the criminal complaint case is already pending for more than eight years.
4. In the above circumstances, without interfering with order dated 15.4.2014, this application is summarily disposed of directing the trial court to conclude the trial as expeditiously as possible keeping in mind the spirit contained in Sub Section (3) of Section 143 of the Act.

S.Rynjah

(Prafulla C.Pant)
CHIEF JUSTICE

WP(C). No. 6 of 2013

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. M.Mahanta, Advocate, present for the petitioner.

Ms. PS Nongbri, Advocate, present for the respondents
No. 1 and 2.

Mr. PN Nongbri, Advocate, present for the respondents
No. 3 and 4.

Learned counsel for the respondents No. 1 and 2 prays
for and is allowed further 3(three) weeks' time to file the counter
affidavit.

List after 3(three) weeks. Meanwhile, the petitioner is
allowed to file the rejoinder affidavit to the counter affidavit filed
on behalf of respondents No. 3 and 4.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 15 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Ms. A. Sinha, Advocate, present for the petitioner.

Mr. KP Bhattacharjee, Advocate, present for the respondents No. 1 and 2.

Affidavit-in-opposition has been filed on behalf of respondent No. 2. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 4(four) weeks' time to file the rejoinder affidavit.

List after 4(four) weeks.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 30 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. LR Sangma, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks along with WP(C) No. 158 of 2014.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 158 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. PT Sangma, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks along with WP(C) No. 30 of 2014.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 159 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. PT Sangma, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks along with WP(C) No. 158 of 2014.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 160 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. PT Sangma, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks along with WP(C) No. 158 of 2014.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 161 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. PT Sangma, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks along with WP(C) No. 158 of 2014.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 162 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. PT Sangma, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks along with WP(C) No. 158 of 2014.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 163 of 2014

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. PT Sangma, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks along with WP(C) No. 158 of 2014.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 230 of 2013

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. PN.Nongbri, Advocate, present for the petitioners.

Ms. P. Roy, Advocate, present for the respondents.

Learned counsel for the petitioners prays for and is allowed further 2(two) weeks' time to file the rejoinder affidavit.

List after 2(two) weeks.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 237 of 2013

2-6-2014

HON'BLE THE CHIEF JUSTICE

Ms. B.Das, Advocate, present for the petitioner.

Mr. KP Bhattacharjee, Advocate, holding brief for Mr. SC Shyam, Sr. Advocate, present for the respondents No. 1 to 3.

Ms. A.Sinha, Advocate, present for the respondent No. 4.

Affidavit-in-opposition has been filed on behalf of respondent No. 3. Same be taken on record.

Respondent No. 4 has already filed the affidavit-in-opposition.

Learned counsel for the petitioner prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit to the counter affidavit filed on behalf of respondent No. 3.

List after 3(three) weeks.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 327 of 2013

2-6-2014

HON'BLE THE CHIEF JUSTICE

Ms. A. Kharumnuid, Advocate, present for the petitioner.

Mrs. NG Shylla, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks. Interim order dated 18-11-2013 is extended till the next date of listing.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 328 of 2013

2-6-2014

HON'BLE THE CHIEF JUSTICE

Ms. A. Kharumnuid, Advocate, present for the petitioner.

Mrs. NG Shylla, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks. Interim order dated 18-11-2013 is extended till the next date of listing.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 371 of 2013

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. A.Khan, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 384 of 2013

2-6-2014

HON'BLE THE CHIEF JUSTICE

Mr. A.Khan, Advocate, present for the petitioners.

Mr. S. Sen Gupta, GA, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 4(four) weeks' time to file the counter affidavit.

List after 4(four) weeks.

S.Rynjah

CHIEF JUSTICE