

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
BA (SH) No. 78 of 2013

10.07.2013

Heard Mr. K CH Gautam, the learned counsel for the petitioner who submits that the accused person namely; **Shri. Milan Chettri** has been arrested on mere suspicion in connection with Nongpoh P.S. Case No. 47(3) of 2013 U/s 376/302 IPC and he is in custody, presently in judicial custody for almost 32 days. Therefore, further detention may not be necessary for the purpose of investigation, so he may be allowed to go on bail.

The matter was fixed today to obtain instructions from the IO.

Mrs. NG Shylla, the learned Addl. PP is present in the Court and submits that, in spite of her efforts to obtain information, the IO concerned did not inform nor met her in connection with the above mentioned case, so the Court may pass necessary order as deemed fit and proper.

Once again I express my displeasure and anguish the way the IO concerned is handling this serious case, it is really a sad state of affairs and also disregards the Court's order.

However, due to the lapses on the part of the IO, I do not see any reason why the accused person should suffer; therefore, he is allowed to go on bail with a sum of Rs. 50,000/- with one surety of the like amount subject to the satisfaction of the learned ADM, Nongpoh on the following conditions.

- i) He shall appear before the IO concerned as and when necessary for the purpose of investigation.
- ii) He shall not interfere with the investigation or tamper any evidence.
- iii) He shall not leave the jurisdiction of the Court where he resides without prior approval of the Court concerned.
- iv) He shall appear before the Trial Court to face trial as and when necessary.

The Superintendent of Police, Ri Bhoi District, Nongpoh is further directed to take stern action against the IO concerned for not cooperating with the learned Addl. PP, as a result, she has failed to assist this Court in a proper

manner. The Superintendent of Police to submit a compliance report to the Registrar General, High Court of Meghalaya within 48 hours from the date of this order.

Registry is also directed to communicate a copy of this order to the Superintendent of Police, Ri-Bhoi, Nongpoh immediately and to the learned Addl. PP.

With these observations and directions, the instant bail application is allowed and the matter stands disposed of.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
BA (SH) No. 78 of 2013

10.07.2013

Heard Mr. MF Qureshi, the learned counsel for the petitioner as well as Mr. SP Mahanta, the learned counsel for the respondents No. 1 & 2.

The learned counsel for the respondents No. 1 & 2 informed the Court that Mr. IC Jha, the learned counsel has been engaged by the newly impleaded party as respondent No. 4.

However, Mr. IC Jha, the learned counsel for respondent No. 4 is not present in the Court. On earlier occasions also he was found that even though he has accepted the brief, he never appeared before this Court, as a result, it has caused inconvenient not only to this Court but also to the other parties as well which cannot be accepted.

Since Mr. IC Jha, the learned counsel for respondent No. 4 has accepted the brief, it is his duty to appear before this Court otherwise, he may return the brief so that his client can engage other counsel to take up the case and the Court work should not be disturbed.

Registry is directed to forward a copy of the order to Mr. IC Jha, the learned counsel for respondent No. 4 immediately.

List this matter on 7.08.13.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CrI. MC (SH) No. 46 of 2013 in
BA (SH) No. 91 of 2013

10.07.2013

Heard, Ms. G. Shallam, the learned counsel for the petitioner who filed an application for withdrawal of the bail application bearing No. BA (SH) No. 91 of 2013.

Mrs. NG Shylla, the learned Addl. PP is present.

The matter stands disposed of on withdrawal.

JUDGE

V. Lyndem.

**BEFORE
HON'BLE MR. JUSTICE S.R. SEN
Crl.Rev.P. (SH) No. 45 of 2013**

10.07.2013

List this matter as and when the report arrives.

Mr. N Khan, the learned counsel for the petitioner as well as Mr. ND Chullai, the learned senior GA assisted by Mrs. NG Shylla are present.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(C) (SH) No. 249 of 2010

10.07.2013

Passed over for the day.

JUDGE

V. Lyndem.

**BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(C) (SH) No. 41 of 2011**

10.07.2013

Passed over for the day.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(Crl.) (SH) No. 2 of 2013

10.07.2013

Heard Mr. HR Nath, the learned counsel for the petitioner as well as Mr. S Sen Gupta, the learned Addl. PP.

The learned Addl. PP informed that in this instant case, the detinue has already been released from custody as his detention order has expired.

The learned counsel for the petitioner did not dispute on the matter, as a result, this instant petition is found to be infructuous and stands disposed of.

JUDGE

V. Lyndem.

