

THE HIGH COURT OF MEGHALAYA

Anticipatory Bail No. 14 of 2014

Shri Lucas Rymbai, son of Smti Victoria Rymbai, r/o
Pamra paithlu, East Jaintia Hills District, Meghalaya
.....**Applicant**

-Versus-

The State of Meghalaya
..... **Respondent**

Shri P Yobin, Advocate, present for the applicant.

Shri ND Chullai, Sr. Govt. Advocate, present for the
respondent.

Date of Order 11th June, 2014

O R D E R

ORAL: HON'BLE PRAFULLA C. PANT, CHIEF JUSTICE

Heard.

2. By means of this application moved under Section 438 of the Code of Criminal Procedure 1973, the applicant Lucas Rymbai has sought pre-arrest/anticipatory bail in connection with Khliehriat PS Case No. 103(5)2014 (GR Case No. 126/14) State of Meghalaya vs. Lucas Rymbai relating to offence punishable under Section 506 IPC.

3. It is alleged that the applicant has given threat to the complainant with dire consequences. Learned counsel for the applicant submitted that the applicant is a student

of Class XII, who is nineteen years old. He has no criminal history. It is pleaded that the applicant is falsely implicated in the case.

4. Having heard learned counsel for the applicant and learned counsel for the State respondent, and after going through the papers on records, in the above circumstances, this Court is of the view that the applicant deserves anticipatory bail.

5. Accordingly, without expressing any opinion on merits of the case, anticipatory bail application is allowed. The applicant Lucas Rymbai, if arrested or surrenders in connection with Khliehriat PS Case No. 103(5)2014 (GR Case No. 126/14), before the Court concerned, he shall be released on bail on executing personal bond and furnishing two sureties each of the like amount to the satisfaction of the Addl. District Magistrate (discharging Judicial functions) Khliehriat, East Jaintia Hills District.

(Prafulla C Pant)
CHIEF JUSTICE

dev
11.06.14

BA No. 18 of 2014

11.06.2014

HON'BLE THE CHIEF JUSTICE

Ms PS Nongbri, Advocate, present for the applicant.

Shri ND Chullai, Senior GA, present for State respondents.

Learned counsel for the applicant prays for and is allowed two weeks' time to file supplementary affidavit.

List after two weeks.

CHIEF JUSTICE

dev
11.06.14

BA No. 19 of 2014

11.06.2014

HON'BLE THE CHIEF JUSTICE

Ms PS Nongbri, Advocate, present for the applicant.

Shri ND Chullai, Senior GA, present for State respondents.

Learned counsel for the applicant prays for and is allowed two weeks' time to file supplementary affidavit.

List after two weeks.

CHIEF JUSTICE

dev
11.06.14

THE HIGH COURT OF MEGHALAYA

Criminal Revn No. 8 of 2014

Smti Myntoi Rymbai, d/o (L) Rishot Talang, r/o Lad Mookhla, Jaintia Hills District, Meghalaya

.....**Petitioner**

-Versus-

Smti Monica Wahlang, w/o Shri DH Lyngdoh, r/o Bhagyakul, Gordon Road, Laitumkhrah, Shillong, East Khasi Hills District, Meghalaya.

..... **Respondent**

Shri NM Mansuri, Advocate, present for the petitioner.

None present for the respondent.

Date of Order 11th June, 2014

O R D E R

ORAL: HON'BLE PRAFULLA C. PANT, CHIEF JUSTICE

Heard.

2. By means of this criminal revision application, the applicant has challenged the order dated 17.04.2014, passed by the Judge, District Council Court, Khasi Hills District, Shillong. The said Court has dismissed the criminal revision petition, and affirmed the order dated 24.07.2013, passed by the Magistrate First Class, Subordinate District Council Court in CR Case No. 9 of 2010.

3. It is settled principle of law that a criminal revision against the revisional order passed in revision filed by the same party is not maintainable.

4. Apart from this, from the papers on record, it appears that the complaint case from which the revision application has arisen relates to offence punishable under Section 138 of Negotiable Instrument Act, 1881 for which the accused was summoned. It further reveals that said case is pending since 2010, and now almost four years have passed. Sub Section (3) of Section 143 of Negotiable Instrument Act, 1881, requires the trial of cases under said Act will be concluded within a period of six months from the date of filing of the complaint.

5. Apart from the above, this Court does not find any illegality committed by the revisional court dismissing the revision application on merits by a reasoned order after hearing the counsel for the parties.

6. For the reasons as discussed above, without expressing any opinion on merits of the case, this criminal revision is dismissed summarily.

(Prafulla C Pant)
CHIEF JUSTICE

dev
11.06.14

MC No. 3 of 2014
IN CrI Revn No. 8 of 2014

11.06.2014

HON'BLE THE CHIEF JUSTICE

In view of the order of the date passed in Criminal
Revn. No. 8 of 2014, this Misc. Case No. 3 of 2014 also
stands dismissed.

CHIEF JUSTICE

dev
11.06.14

MC No. 42 of 2014
IN WP(C) No. 54 of 2014

11.06.2014

HON'BLE THE CHIEF JUSTICE

List this Misc. Case along with WP(C)No. 54 of
2014.

CHIEF JUSTICE

dev
11.06.14

MC No. 163 of 2014
IN WP(C) No. 199 of 2014

11.06.2014

HON'BLE THE CHIEF JUSTICE

In view of the order of the date passed in WP(C)No. 199 of 2014, this Misc. Case No. 163 of 2014 also stands dismissed.

CHIEF JUSTICE

dev
11.06.14

MC No. 227 of 2013
IN WP(C) No. 189 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

List this Misc. Case along with WP(C)No. 189 of
2013.

CHIEF JUSTICE

dev
11.06.14

MC No. 233 of 2013
IN WP(C) No. 196 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

List this Misc. Case along with WP(C)No. 196 of
2013.

CHIEF JUSTICE

dev
11.06.14

MC No. 423 of 2013
IN WP(C) No. 393 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

List this Misc. Case along with WP(C)No. 393 of
2013.

CHIEF JUSTICE

dev
11.06.14

WP(C) No. 54 of 2014

11.06.2014

HON'BLE THE CHIEF JUSTICE

Ms A Thangkhiew, Advocate, present for the petitioner.

Shri KP Bhattacharjee, Advocate, present for State respondents.

Shri S Changkija, Advocate, present for respondent No. 6.

Affidavit-in-opposition has been filed on behalf of respondent No. 6 also. Same be taken record.

Learned counsel for the petitioner prays for and is allowed three weeks' time to file rejoinder affidavit to the counter affidavits filed on behalf of respondent No. 5 and one filed on behalf of respondent No. 6.

List after three weeks.

CHIEF JUSTICE

dev
11.06.14

WP(C) No. 62 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

None present for the petitioner.

Shri K Khan, Addl. GA, present for respondents No. 1 and 2.

Shri KP Bhattacharjee, Advocate, present for respondents No. 6,7 and 16.

Learned counsel for respondents No. 1 and 2 and learned counsel for respondents No. 6,7 and 16 are allowed further four weeks' time to file their counter affidavits.

List after four weeks.

CHIEF JUSTICE

dev
11.06.14

WP(C) No. 111 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

None present for the petitioner.

Shri KP Bhattacharjee, Advocate, present for respondents.

List tomorrow (12.06.2014) for orders.

CHIEF JUSTICE

dev
11.06.14

11.06.2014

HON'BLE THE CHIEF JUSTICE

Shri N Syngkon, Advocate, present for the petitioners.

Shri KP Bhattacharjee, Advocate, present for State respondents No. 1 and 2.

Shri B Khyriem, Advocate, present for respondents No. 3,4 and 5.

Shri K Paul, Advocate, present for respondents No. 7,8,9,10,11,13,14,16,17,18,21,24,26,28,29,30,31,33,34,35,38,39,40,41,42,43,44,48,50,51 and 53.

Shri P Yobin, Advocate, present for respondents No. 23 and 27.

Affidavit-in-opposition has been filed on behalf of respondents No. 6 , 12 , 15 , 19 , 20 , 22 , 25 , 32 , 36 , 37, 45,46,47,49 and 52. Another affidavit-in-opposition has been filed on behalf of respondents No. 23. The third affidavit-in-opposition has been filed on behalf of respondent No. 27. Same be taken on record.

Learned counsel for the petitioners prays for and is allowed two weeks' time to file rejoinder affidavits to the aforesaid counter affidavits.

List after two weeks for admission/orders. Meanwhile, respondents No. 1 and 2 and respondents No. 7-14, 16, 17, 18, 21, 24, 26, 28, 29, 30, 31, 33, 34, 35, 38, 39, 41, 41, 42, 43, 44, 48, 50, 51 and 53, may also file their counter affidavits.

CHIEF JUSTICE

dev
11.06.14

WP(C) No. 189 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

None of the counsel present for any of the parties,
probably due to the Bandh call given by certain sections
of the public.

List tomorrow (12.06.2014) for orders.

CHIEF JUSTICE

dev
11.06.14

WP(C) No. 196 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

None of the counsel present for any of the parties,
probably due to the Bandh call given by certain sections
of the public.

List tomorrow (12.06.2014) for orders.

CHIEF JUSTICE

dev
11.06.14

THE HIGH COURT OF MEGHALAYA

WP(C) No. 199 of 2014

Shri Wallambok Nongrum, son of (L) S Nongspung, r/o Mawmih Village, East Khasi Hills District, Meghalaya-793005.

.....**Petitioner**

-Versus-

1. The Syiem of Hima Myllem/Myllem Syiemship and his Durbar, Mawkhar Main Road, Shillong-793001, East Khasi Hills District, Meghalaya.

2. The Khasi Hills Autonomous District Council, Shillong.

4. The Executive Committee, Khasi Hills Autonomous District Council, Shillong through its Secretary.

..... **Respondents**

Shri ND Chullai, Sr. Advocate, present for the petitioner.

Shri P Nongbri, Advocate, present for the respondents.

Date of Order 11th June, 2014

O R D E R

ORAL: HON'BLE PRAFULLA C. PANT, CHIEF JUSTICE

Heard.

2. By means of this writ petition, the petitioner has challenged the order dated 03.06.2014, issued by Syiem of Hima Myllem/Myllem Syiemship, whereby, a meeting of

Durbar of Mawmih Village has been convened on 12.06.2014 for electing Rangbah Shnong (Headman).

3. Admittedly, under Section 16 of Khasi Hills Autonomous District (Appointment and Succession of the Syiem, Deputy Syiem, Electors and Rangbah Shnong of Myllem Syiemship) Act, 2007, Syiem has the power that on the advise of the Executive Durbar he can direct the Khasi male adults/elders of the Village/urban locality concerned to summon the meeting of the heads of households/elders of the village/urban locality on such date and time as may be fixed by him for the election of new Rangbah Shnong.

4. The plea taken in the writ petition in short is that the petitioner has got little time to prepare before the election is held as all the villagers might not be present in the village. The letter impugned appears to have been issued on 03.06.2014. However, such inconvenience / convenience is applicable equally to one and all candidates for Rangbah Shnong of the village. Tomorrow (12.06.2014) is the date fixed for election.

5. Having heard learned counsel for the parties and after going through the papers on record, in the facts and

circumstances of the case, this Court does not find sufficient reason to interfere with the election process.

6. Therefore, this writ petition is dismissed summarily without prejudice to the rights of the candidates under Section 17 of the Khasi Hills Autonomous District (Appointment and Succession of Syiem, Deputy Syiem, Electors and Rangbah Shnong of Myllem Syiemship) Act, 2007.

(Prafulla C Pant)
CHIEF JUSTICE

dev
11.06.14

WP(C) No. 236 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

None of the counsel present for any of the parties, probably due to the Bandh call given by certain sections of the public.

List tomorrow (12.06.2014) for orders.

CHIEF JUSTICE

dev
11.06.14

WP(C) No. 333 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

None of the counsel present for any of the parties,
probably due to the Bandh call given by certain sections
of the public.

List tomorrow (12.06.2014) for orders.

CHIEF JUSTICE

dev
11.06.14

WP(C) No. 393 of 2013

11.06.2014

HON'BLE THE CHIEF JUSTICE

None present for the petitioner.

Shri KP Bhattacharjee, Advocate, present for the State respondents.

Affidavit-in-opposition has been filed on behalf of the respondents.

The petitioner is allowed to file rejoinder affidavit within a period of three weeks.

List after three weeks.

CHIEF JUSTICE

dev
11.06.14