

**BEFORE  
HON'BLE MR. JUSTICE S.R. SEN  
AB (SH) No. 56 of 2013**

**16.05.13**

None appears for the petitioner.

List this matter on 17.05.13.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**BA (SH) No. 55 of 2013**

**16.05.13**

Heard Mr. B. Khyriem, the learned counsel for the petitioner who submits that, this instant petition has not been filed in a proper manner and he intends to withdraw the bail application with a liberty to file afresh.

Prayer is allowed.

With the above observation, the matter stands disposed of.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CrI. MC (SH) No. 58 of 2011**

**16.05.13**

Heard Mr. S Thapa, the learned counsel for the petitioner who submits that till date till date no service report has been received against respondent No. 8.

Mr. IC Jha, the learned counsel appearing on behalf of the respondents No. 4,5&6 is present.

Mr. A Khan, the learned counsel for respondent No. 7 is also present in the Court.

None appears for on behalf of the respondents No. 1,2&3.

The learned counsel for the petitioner is directed to take fresh steps to serve notice upon the respondent No. 8 immediately.

List this matter on 13.06.13 as suggested by the learned counsel.

JUDGE

V. Lyndem.

**BEFORE  
HON'BLE MR. JUSTICE S.R. SEN  
CrI. Petn.(SH) No. 16 of 2012**

**16.05.13**

Heard the learned counsel for the petitioner as well as the learned counsel for the respondent.

List this matter on 28.05.13 for hearing as suggested by both the learned counsel.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CrI. Petn.(SH) No. 64 of 2012**

**16.05.13**

None of the leading counsel are present.

However, their junior counsel are present and informed the Court that the senior counsel are busy in the other Court and prayed that the matter may be adjourned.

Prayer is allowed.

List this matter in the usual course of time.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CrI. Petn.(SH) No. 65 of 2012**

**16.05.13**

None of the leading counsel are present.

However, their junior counsel are present and informed the Court that the senior counsel are busy in the other Court and prayed that the matter may be adjourned.

Prayer is allowed.

List this matter in the usual course of time.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CrI. Petn.(SH) No. 23 of 2013**

**16.05.13**

The learned counsel for the petitioner is not present.

Mr. S Sen Gupta, the learned Addl. PP is present on behalf of the state.

Mr. H Nongkhlaw, the learned counsel for the respondent is not present as he is on bereavement as informed by his junior counsel.

Considering the submissions advanced by the learned counsel, list this matter on 23.05.13.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**AB (SH) No. 53 of 2013**  
**WITH**  
**AB (SH) No. 54 of 2013**

**16.05.13**

Heard Mr. N Mohamad, the learned counsel pertaining to bail application No. AB(SH) No. 54 of 2013. Also heard Mr. MF Qureshi, the learned counsel pertaining to bail application No. AB(SH) No. 53 of 2013.

Mr. N Mohamad, the learned counsel submits that the petitioner is ready to file a report, so before filing the report and without going through the report, the Government should not have filed the FIR. Since FIR has been filed, the petitioner is in the apprehension that he may be arrested at any point of time, so pre-arrest bail may be granted.

Mr. MF Qureshi, the learned counsel submits that the petitioner Shri. J Kharpuri is a Manager of the University and he has no hand in manipulation of any document or issuing any certificate. On the basis of the FIR dated 26.04.13, the petitioner is in the apprehension that he may be arrested at any point of time, so pre-arrest bail may be granted.

On the other hand Mr. H Kharmih, the learned Addl. PP submits that the petitioner/accused is not only the Manager of the University but also Controller of Examination and all certificates were issued under his signature, so pre-arrest bail may not be granted. The learned Addl. PP further contended that if pre-arrest bail is granted, the entire investigation will be hampered.

Mr. H. Kharmih, the learned Addl. PP has also produced the CD and placed before the Court.

Since in both the cases, bail applications arise out of common FIR, so both the applications are taken up together for common disposal.

I have perused the CD.

Considering the submissions advanced by the learned counsel for the accused/petitioner as well as for prosecution and after going through the CD, I could not satisfy myself that there are no materials at all to investigate the case. In my view, the instant cases are involving the career of so many innocent students, such type of cases need thorough



investigation. I also do not see any reason subject to my satisfaction if pre-arrest bail is granted, investigation will not be hampered. Therefore, I find that both the instant applications are not fit to be considered, hence, rejected and the matter stands disposed of.

Registry is directed to return the CD to the learned Addl. PP along with a copy of this order.

JUDGE

V. Lyndem.

