

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
Crl. Rev.P.(SH) No. 63 of 2012

24.04.13

Heard Mr. GS Massar, the learned senior counsel assisted by Mr. JM Thangkhiew, the learned counsel for the petitioner.

From record, it appears that SBI has been made as party respondents No. 2 & 3. As per order dated 30.01.13, it appears that notices deemed to have been served upon the respondents and from office note also, it appears that notices have been served, though AD has not been received.

Mr. K Khan, the learned counsel is present in the Court and submits that he is one of the panel lawyers of SBI and he will inform the bank concerned by today itself about the existence of the case and prayed that at least 1(one) week's time may be granted.

Prayer is allowed.

I feel that before passing any order or judgment or whatever the case may be, both the parties need to be heard.

Mr. R. Gurung, the learned counsel for the state is present.

The learned senior counsel suggested that the matter may be fixed on 29.04.13 for order.

List it accordingly.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
Crl. Petn, (SH) No. 23 of 2012

24.04.13

Heard Ms. K. Chisa, the learned counsel who submits that the matter may be fixed after 2(two) weeks.

None appears on behalf of the respondents.

The learned counsel for the respondents to appear before this Court in the next date fixed without fail.

List this matter on 8.05.13.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
Crl. Revn.P.(SH) 34 of 2013

24.04.13

Heard Mr. ND Chullai, the learned PP.

After hearing the submissions advanced by the learned counsel and on going through the impugned order dated 11.03.13, I am of the considered view that the matter is serious in nature. Besides that such whimsical and illegal order is not accepted from the Learned Judge District Council Court.

Issue notice to the respondents to show cause as to why this instant petition should not be admitted and why such other order or orders should not be passed as this Court may deem fit and proper.

However, the petitioner to take necessary steps to serve notice upon the accused respondent through the O/c Mawlai Police Station, Shillong.

O/c Mawlai Police Station, Shillong is to ensure service without fail. The learned Judge District Council Court (Shri. S. Kharsyiemlieh) is directed to appear in person before this Court on the next date fixed.

In the meantime, call for the Lower Court case record bearing GR Case No. 401(A) of 2007, U/s 302 IPC.

List this matter on 2.05.13.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CrI. MC (SH) No. 27 of 2013 in
CrI. Revn.P.(SH) 34 of 2013

24.04.13

Heard Mr. ND Chullai, the learned PP who submits that though limited Act is not applicable as the proceeding is between tribal and tribal even though he has filed condonation of delay only for 15(fifteen) days in preferring the revision application.

I have perused Section 401 CrPC, where it is clearly stated that High Court can exercise any of the powers on revision or appeal either on petition or suo motu. Since the matter is a serious in nature against the principles of criminal jurisprudence, I feel issue of notice to the respondents to condone the delay is not wanted in this case because it may delay further the whole process.

Since the delay is only for 15(fifteen) days as submitted, the delay is hereby condoned and this instant petition stands disposed of.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CrI. Revn.P.(SH) 35 of 2013

24.04.13

Heard Mr. ND Chullai, the learned PP.

After hearing the submissions advanced by the learned counsel and on going through the impugned order dated 11.03.13, I am of the considered view that the matter is serious in nature. Besides that such whimsical and illegal order is not accepted from the Learned Judge District Council Court.

Issue notice to the respondents to show cause as to why this instant petition should not be admitted and why such other order or orders should not be passed as this Court may deem fit and proper.

However, the petitioner to take necessary steps to serve notice upon the accused respondent through the O/c Madanryting Police Station, Shillong.

O/c Madanryting Police Station, Shillong is to ensure service without fail. The learned Judge District Council Court (Shri. S. Kharsyiemlieh) is directed to appear in person before this Court on the next date fixed.

In the meantime, call for the Lower Court case record bearing GR Case No. 408(A) of 2011, U/s 324/506/376 IPC.

List this matter on 2.05.13.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
CrI. MC (SH) No. 28 of 2013 in
CrI. Revn.P.(SH) 35 of 2013

24.04.13

Heard Mr. ND Chullai, the learned PP who submits that though limited Act is not applicable as the proceeding is between tribal and tribal even though he has filed condonation of delay only for 15(fifteen) days in preferring the revision application.

I have perused Section 401 CrPC, where it is clearly stated that High Court can exercise any of the powers on revision or appeal either on petition or suo motu. Since the matter is a serious in nature against the principles of criminal jurisprudence, I feel issue of notice to the respondents to condone the delay is not wanted in this case because it may delay further the whole process.

Since the delay is only for 15(fifteen) days as submitted, the delay is hereby condoned and this instant petition stands disposed of.

JUDGE

V. Lyndem.