AB. No. 12 of 2015

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Mr. K. Kharmawphlang, learned counsel for the petitioner, who submits that, initially bail application was moved before the learned Sessions Judge, East Khasi Hills, Shillong and pre-arrest bail was granted vide order dated 20.03.2015 with a condition that the petitioner to appear before the I/O and to cooperate with the investigation.

On the next date it came to the knowledge of the learned Sessions Judge, East Khasi Hills, Shillong that the petitioner was not cooperating as directed by the learned Sessions Judge, Shillong. So, he has cancelled the interim order and rejected the bail application. Hence, this instant bail application before this court.

As directed, the I/O S.I. S.M. Singh appeared before the court along with Mrs. S. Bhattacharjee, learned State counsel and produce the C.D and submits that the petitioner/accused if cooperates with the investigating agency, then Prosecution has no objection against the pre-arrest bail.

I have perused the C.D produce before me and on perusal of the C.D; it appears that the petitioner has violated the direction given by the learned Sessions Judge, East Khasi Hills, Shillong. However, since the prosecution has no objection, pre-arrest bail is hereby allowed for a sum of Rs. 30, 000/- (Rupees thirty thousand) only with one surety of the like amount subject to the satisfaction of the learned Sessions Judge, Shillong with following conditions:

1. The petitioner/accused shall appear before the I/O continuously for a week with effect from tomorrow and thereafter, as and when required by the I/O.
2. The petitioner is also directed to cooperate with the investigating agency and not to tamper with the evidence or intimidate the complainant.
3. The petitioner shall be bound to face the trial as and when necessary. In case the petitioner violates any of the condition assign above, this pre-arrest bail shall be

cancelled on the information provided by the I/O and the I/O is at liberty to file the petition in case of any violation before this court.

Court Master is directed to return the C.D to the learned State counsel along with a copy of this order.

With this observation and direction, the instant bail application stands disposed of.

JUDGE

D. Nary

CRL.PETN. No. 2 of 2015

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

As suggested by Mr. S. A. Sheikh, learned counsel for the petitioner as well as Mr. A.S. Siddique, learned counsel for the private respondent No. 2 and Mr. H. Kharmih, learned GA for the State, list this matter after a week for further order.

JUDGE

D. Nary

FAO. No. 3 of 2014

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Mr. A.H. Hazarika, learned counsel for the appellant as well as Mr. H.R. Nath, learned counsel for the respondent.

Both the learned counsels suggested that the matter may be fixed after 2(two) weeks as they are not fully prepared today.

List this matter after 2(two) weeks for hearing.

JUDGE

D. Nary

MC[WP(C)] No. 45 of 2015

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

List this matter after a week as Mr. S. Thapa, learned counsel for the petitioner submits that they have already obtained the stay from Hon'ble the Apex Court and he is going to file the same by way of an affidavit.

Ms. P. Kharkongor, learned counsel for the respondent is present.

List this matter after a week.

JUDGE

D. Nary

MC[WP(C)] No. 46 of 2015

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

List this matter after a week as Mr. S. Thapa, learned counsel for the petitioner submits that they have already obtained the stay from Hon'ble the Apex Court and he is going to file the same by way of an affidavit.

Ms. P. Kharkongor, learned counsel for the respondent is present.

List this matter after a week.

JUDGE

D. Nary

WP(C) No. 4 of 2015

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

List this matter after a week as Mr. R. Gurung, learned State counsel submits that, he is going to file the counter affidavit in the course of the day.

Mr. A.H. Hazarika, learned counsel for the petitioner is present.

List this matter after a week for counter affidavit and further order.

JUDGE

D. Nary

WP(C) No. 33 of 2015

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

List this matter after 2(two) weeks as Mr. R. Gurung, learned State counsel submits that, he is going to file the counter affidavit in the course of the day.

Ms. A. Kharumnuid, learned counsel for the petitioner is present.

List this matter after 2(two) weeks for counter affidavit and further order.

JUDGE

D. Nary

WP(C) No. 53 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Mr. N. Kundu, learned counsel for the petitioner, who submits that, he is mentally disturb today as both his parents are at the hospital.

Mr. N. Mozika, learned counsel for the Union of India is not present, however, Mr. L. Byrsat, learned counsel informed the court that he is on bereavement.

As suggested by the learned counsels, list this matter after 2(two) weeks for hearing.

JUDGE

D. Nary

WP(C) No. 242 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

The matter came up for hearing.

Mr. R. Mazumdar, learned counsel for the petitioner is present.

Mr. R. Debnath, learned CGC for the Union of India submits that, he is not fully prepared today. So, the matter may be fixed on some other date, to which the learned counsel for the petitioner has no objection.

As suggested by the learned counsels, list this matter on *25.05.2015* for hearing.

JUDGE

D. Nary

WP(C) No. 295 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

The matter came up for hearing.

Mr. R. Mazumdar, learned counsel for the petitioner is present.

Mr. R. Debnath, learned CGC for the Union of India submits that, he is not fully prepared today. So, the matter may be fixed on some other date, to which the learned counsel for the petitioner has no objection.

As suggested by the learned counsels, list this matter on *25.05.2015* for hearing.

JUDGE

D. Nary

WP(C) No. 296 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

The matter came up for hearing.

Mr. R. Mazumdar, learned counsel for the petitioner is present.

Mr. R. Debnath, learned CGC for the Union of India submits that, he is not fully prepared today. So, the matter may be fixed on some other date, to which the learned counsel for the petitioner has no objection.

As suggested by the learned counsels, list this matter on *25.05.2015* for hearing.

JUDGE

D. Nary

WP(C) No. 297 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

The matter came up for hearing.

Mr. R. Mazumdar, learned counsel for the petitioner is present.

Mr. R. Debnath, learned CGC for the Union of India submits that, he is not fully prepared today. So, the matter may be fixed on some other date, to which the learned counsel for the petitioner has no objection.

As suggested by the learned counsels, list this matter on *25.05.2015* for hearing.

JUDGE

D. Nary

WP(C) No. 298 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Ms. Z. Begum, learned counsel for the petitioner, who submits that the conducting counsel, Mr. A. Khan is on sanctioned leave. So, the matter may be fixed on some other date, to which Mr. R. Gurung, learned State counsel has no objection.

List this matter after 2(two) weeks for hearing.

JUDGE

D. Nary

WP(C) No. 303 of 2014

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Mr. A.H. Hazarika, learned counsel for the petitioner, who submits that, there is a proposal of amicable settlement between the parties and prayed that he may be allowed to withdraw the instant writ petition, to which Mr. S. Dey, learned counsel for the respondents No. 1-4 has no objection.

Considering the submission advanced by the learned counsel for the petitioner, the instant writ petition stands disposed of on being withdrawal.

JUDGE

D. Nary

WP(C) No. 311 of 2014

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Mr. A. Medok, learned counsel for the petitioner, who seeks further time to take steps against the respondents No. 7 and 8.

Also heard Mr. R. Gurung, learned State counsel who submits that, he has not filed the counter affidavit. The State is directed to file the counter affidavit within 2(two) weeks.

In the meantime, the petitioner to take steps against the respondents No. 7 and 8.

List this matter after 2(two) weeks for counter affidavit, service report and further order.

JUDGE

D. Nary

WP(C) No. 348 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Mr. R. Mazumdar, learned counsel for the petitioner.

Also heard Mr. S.C. Shyam, learned Sr. counsel for the Union of India, who submits that, he needs certain instruction from the department concerned and seeks further 1(one) weeks' time.

Prayer is allowed.

List this matter after a week for hearing.

JUDGE

D. Nary

WP(C) No. 360 of 2013

BEFORE
THE HON'BLE MR. JUSTICE, S.R. SEN

07.05.2015

Heard Ms. T.H. Majaw, learned counsel for the petitioner, who submits that, Mr. G.S. Massar, learned Sr. counsel is indisposed.

Mr. S. Dey, learned counsel for the GHADC is present.

As suggested by the learned counsels, list this mater after 2(two) weeks for hearing.

JUDGE

D. Nary