

HIGH COURT OF SIKKIM
Record of Proceedings

Crl. A. No.01 of 2023

BIRENDRA RAI @ BIREN

APPELLANT

VERSUS

STATE OF SIKKIM

RESPONDENT

Date: 29.08.2024

CORAM:

THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

For Appellant Ms. Puja Lamichaney, Advocate (Legal Aid Counsel)
through VC.

For Respondent Mr. S. K. Chettri, Additional Public Prosecutor.

ORDER

I.A. No.02 of 2024 is an application filed by the Appellant through Learned Legal Aid Counsel on 28-08-2024, seeking to withdraw the instant Appeal.

Learned Counsel for the Appellant submits that the Appellant was convicted vide impugned Judgment and Order on Sentence, both dated 28-10-2022, by the Learned Special Judge (POCSO Act), at Namchi, Sikkim, in S.T (POCSO) Case No.07 of 2019 (*State of Sikkim vs. Birendra Rai @ Biren*). That, the Appellant has now been in judicial custody for the last one year, ten months and five days, and in view of the period of imprisonment already undergone by him, he does not seek to pursue the instant Appeal. That, he seeks permission of this Court to withdraw the instant Appeal.

Learned Additional Public Prosecutor has no objection.

In the circumstance, the prayer is allowed.

Appeal stands disposed of as withdrawn.

Copy of this Order be transmitted forthwith to the Learned Trial Court along with its record.

Judge
29.08.2024