



HIGH COURT OF SIKKIM
Record of Proceedings

CRL.L.P No.02 of 2024

State of Sikkim

Petitioner

VERSUS

Rup Narayan Rai (Chamling) and Others

Respondents

Date : **25-09-2024**

CORAM : **THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**
THE HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE

For Petitioner Mr. Yadev Sharma, Additional Public Prosecutor.
Mr. Sujan Sunwar, Assistant Public Prosecutor.

For Respondents Mr. K. T. Bhutia, Senior Advocate.
Mr. Romit Gurung, Advocate.

ORDER

Rai, J.

Heard on CRL.L.P No.02 of 2024 which is an application filed under Section 378(3) of the Code of Criminal Procedure, 1973, seeking Leave to Appeal.

Learned Additional Public Prosecutor submits that the Learned Trial Court was in error in acquitting the Respondents as it had failed to appreciate the evidence of PWs 1, 2 and 4. That, the matter is required to be heard on merits and hence the Petition be allowed.

Learned Senior Counsel for the Respondents has no submissions to make in this context.

Having heard Learned Counsel for the parties and given due consideration to the submissions put forth, we allow the Leave Petition.

Leave Petition stands disposed of accordingly.

Heard on I.A. No. 01 of 2024 which is an application filed by the State-Appellant under Section 5 of the Limitation Act, 1963, seeking condonation of 273 days' delay in filing the instant Appeal. The grounds for the delay have been detailed in the said I.A.

Learned Senior Counsel for the Respondents submits that in view of the grounds given therein they have no objection to the delay being condoned.



HIGH COURT OF SIKKIM
Record of Proceedings

We have considered the submissions and have also considered the grounds for the delay. We are of the view that the delay has been satisfactorily explained with sufficient cause. Delay is accordingly condoned.

I.A. No.01 of 2024 stands disposed of.

Register the Criminal Appeal.

Heard on admission.

Admit the Appeal.

Call for the records from the Learned Trial Court.

Let Paper-Books be prepared.

List on 02-12-2024.

Judge
25-09-2024

Judge
25-09-2024

ds/bp/sdl