

IN THE HIGH COURT OF SIKKIM

CRIMINAL JURISDICTION

Crl. L.P. No. 06/2014
Chandra Kumar Sharma vs. Namtey Lepcha

BEFORE
HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N.K. JAIN

01. 26.08.14 Present: M/s. Ajay Rathi, Rahul Rathi and Pema Wongmu
Bhutia, Advocates for the Petitioner.

...

Learned counsel for petitioner/complainant submitted that he may be permitted to withdraw this Crl. Leave to Appeal with liberty to file Appeal before District & Sessions Judge, in view of "proviso" inserted in Section 372 of the Code of Criminal Procedure, 1973 by Act No. 5 of 2009 with effect from 31.12.2009.

The prayer appears to be reasonable, therefore, it is allowed.

Consequently the Crl. Leave to Appeal is dismissed as withdrawn, with liberty, as prayed for.

Chief Justice
26.08.2014

pm/jk Index : ~~Yes~~ / No
Internet : Yes / ~~No~~

IN THE HIGH COURT OF SIKKIM

CRIMINAL JURISDICTION

Crl. A. No. 19/2014
Chandra Kumar Sharma vs. Namtey Lepcha

BEFORE
HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N.K. JAIN

01. 26.08.14 Present: M/s. Ajay Rathi, Rahul Rathi and Pema Wongmu
Bhutia, Advocates for the Appellant.

...

Learned counsel for appellant/complainant submitted that he may be permitted to withdraw this Appeal with liberty to file an Appeal before the District & Sessions Judge, in view of "proviso" inserted in Section 372 of the Code of Criminal Procedure, 1973 by Act No. 5 of 2009 with effect from 31.12.2009.

The prayer appears to be reasonable, therefore, it is allowed.

Consequently the Criminal Appeal is dismissed as withdrawn, with liberty, as prayed for.

The certified copy of the impugned judgment and other documents, annexed with the Memo of Appeal, be returned to learned counsel for the appellant on furnishing photostat copy thereof.

Chief Justice
26.08.2014