



HIGH COURT OF SIKKIM
Record of proceedings

CRL. L.P. No. 01 of 2018

STATE OF SIKKIM

.... PETITIONER

VERSUS

VINAY RAI

.... RESPONDENT

Date:19.02.2020

CORAM

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Petitioner : Mr. Vivek Kohli, Advocate General.

For Respondent : Mr. A. Moulik, Senior Advocate with Mr. Shakeel Ahmed, Mr. Karma P. Wangdi, Mr. Ranjit Prasad and Ms. Gita Bista, Advocates.

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On 05.12.2019 I.A. No.01 of 2018 and I.A. No.02 of 2018 were taken up together. Learned Advocate General had sought time to consider filing a reply to the application on the maintainability or to take a decision in the appeal in view of the application filed by the respondent challenging the maintainability of the appeal itself.

Mr. Vivek Kohli, learned Advocate General fairly concedes that appeal would not be maintainable and a revision would lie. In view of the same, he seeks to withdraw the present appeal with liberty to file afresh. Liberty as prayed for is granted.

The Criminal Leave Petition is disposed of as withdrawn. Consequently, all pending applications are also disposed accordingly.

Judge
19.02.2020