



HIGH COURT OF SIKKIM  
Record of Proceedings through Video Conferencing

**CRL. L. P. No.12 of 2019**

STATE OF SIKKIM

...PETITIONER

VERSUS

JIGMEE BHUTIA

...RESPONDENT

**Date: 20.10.2020**

**CORAM:**

**HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI, CHIEF JUSTICE  
HON'BLE MRS. JUSTICE MEENAKSHI MADAM RAI, JUDGE**

...

*(ARUP KUMAR GOSWAMI, CJ)*

Heard Mr. Sudesh Joshi, learned Public Prosecutor assisted by Mr. Sujan Sunwar for the petitioner. Also heard Mr. N. Rai, learned Senior Counsel along with Ms. Sushmita Gurung appearing for the respondent.

IA No.01/2019 in Crl. L.P. No.12/2019 is an application for condonation of delay of 17 days in filing the leave to appeal and memorandum of appeal under Section 5 of the Limitation Act, 1963.

Upon hearing the learned Counsel for the parties and considering the materials on record, delay is condoned.

IA No.01/2019 stands disposed of.

**Crl L. P. No. 12/2019**

Crl. L.P. No. 12/2019 is an application seeking leave to appeal against the judgment dated 29.08.2019 passed by the learned Judge, Fast Tract Court, East & North Sikkim at Gangtok in Sessions Trial (S.T.) Case No.07/2017.

Upon hearing the learned Counsel for the parties and on perusal of the materials on record, we are of the considered opinion that it is a



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fit case where leave ought to be granted. Accordingly, we grant leave to appeal.

Crl. L.P. No. 12/2019 stands disposed of.

Registry will now list the appeal for consideration on 04.11.2020.

**MEENAKSHI**  
**MADAN RAI**  
**Judge**

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MEENAKSHI MADAN RAI  
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**ARUP**  
**KUMAR**  
**GOSWAMI**  
**Chief Justice**

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