

Serial No. 08
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 73 of 2021 in
Crl.Petn. No. 95 of 2021

Date of Decision: 17.12.2021

Shri. Biresh Barman Vs. State of Meghalaya & Anr.

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Panthi, Adv.
For the Respondent(s) : Mr. K.P. Bhattacharjee, GA.

ORAL:

1. Heard Mr. S. Panthi, learned counsel for the petitioner as well as Mr. K.P. Bhattacharjee, learned GA for the State respondents.
2. Prayer in this Misc. Application is made for stay of the proceedings in Special (POCSO) No. 8 of 2014 pending before the Court of the Special Judge (POCSO) at Shillong.
3. It is submitted that inspite of the issue in dispute being seisin by this Court, the learned Trial Court had proceeded with the matter, albeit sans a stay by this Court, which in the context of the dispute in question would cause prejudice to the petitioner herein, for which a strong case has been made out for stay of the proceedings.
4. This Court in consideration of the facts and circumstances, though would be reluctant to issue any interim order in an application under Section

482 Cr.P.C, however considering the peculiar situation here, in the interim, it is deemed fit that a temporary halt to the proceedings in question would meet the ends of justice. Accordingly, the proceedings of Special (POCSO) No. 8 of 2014 are kept in abeyance until disposal of the main petition.

5. Misc. Case stands disposed of.

Judge

Meghalaya
17.12.2021
"D. Nary, PS"

