

**Serial No.03**  
**Supple List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

Crl.Petn. No. 94 of 2023

Date of Order: 31.10.2023

Union of India

**Vs.**

State of Meghalaya & Anr.

**Coram:**

**Hon'ble Mr. Justice B. Bhattacharjee, Judge**

**Appearance:**

For the Petitioner/Appellant(s) : Dr. N. Mozika, DSGI with  
Ms. A. Pradhan, Adv.

For the Respondent(s) : Mr. S. Sengupta, Addl. Sr. GA.

The limited grievance in this application raised by the petitioner is against the inordinate delay in disposal of an application filed by the petitioner before the Trial Court under Section 80 of the BSF Act, 1968 claiming trial of the criminal case 02(07) 2018 under Section 302 IPC read with Section 27(1) Arms Act (G.R No.43/2018) of Baghmara police station against 124530665CT/GD Rikesh Kumar of one battalion police force. But petitioner contended that though the application was filed in early part of the year 2021, the same could not be taken up primarily on the ground that the public prosecutor was not available. On the basis of the order passed by this Court, instruction was obtained by the learned GA for the State-respondent.

It has been submitted that a public prosecutor has already been appointed for South Garo Hills District, Baghmara with immediate effect vide Memo No. L.J.(A) 83/2021/224-A dated 13<sup>th</sup> October, 2023.

In view of the submission, this petition is disposed of with a direction to the District and Sessions Judge, South Garo Hills, Baghmara to take up and dispose of the application filed by the petitioner under Section 18 of the BSF Act, 1968 and dispose of the same after hearing the parties preferably within a period of one month from the date of the receipt of the certified copy of the order.

With the aforesaid direction this petition stands disposed of.



**Judge**

Meghalaya  
31.10.2023  
"Biswarup PS"