

Party Name : GAUTAM DEB & ORS Vs THE STATE OF TRIPURA

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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This is an application filed for staying of the criminal proceedings.

The challenge in the main petition is to the alternative charge framed under Section 202 IPC.

Without going into the merits of the petition, I see no reason why the proceedings in the trial should be in any manner stayed. The same evidence is to be recorded even in respect of the charges framed under Section 498A and 304B IPC. Even in case, the petitioner succeeds, the same very evidence will have to be read in respect of the other charges framing whereof has not been challenged by the petitioner.

Therefore, I find no merit in the application for staying the proceedings and thus, application is rejected.

It is also made clear that in case the witnesses are present, the trial Court shall not adjourn the case and shall record the evidence. In case, the petitioners counsel or the petitioners do not appear on the said date then serious note of the same shall be taken by the learned trial Court and also by this Court while deciding the matter.