

HIGH COURT OF CHHATTISGARH, BILASPUR

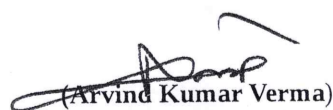
Endorsement

Endt No.11828...../Rules/2023

Bilaspur, dated ...12/09/23

Copy of Notification to be followed by the Sessions Courts and Criminal Courts dealing with various offences be forwarded to :-

1. Addl. Registrar-cum-P.P.S. to Hon'ble the Chief Justice, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
2. Private Secretary to Hon'ble Mr. Justice Goutam Bhaduri, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
3. Private Secretary to Hon'ble Mr. Justice Sanjay K. Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
4. Private Secretary to Hon'ble Mr. Justice Sanjay S. Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
5. Private Secretary to Hon'ble Mr. Justice Arvind Singh Chandel, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
6. Private Secretary to Hon'ble Mr. Justice Parth Prateem Sahu, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
7. Private Secretary to Hon'ble Mrs. Justice Rajani Dubey, High Court of Chhattisgarh, Bilaspur for information of her Ladyship.
8. Private Secretary to Hon'ble Mr. Justice Narendra Kumar Vyas, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
9. Private Secretary to Hon'ble Mr. Justice Naresh Kumar Chandravanshi, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
10. Private Secretary to Hon'ble Mr. Justice Deepak Kumar Tiwari, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
11. Private Secretary to Hon'ble Mr. Justice Sachin Singh Rajput, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
12. Private Secretary to Hon'ble Mr. Justice Rakesh Mohan Pandey, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
13. Private Secretary to Hon'ble Mr. Justice Radhakishan Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
14. Private Secretary to Hon'ble Mr. Justice Sanjay Kumar Jaiswal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
15. Private Secretary to the Registrar General, High Court of Chhattisgarh, Bilaspur for information.
16. Steno to Registrar (Vigilance/ I&E/ Judicial/ S&A Cell/ Computerization) High Court of Chhattisgarh, Bilaspur, for information.
17. The Director, Chhattisgarh State Judicial Academy, High Court of Chhattisgarh, Bilaspur for information.
18. Principal Secretary, Law & Legislative Affairs Department, Government of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur (Chhattisgarh).
19. Advocate General, High Court of Chhattisgarh, Bilaspur for information.
20. Assistant Solicitor General, High Court of Chhattisgarh, Bilaspur for information.
21. President, Chhattisgarh Bar Association, High Court Campus, Bilaspur for information.
22. The District & Sessions Judge, Bastar at Jagdalpur/ Bilaspur/ Durg/ Raigarh/ Raipur/ Rajnandgaon/ Dakshin Bastar at Dantewara/ Janjgir-Champa/ Dhamtari/ Korba/ Mahasamund/ Kabirdham(Kawardha)/ Uttar Bastar (Kanker) /Koriya (Baikunthpur)/ Jashpur/ Balod/ Bemetara/ Kondagaon/ Surajpur/ Sarguja at Ambikapur/ Baloda-Bazar/ Mungeli/ Balrampur at Ramanujganj for information.
23. The Principal Judge/Judge, Family Court, Bastar at Jagdalpur/ Bilaspur/ Durg/ Raigarh/ Raipur/ Rajnandgaon/ Janjgir-Champa/ Dhamtari/ Korba/ Mahasamund/ Kabirdham (Kawardha)/ Uttar Bastar (Kanker)/ Koriya (Baikunthpur)/ Jashpur/ Balod/ Bemetara/ Kondagaon/ Surajpur/ Sarguja at Ambikapur/ Baloda-Bazar/ Mungeli/ Dantewada for information.
24. Commercial Court, Sector-19, Kotara Bhantha, Naya Raipur, C.G. 492101 for information.
25. The President, Chhattisgarh State Industrial Court, Near Ghadi Chowk, Raipur with a request to circulate all the Presiding Officers of the Labour Courts for information.
26. Registrar Ministerial (S&A Cell/ C.S.J.A.), High Court of Chhattisgarh, Bilaspur for information.
27. All Joint Registrar, High Court of Chhattisgarh, Bilaspur for information.
28. Additional Registrar (Judicial/ D.E.&E/ HCLSC/ Adm.), High Court of Chhattisgarh, Bilaspur for information.
29. Officer on Special Duty-cum-Central Project Coordinator, E-Courts Mission Mode Project, High Court of Chhattisgarh for information.
30. All Additional Registrar (M), High Court of Chhattisgarh, Bilaspur for information.
31. Member Secretary, Chhattisgarh State Legal Services Authority, Old High Court Building, Bilaspur for information.
32. All Deputy Registrar, High Court of Chhattisgarh, Bilaspur for information.
33. Library, High Court of Chhattisgarh, Bilaspur for information.
34. Court Manager, High Court of Chhattisgarh, Bilaspur for information.
35. In-Charge, NIC High Court Computer Cell, High Court of Chhattisgarh, Bilaspur with a direction to upload in the official web-site of this High Court.


(Arvind Kumar Verma)
Registrar General

11.09.2023

N.I.C.

HIGH COURT OF CHHATTISGARH : BILASPUR

NOTIFICATION

No. 11829 /Rules/2023


Bilaspur, dated 12/09/23

In compliance of the direction of Hon'ble Supreme Court in Criminal Appeal No.2207/2023, (Md. Asfak Alam V/s The State of Jharkhand and Another) vide Judgement dated 31/07/2023 the following guidelines to be followed by the Sessions Courts and Criminal Courts dealing with various offences, are issued :-

1. All the State Governments to instruct its police officers not to automatically arrest when a case under Section 498-A IPC is registered but to satisfy themselves about the necessity for arrest under the parameters laid down above flowing from Section 41 CrPC;
2. All police officers be provided with a check list containing specified sub-clauses under Section 41(1)(b)(ii);
3. The police officer- shall forward the check list duly filled and furnish the reasons and materials which necessitated the arrest, while forwarding/producing the accused before the Magistrate for further detention;
4. The Magistrate while authorizing detention of the accused shall peruse the report furnished by the police officer in terms aforesaid and only after recording its satisfaction, the Magistrate will authorize detention;
5. The decision not to arrest an accused, be forwarded to the Magistrate within two weeks from the date of the institution of the case with a copy to the Magistrate which may be extended by the Superintendent of Police of the district for the reasons to be recorded in writing;
6. Notice of appearance in terms of Section 41-A CrPC be served on the accused within two weeks from the date of institution of the case, which may be extended by the Superintendent of Police of the district for the reasons to be recorded in writing;
7. Failure to comply with the directions aforesaid shall apart from rendering the police officers concerned liable for departmental action, they shall also be liable to be punished for contempt of court to be instituted before the High Court having territorial jurisdiction.
8. Authorizing detention without recording reasons as aforesaid by the Judicial Magistrate concerned shall be liable for departmental action by the High Court.
9. The aforesaid directions shall not only apply to the case under Section 498-A IPC or Section 4 of the Dowry Prohibition Act, the case in hand, but also such cases where offence is punishable with imprisonment for a terms which may be less than seven years or which may extend to seven years, whether with or without fine."

STRICT COMPLIANCE OF THE ABOVE DIRECTIONS BE ENSURED.

By order of Hon'ble the High Court


(Arvind Kumar Verma)
Registrar General
11.09.2023