

966/PDSJ/NI
08/04/24

HIGH COURT OF DELHI AT NEW DELHI

No. 236-247 /Rules/DHC/2024

Dated : 06/04/2024

From

The Registrar General,
High Court of Delhi,
New Delhi.

To

1. The Principal District & Sessions Judge (HQ), Tis Hazari Courts, Delhi.
2. The Principal District & Sessions Judge, North-West District, Rohini Courts, Delhi.
3. The Principal District & Sessions Judge, South District, Saket Courts, New Delhi.
4. The Principal District & Sessions Judge, South-West District, Dwarka Courts, New Delhi.
5. The Principal District & Sessions Judge, North District, Rohini Courts, Delhi.
6. The Principal District & Sessions Judge, South-East District, Saket Courts, New Delhi.
7. The Principal District & Sessions Judge, East District, Karkardooma Courts, Delhi.
8. The Principal District & Sessions Judge, New Delhi District, Patiala House Courts, New Delhi.
9. The Principal District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.
10. The Principal District & Sessions Judge, North-East District, Karkardooma Courts, Delhi.
11. The Principal District & Sessions Judge, West District, Tis Hazari Courts, Delhi
12. The Principal District & Sessions Judge-cum-Special Judge, CBI (PC Act), Rouse Avenue District Court Complex, New Delhi

Respected Sir/Madam,

I am directed to forward herewith a copy of the extract of the minutes of the meeting of the "Committee to consider the recommendations made by National Commission for Women to hold trial of women offenders in camera, preferable by a woman judge wherever available, etc.", held on 08.02.2024 (Annexure "A") for information and necessary compliance.

Yours sincerely,

(Syed Zishan Ali Warsi)
Joint Registrar (Judicial)(Rules)
For Registrar General

Encl : As above.

Endst. No. 248 /Rules/DHC/2024

Dated 06/04/2024

Copy to the Principal Secretary (LJ & LA), Govt. of NCT of Delhi, 8th level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi – 110002, for information.

Sd-

Joint Registrar (Judicial)(Rules)
For Registrar General

Scm 8 1924 is sent to all Judicial officers
of the Court, Bench & sitting Section, Computer Branch,
General Branch & various committees etc. for
information & compliance. None in reply.

J. C. Judicial, NI
09/04/24

Annexure "A"

EXTRACT OF THE MINUTES OF THE MEETING OF THE "COMMITTEE TO CONSIDER THE RECOMMENDATIONS MADE BY NATIONAL COMMISSION FOR WOMEN TO HOLD TRIAL OF WOMEN OFFENDERS IN CAMERA, PREFERABLY BY A WOMAN JUDGE WHEREVER AVAILABLE, ETC." HELD ON 08.02.2024

ITEM NO.	AGENDA OF THE MEETING	MINUTES
1.	To consider letter dated 17.09.2014 of Dr. Saurabh Kulshreshtha, the then Addl. Secretary (Law, Justice & LA), Govt. of NCT of Delhi alongwith report of Inquiry Committee constituted by National Commission for Women regarding holding trial of women offenders in camera etc.	<p>The committee has considered the recommendations made by National Commission for Women pertaining to courts.</p> <p>(i) National Commission for Women has recommended "to hold trial of women offenders in camera, preferably by a woman judge wherever available." The committee has examined camera trial provisions available in the Criminal Procedure Code.</p> <p>Proviso to Section 327 (1) Cr.P.C. provides that the Presiding Judge may, if he thinks fit, order at any stage of the trial that the proceedings shall take place in camera. Therefore, in view of proviso to Section 327 (i) Cr.P.C. no separate directions regarding trial of female offenders in camera are required to be passed.</p> <p>Further, the Committee recommends that the Registrar General shall apprise Principal District & Sessions Judges that in cases of exceptional gravity where the female offenders were themselves victims of sexual abuse or domestic violence, the trial may be conducted by a female Judge, if possible.</p> <p>(ii) Second recommendation of the National Commission of Women is "to ensure that the women offender is not unnecessarily humiliated in cross</p>

		<p>examination, specially in cases like the present one, where she herself has been subjected to domestic violence and sexual abuse." Judicial Officers are already fairly sensitized regarding the fact that no witness/accused should be humiliated at any stage of trial including cross examination. However, the committee makes recommendation to the Director (Academics), Delhi Judicial Academy to add in any of the sessions of the training of the Additional Sessions Judges (General) a programme for the sensitization of the Judicial Officers that the women offenders, who were themselves subjected to domestic violence and sexual abuse are not unnecessarily humiliated during cross examination, in case they choose to examine themselves as defence witness.</p>
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