

No.CJM/Supdt/SML/2021-6237 to 6283

**Office of the Chief Judicial Magistrate, Shimla, H.P.**

**Dated Shimla the 24<sup>th</sup> Sep , 2021.**

**'OFFICE ORDER'**

In exercise of the powers vested in me under Sub Section 2 of Section 15 of Code of Criminal Procedure and all other powers enabling me in this behalf, **in suppression of all previous office orders on the subject**, I, Partap Singh Thakur, Chief Judicial Magistrate, Shimla, H.P., for smooth distribution of business amongst Chief Judicial Magistrate, Addl. Chief Judicial Magistrates and Judicial Magistrates, First Class and Second Class of this Sessions Division, for the purpose of remand, bail, other Misc. applications and filing and disposal of main Criminal cases and proceedings do hereby order the following arrangements:

**1. Courts Situated at Shimla.**

1. Matters pertaining to remand, bail and other Criminal Misc. Applications except the applications for recording statements under Section 164 of Cr. P. C. and Section 25 of Protection of Children from Sexual Offences Act (here-in-after to be referred as the POCSO Act) of female persons of sexual and molestation offences etc. only, in respect of jurisdiction of Police Stations, Sadar Shimla, (excluding P.P. Lakkar Bazaar), SV & ACB and CBI shall be looked after and entertained by the undersigned.

2. In addition to duties as Principal Magistrate, Juvenile Justice Board for Shimla District, matters pertaining to remand, bail and other Criminal Misc. Applications except the applications for recording statements under Section 164 of Cr. P. C. and under Section-25 of POCSO Act of female persons of female persons of sexual and molestation offences etc. only, in respect of jurisdiction of Police Station, Shimla East shall be looked after and entertained by the Ld. Additional Chief Judicial Magistrate, Court No. (1), Shimla H.P.

3. Matters pertaining to remand, bail and other Criminal Misc. Applications except the applications for recording statements under Section 164 of Cr. P. C. and Section 25 of POCSO Act of female persons of sexual and molestation offences etc. only in respect of jurisdiction of Police Station, Shimla West, excluding P.Ps Tutikandi, Dhamsi and Shoghi shall be looked after and entertained by the Ld. Addl. Chief Judicial Magistrate, Court No. (2), Shimla, H.P.

4 Matters pertaining to remand, bail and other Criminal Misc. Applications in respect of jurisdiction of Police Station Dhalli, (excluding P.P. Mashobra), shall be looked after and entertained by the Ld. Judicial Magistrate, First Class, Court No. (3), Shimla H.P.

5 Matters pertaining to remand, bail and other Criminal Misc. Applications in respect of jurisdiction of Police Station, New Shimla, shall be looked after and entertained by the Ld. Judicial Magistrate, First Class, Court No. (4), Shimla, H.P.

6 Matters pertaining to remand, bail and other Criminal Misc. Applications in respect of jurisdiction of Police Stations, Mahila Thana, Shimla and Cyber Crime shall be looked after and entertained by the Ld. Judicial Magistrate, First Class, Court No. (5), Shimla, H.P.

7. Matters pertaining to remand, bail and other Criminal Misc. Applications except the applications for recording statements under Section 164 of Cr. P. C. and Sections-25 of POCSO Act of female persons of sexual and molestation offences etc. only in respect of jurisdiction of Police Station, Sunni and P.P. Dhami, shall be looked after and entertained by the Ld. Judicial Magistrate, Second Class, Court No. (6), Shimla, H.P.

8 Matters pertaining to remand, bail and other Criminal Misc. Applications in respect of jurisdiction of Police Station, C.I.D., Bharari and P.P. Lakkhar Bazaar, Shimla, shall be looked after and entertained by the Ld. Judicial Magistrate, Second Class, Court No. (7), Shimla, H.P.

9. Matters pertaining to remand, bail and other Criminal Misc. Applications in respect of jurisdiction of Police Station, Railway's at Shimla, P.Ps. Mashobra, Shoghi and Tutikandi, shall be looked after and entertained by the Ld. Judicial Magistrate, Second Class, Court No. (8), Shimla H.P.

10. All the Police Challans, Criminal Complaints and Criminal Proceedings except complaints under Section 138 of Negotiable Act, Applications and Complaints under Protection of Women from Domestic Violence Act, (hereinafter to be referred to be as " D.V. Act") and other Criminal Matters including summary cases of all types except the Misc. application referred here-in-above shall be presented in the respective courts as per jurisdiction mentioned above.

11. All Criminal Complaints under Sections 138 of N.I.Act, Applications and Complaints under D.V. Act, complaints of mining inspectors or complaints qua illegal mining etc. by the Police officers, all complaints by shop inspector or labour inspectors or by any other competent officers under any other legislation(s) of the jurisdiction of all the aforesaid Police Stations shall be presented before the Court of undersigned and thereafter allocated, in equal, proportion to all the aforesaid

courts.

12 All complaints by Superintendent Model Central Jail, Kanda, Sub Jail, Kaithu about prison offences committed by any prisoners shall be filed before the undersigned, wherefrom the same shall be allocated to all the aforesaid Courts.

13. Till powers of Judicial Magistrate, First Class are conferred on the Ld. Judicial Magistrates Second Class all matters to be entertained and tried by Judicial Magistrate, First Class, pertaining to the jurisdictions of different Police Stations and Police Posts of their respective jurisdiction shall be filed before this Court wherefrom the same shall be assigned to different Courts.

14. However the applications for recording the statements under Sections 164 of Cr.P.C. and u/s 25 of POCSO Act in respect of only female victims of sexual and molestation offences addition to their respective jurisdiction shall be entertained by the Courts as Shown against Column No. (3) in respect of Police Stations/ Police Posts as mentioned in Column No. (2) below:

<i>Sl. No.</i>	<i>Name of Police Station</i>	<i>Court</i>
<i>1</i>	<i>2</i>	<i>3</i>
<i>1.</i>	<i>Shimla Sadar, (Excluding P.P. Lakkar Bazaar), SV &amp; ACB and CBI Shimla</i>	<i>Ld. Judicial Magistrate, First Class Court No, (3), Shimla</i>
<i>2.</i>	<i>Shimla, East</i>	<i>Ld. Judicial Magistrate, First Class Court No, (4), Shimla</i>
<i>3.</i>	<i>Shimla, West (Excluding P.Ps. Shoghi, Jutogh and Tutikandi)</i>	<i>Ld. Judicial Magistrate, First Class Court No, (5), Shimla</i>
<i>4.</i>	<i>P.S. Sunni and P.P. Dhami</i>	<i>Ld. Judicial Magistrate, Second Class Court No, (7), Shimla</i>

15 In absence or leave of any of the Ld. Judicial Magistrate, First Class and Ld. Judicial Magistrate, Second Class as mentioned against Column No. 3 of aforesaid table in Para-14, applications for recording statements u/s 164 Cr.P.C. and Section 25 of POCSO Act, shall be entertained by Learned Judicial Magistrate, Second Class Court No. (8), Shimla, H.P.

16. All the Summary Cases under Motor Vehicles Act, pertaining to Traffic Police in respect of Shimla Rural Sub-division shall be filed directly in the Court of Ld. Mobile Traffic Magistrate, Shimla, H.P. However, the Motor Vehicles Challans under the Motor Vehicles Act pertaining to Traffic Police in respect of Shimla Urban Sub-division shall be filed before the Court of undersigned, where from the same shall be allocated to different Courts taking into consideration the pendency of such Challans in different Courts.

## **2. Courts Situated at Rohru**

1. Trial/Inquiries, filing of Police challans, Complaints of all types of Criminal cases, all others Criminal proceedings and remand, bail and other Misc. Applications pertaining to the jurisdiction of Police Station, **Rohru** and applications for recording statements under **Section-164** of Cr.P.C. and under Section-25 of POCSO Act, of female persons of sexual and molestation offences etc. pertaining to Police Station, **Chirgaon** shall be entertained and disposed of by the Ld. Addl. Chief Judicial Magistrate, Court No. 1, Rohru, H.P.

2. Trial/inquiries, filing of Police Challans, Complaints of all types of Criminal cases, all others Criminal proceedings and remand, bail and other Misc. Applications pertaining to the jurisdiction of Police Station, **Chirgaon**, except Applications for recording statements under **Section-164** of Cr.P.C. and **Section-25** of POCSO Act, of female persons of sexual and molestation offences etc. only shall be entertained by the Learned Judicial Magistrate, Court No. (2), Rohru, H.P.

3. All complaints under **Section 138** of N.I. Act and Applications and Complaints under Domestic Violence Act, pertaining to the jurisdictions of P.Ss. Rohru and Chirgaon, complaints by Mining officers, Labour inspector, Shop inspector and any other complaint by any other compounding officer under any other shall be presented before the court of Ld. Addl. Chief Judicial Magistrate, Court No. (1), Rohru where-from the same shall be distributed in equal proportion between the Courts of Ld. ACJM, Court No.I, Rohru and the Court of Ld. Judicial Magistrate, Second Class, Court No. II, Rohru .

4. Till the powers of Judicial Magistrate First Class are conferred upon the Court of Ld. Judicial Magistrate, Second Class, Court No. II, Rohru, all matters entertainable and triable by Judicial Magistrate, First Class, shall be filed before the Court of Ld. Additional Chief Judicial Magistrate, Court No. (1), Rohru in respect of jurisdiction of Police Station, **Chirgaon**.

## **3. Court Situated at Theog**

Trial/Inquiries, filing of Police Challans, Complaints of all types of Criminal cases, all others Criminal proceedings and remand, bail and other Misc. Applications pertaining to the jurisdictions of Police Stations, **Theog, Kotkhai and Deha** shall be entertained and disposed of by the Court of Ld. Addl. Chief Judicial Magistrate, Theog, District Shimla, H.P

## **4. Court Situated at Chopal**

Trial/Inquiries, filing of Police Challans, Complaints of all types of Criminal cases, all other Criminal proceedings and remand, bail and other Misc. Applications pertaining to the jurisdiction of Police Stations, Chopal, Nerwa and Kupvi shall be entertained and disposed of by the Court of Ld. Judicial Magistrate, First Class, **Chopal**, District Shimla, H.P

**5. Court Situated at Jubbal**

Trial/Inquiries, filing of Police Challans, Complaints of all types of Criminal cases, all others Criminal proceedings and remand, bail and other Misc. Applications pertaining to the jurisdiction of Police Station, Jubbal, shall be entertained and disposed of by the Ld. Judicial Magistrate, First Class, **Jubbal**, District Shimla, H.P.

**6. MISCELLANEOUS.**

(I) As and when the spot trials of Motor Vehicle Challans are restored by Hon'ble High Court of H.P., the spot trials shall be conducted by the Ld. Additional, Chief Judicial Magistrates, Court No. (I), (II), Shimla, Ld. Judicial Magistrates, First Class, Court Nos. (3), (4), (5), and Judicial Magistrates, Second Class, Court Nos. (6), (7) and (8), Shimla, H.P. and the Court of Ld. Additional Chief Judicial Magistrates, Theog and Rohru, Ld. Judicial Magistrates, First Class, Chopal and Jubbal and Ld. Judicial Magistrate, Second Class, Court No, (2), Rohru, within their jurisdictions as defined above vide this order. However, the undersigned can conduct spot trials of M.V. Challans within the jurisdiction of any Police Station in Shimla Sessions Division and during such spot trials of the M.V. Challans by the undersigned, the S.H.O., concerned and the traffic incharge of the area concerned shall be reporting and assisting the undersigned in conducting such Spot Trials in M.V. Act cases. However, the Incharge, Traffic Shimla along with his Traffic Police team can also be directed to report to the undersigned even when the undersigned shall be on spot trials within the jurisdiction of other Police Stations in this Sessions Division.

(II) So far as spot Trials by Ld. Mobile Traffic Magistrate are concerned, he shall continue to do so as per the instructions of Hon'ble High Court of H.P.

(III) The M.V. Challans which remain undisposed during the Spot trial by the undersigned and Ld. Mobile Traffic Magistrate within the jurisdiction of any Police Station outside Shimla Sub-divisions shall be referred to the Courts as per their defined jurisdiction as per this office order for disposal in accordance with Law.

**7. ARRANGEMENTS DURING LEAVE OR ABSENCE ETC.**

Unless otherwise ordered by the learned Sessions Judge, Shimla Division at Shimla, by a general or special order, the arrangements for urgent work during leave or absence etc. of the undersigned, Ld. Additional Chief Judicial Magistrates, Ld. Judicial Magistrates, First Class and Ld. Judicial Magistrates Second Class in Shimla Sessions Division shall be as under:

<i>Sl. No.</i>	<i>Court in respect of which leave arrangement shall be made</i>	<i>The Court which shall look after the urgent work in respect of this Court as mentioned against column No. (2)</i>
<i>1</i>	<i>2</i>	<i>3</i>
<i>1.</i>	<i>Chief Judicial Magistrate, Shimla</i>	<i>Additional Chief Judicial Magistrate, Court No. (1), Shimla</i>
<i>2.</i>	<i>Additional Chief Judicial Magistrate, Court No. (1), Shimla</i>	<i>Additional Chief Judicial Magistrate, Court No. (2), Shimla</i>
<i>3</i>	<i>Additional Chief Judicial Magistrate, Court No. (2), Shimla</i>	<i>Judicial Magistrate, First Class, Court No. (3), Shimla</i>
<i>4</i>	<i>Judicial Magistrate, First Class, Court No. (3), Shimla</i>	<i>Judicial Magistrate, First Class, Court No. (4), Shimla</i>
<i>5</i>	<i>Judicial Magistrate, First Class, Court No. (4), Shimla</i>	<i>Judicial Magistrate, First Class, Court No. (5), Shimla</i>
<i>6</i>	<i>Judicial Magistrate, First Class, Court No. (5), Shimla</i>	<i>Judicial Magistrate, Second Class, Court No. (6), Shimla</i>
<i>7</i>	<i>Judicial Magistrate, Second Class, Court No. (6), Shimla</i>	<i>Judicial Magistrate, Second Class, Court No. (7), Shimla</i>
<i>8</i>	<i>Judicial Magistrate, Second Class, Court No. (7), Shimla</i>	<i>Judicial Magistrate, Second Class, Court No. (8), Shimla</i>
<i>9</i>	<i>Judicial Magistrate, Second Class, Court No. (8), Shimla</i>	<i>Judicial Magistrate, Second Class, Court No. (7), Shimla</i>
<i>10</i>	<i>Mobile Traffic Magistrate, Shimla</i>	<i>Judicial Magistrate, Second Class, Court No. (6), Shimla</i>
<i>11</i>	<i>Additional Chief Judicial Magistrate, Theog</i>	<i>Additional Chief Judicial Magistrate, Court No. (2), Shimla</i>
<i>12</i>	<i>Additional Chief Judicial Magistrate, Court No. (1), Rohru</i>	<i>Judicial Magistrate, Second Class, Court No. (2), Rohru</i>
<i>13</i>	<i>Judicial Magistrate, First Class, Chopal</i>	<i>Additional Chief Judicial Magistrate, Theog</i>
<i>14</i>	<i>Judicial Magistrate, First Class, Jubbal</i>	<i>Judicial Magistrate, Second Class, Court No. (2), Rohru</i>
<i>15</i>	<i>Judicial Magistrate, Second Class, Court No. (2), Rohru</i>	<i>Additional Chief Judicial Magistrate, Court No. (1), Rohru</i>

8. In case of any ambiguity or any work which has not been allocated to any Court at Shimla, such matters shall be filed before the Court of the undersigned and in respect of Courts at Rohru, the matter shall be filed before the Court of Ld. Additional Chief Judicial Magistrate, Court No. (1), Rohru.

9. The distribution of work vide this office order shall not restrict the powers of the undersigned to take cognizance of any criminal matter triable by the undersigned in respect of any police station within Session Division, Shimla under special circumstances.

***Chief Judicial Magistrate,  
Shimla , H.P.***

Endst. No.CJM/SML/2021-

Dated:-

Copies for information forwarded to:-

1. The Ld. District and Sessions Judge, Shimla division at Shimla H.P.
2. The Ld. District and Sessions Judge, (Forest), Shimla, H.P.
3. The Ld. Presiding Officer, Labour and Industrial Tribunal, Shimla H.P.
4. The Ld. Additional District and Sessions Judge, C.B.I. Court, Shimla H.P.
5. The Ld. Additional District and Sessions Judges, (I), (II), Shimla division at Shimla H.P.
6. The Ld. Additional Chief Judicial Magistrates, Court No. (I), (II), Shimla H.P.
7. The Ld. Additional Chief Judicial Magistrates, Theog and Rohru, District Shimla, H.P.
8. The Ld. Judicial Magistrate First Class, Court Nos. (3), (4), (5), Shimla, Chopal and Jubbal District Shimla H.P.
9. The Ld. Judicial Magistrate Second Class, Court Nos. (6), (7), (8), Shimla and Court No. (2), Rohru H.P.
10. The Ld. Mobile Traffic Magistrate, Shimla and Kinnaur at Shimla.
11. The Superintendent of Police, Shimla.
12. All the Stations House Officers, Shimla East, Shimla West, Shimla Sadar, Dhalli, Sunni, Railways at Shimla, SV & ACB, CBI, at Shimla, New Shimla, Theog, Kotkhai, Deha, Chopal, Nerwa, Kupvi, Jubbal, Rohru and Chirgaon for information and necessary action.
13. The Ld. Public Prosecutor, Shimla.
14. Notice Board of this Court Complex.
15. The President of District Bar Association Shimla, Sub Divisional Bar Association at Theog, Chopal and Rohru and Bar Association at Jubbal

***Chief Judicial Magistrate,  
Shimla , H.P.***