

MINUTES OF THE MEETING HELD ON 04.11.2025 IN THE CONFERENCE HALL OF THE DISTRICT & SESSIONS JUDGE, SIVASAGAR, IN COMPLIANCE OF HON'BLE GAUHATI HIGH COURT'S ORDER DATED 05.08.2013 AND 10.01.2014 PASSED IN WP(C) (TAKEN UP) NO. 4299/2006 AND A.B NO. 5537/2013 RESPECTIVELY

AGENDA

ITEM NO.1 : Regarding service of summons and Court processes with special emphasis on targeted cases.

Discussion: The District and Sessions Judge, Sivasagar, at the outset, welcomed all the members of the committee.

Initiating the discussion, the District and Sessions Judge, Sivasagar informed that service reports of summons from neighboring districts are not received regularly by the Courts for which disposal of cases are getting affected. The District and Sessions Judge, Sivasagar stressed that the matter requires immediate attention and accordingly suggested that the Police Administration would liaison with their counterparts in the districts to ensure that service reports of summons are returned from the receiving districts to reach the Courts in time.

Learned CJM, Sivasagar added that Teok PS and Mariani PS of Jorhat district have not been executing processes/ summons properly.

Resolution: The Ld. Addl. SP (Crime), Sivasagar assured to co-ordinate with their counterparts in the given district and take necessary steps to resolve the issue.

ITEM NO.2: Regarding submission of charge sheet with C/D in original.

Discussion: Ld. Chief Judicial Magistrate, Sivasagar, brought to the notice of the meeting that a prayer for submission of C/Sc without C/D was received from the S.P. Sivasagar. The matter was deliberated upon and the Notification 68 of the Hon'ble Gauhati High Court was discussed. The Notification in reference did not bar Courts from requisitioning the C/D in original, rather it provided that extract copies may also be received. Point No. 3 of the aforesaid Notification states that "It is made clear that point 2 above, shall not restrict the power of the Courts u/s 172 of Cr.P.C./ 192(4) BNSS or any other provisions of Cr.P.C./ BNSS and the Assam Police Manual for calling the original case diary (CD) at any stage of investigation/ inquiry/trial/appeal and CD shall be returned after completion of the purpose of calling of original CD." Accordingly, meeting

discussed that in some cases viz. Sessions, NDPS etc, the entire C/D is required for perusal during trial.

Resolution: Hence, it is resolved that digital copy of the C/D may be shared with the Courts and also the original C/D be submitted to avoid future hassle. Prayer therefore is not accepted.

ITEM NO.3 : Regarding appearance of I/Os in the Court of Addl. District and Sessions Judge, FTC, Sivasagar.

Discussion: The Ld. Addl. District and Sessions Judge, Sivasagar, informed that I/Os namely Sri Ashim Jyoti Buragohain, presently at PTC, Sri Lakshmikant Bodo, Special Branch, Guwahati, Sri Bhaben Dehingia, Special Task Force, Guwahati, Sri Bijoy Duara, SI, Hatigaon PS and Sri Gitartha Choudhury, SI, South Salmara are not responding to summons from the Court of Addl. District and Sessions Judge, FTC, Sivasagar. It was discussed that their absence have affected speedy disposal of cases. The meeting proposed that the I/Os may be informed that they may depose via VC, if due to exigent circumstance they are unable to attend Court. The meeting discussed that the I/Os are required to inform the concerned court about their inability to appear and for such compliance, they be informed accordingly.

Resolution: Ld. Addl. SP (Crime), Sivasagar assured to coordinate with the I/Os aforementioned and secure their presence.

ITEM NO. 4: Proper maintenance of C/D by incorporating the MCDs.

Discussion : The District and Sessions Judge, Sivasagar informed the meeting that the I/Os concerned with investigation fail to collect the MCD maintained during primary investigation of the given case, whereby gaps in investigation become apparent which is hard to ignore. The meeting discussed on the importance of continuity in investigation for success of prosecution.

Resolution: Ld. Addl. SP (Crime), Sivasagar assured to brief the I/Os in this regard.

ITEM NO. 5: Any other issue:

The District and Sessions Judge, Sivasagar informed the meeting that

Discussion: **(A)** Production of arrestee should be done early, latest by 3:00 P.M. unless for unavoidable circumstances; as late production would delay their entry in the Jail, and cause inconvenience to the Jail Administration in providing food etc. to the new arrestee/detainee.

Resolution: The Ld. Addl. SP (Crime) Sivasagar assured to take steps in this regard.

Discussion: **(B)** Also, the District and Sessions Judge, Sivasagar informed that Land Grabbing Tribunal is not receiving reports from the Circle Office, Sivasagar on requisition.

Resolution: The District Administration is to take needful action in this regard.

Discussion: **(C)** Age determination of border line victims/accused of POCSO cases, I/Os should try to collect documentary proof and if documentary proof is not available, examination by Medical Board is to be undertaken.

Resolution: The Ld. Addl. SP (Crime), Sivasagar assured to take steps in this regard.

The meeting ended with a vote of thanks from and to the chair.


4/11/2025
District & Sessions Judge,
Sivasagar


04/11/25
District Commissioner,
Sivasagar


4/11/25
Addl. District & Sessions Judge, FTC
Sivasagar


4.11.2025
Chief Judicial Magistrate,
Sivasagar


Superintendent of Police (Crime)
Sivasagar