

Weekly Meeting
Dima Hasao District Judiciary
Dated:- 08.02.2024

Proceedings of weekly meeting of Judicial Officers under Dima Hasao District Judiciary, held on 08.02.2024 at 3.30 PM in the office Chamber of the District & Sessions Judge, Dima Hasao.

Under the guidance of the District & Sessions Judge there was discussion on:-

- a)Section 82 Cr.P.C-"Proclamation for person absconding"
Section 83 Cr.P.C-"Attachment of property of person absconding"

"Conditions precedent to proclamations and simultaneous issue of proclamation and attachment"

- b) Prosecution section : (Section 197 Cr.P.C.)

The principle of immunity protects all acts which the public servant has to perform in the exercise of the functions of Govt. The purpose for which they are performed, protects these acts from Criminal Prosecution. However, where a criminal act is performed under the colour of authority but which in reality is for public servant's own pleasure or benefit , then such acts shall not be protected under doctrine of state immunity:-

Prakash S.Badal

Vs.

State of Punjab

(2007) 1 SCC 1

C) Section 173 (8) Cr.P.C- "Further investigation"

This provision permits further investigations when first facts came to light or defective investigation is detected in course of trial. For holding further investigations, it is desirable that police should inform the court and seek its formal permission in this regard.

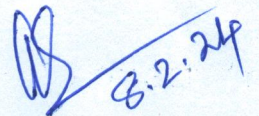
In Vinu Bhai Hari Bhai

Vs. 2020 Cr.L J 472 (SC)

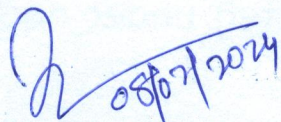
State of Gujarat

it was held that the Magistrate has no power to direct "re investigation" or "fresh investigation"(de novo) in the case instituted on police report. A Magistrate has power to direct "further investigation" after filing of a police report in terms of Section 173 (6) of the Cr.PC.

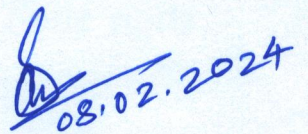
The meeting ended with a formal vote of thanks,



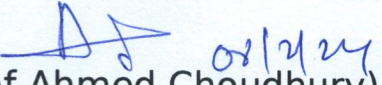
(Shri Abubakkar Siddique)
District & Sessions Judge
Dima Hasao, Haflong.

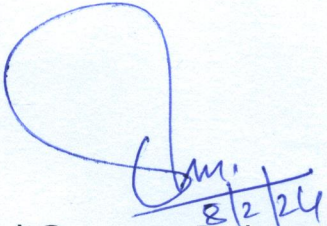



(Shri Nayan Jyoti Dutta)
Civil Judge (Sr.Div) & Asstt.
Sessions Judge, Dima Hasao.



(Smti. Sonamoni Chanda)
Chief Judicial Magistrate,
Dima Hasao.


(Shri Ashraf Ahmed Choudhury)
Addl.Chief Judicial Magistrate,
Dima Hasao.


(Shri Gautam Daimari)
Secretary,
District Legal Services Authority,
Dima Hasao.


(Shri Nitesh Sharma)
Civil Judge (Jr.Div) No.2
Dima Hasao.