

**Weekly Meeting**  
**Dima Hasao District Judiciary**

**Dated:- 22.02.2024**

Proceedings of weekly meeting of Judicial Officers under Dima Hasao District Judiciary, held on 22.02.2024 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-

i) Search and seizure witness- Section 100 (4) Cr.P.C. Sub-section (4) of section 100 of Cr.P.C provides that before making a search, the officer or other person about to make it shall call upon two or more independent and respectable inhabitants of the locality in which the place to be searched is situate or of any other locality if no such inhabitant of the said locality is available or is willing to be a witness to the search, to attend and witness the search and may issue an order in writing to them or any of them to do so.

State V. Navjot Sandhu (2005) 11 SCC 600

- There is no such inflexible proposition of law that in the absence of independent witnesses being associated with search, the seizure cannot be relied upon. But in that case closer scrutiny of evidence would be necessary.

ii) Aid to the Magistrates and the Police:-

Section 37 Cr.PC r/w section 187 of IPC.


Section 37 Cr.PC requires every person to assist a Magistrate or Police Officer who is reasonably demanding the aid- (a) in the taking or preventing the escape of any other person whom the Magistrate or Police is authorized to arrest, or (b) in the prevention or suppression of a breach of the peace, or (c) in the prevention of any injury attempted to be committed to any railway, canal, telegraph or public property.

"Omission to assist without reasonable cause is punishable under section 187 of IPC.

iii) Right to private Defence- (S.96-S.106 of IPC)

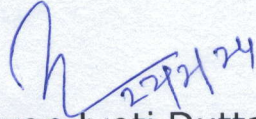
Section 96 to 106 IPC codify the entire law relating to right of private defence of person and property including the intent of and limitation to exercise of such right. Right of private defence is preventive and retributive. This right is available to a person who is suddenly confronted with immediate necessity of avoiding an impending danger which is not his own creation. This necessity must be present, real or apparent. (Kulwant V. State (2004) 9 SCC 257)

The meeting ended with a formal vote of thanks,

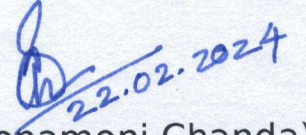


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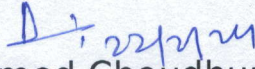
(Shri Abubakkar Siddique)  
District & Sessions Judge  
Dima Hasao, Haflong.



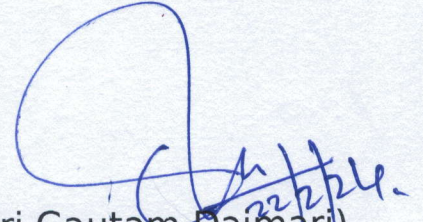
(Shri Nayan Jyoti Dutta)  
Civil Judge (Sr.Div) & Asstt.  
Sessions Judge, Dima Hasao.



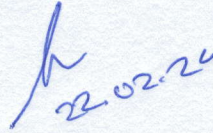
(Smti. Sonamoni Chanda)  
Chief Judicial Magistrate,  
Dima Hasao.



(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.