

**Weekly Meeting**  
**Dima Hasao District Judiciary**  
**Dated:- 29.02.2024**

Proceedings of weekly meeting of Judicial Officers under Dima Hasao District Judiciary, held on 29.02.2024 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) Power of Magistrate to order further investigation:-

Under Section 156 (3) of CrPC, A Magistrate can order further investigation even at cognizance stage.

Vinubhai Haribhai Malaviya  
V.  
State of Gujarat  
(2019) 17 SCC1

b) The District & Sessions Judge opined that cognizable cases should be reported to police and it is the police which can initiate the investigations

- If the complainant comes before the Court alleging that cognizable offence has been committed, then the Court should send the complaint petition along with Order of Court directing the police u/s 156 (3) of CrPC to investigate and submit F.F. at the earliest.


-If the complainant comes before the Court alleging that non - cognizable offence has been committed, then Court can proceed with the case as 'Complaint case'. If the accused is residing at a place beyond the jurisdiction of the court, then

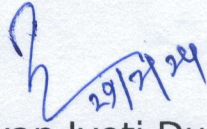
the Magistrate shall postpone issue of process against the accused and either inquire into the case himself or direct police to investigate .[ Section 202 CrPC]

(c) The District & Sessions Judge also pointed out some basic differences between:-

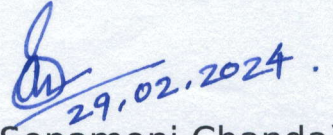
| Plea bargaining   | V. | Guilty Plead              |
|---|----|---------------------------|
| i) Governed by Chapter XXI A of CrPC. Apply to offences punishable upto Maximum 07 years. Does not apply to offences affecting socio-economic condition of country or committed against women or child below 14 years of age. |    | i) No limit               |
| ii) Sentence bargaining.  |    | ii) Sentence hearing      |
| iii) Bound to accept if there is mutual satisfactory disposition.   |    | iii) Not bound to accept. |

The meeting ended with a formal vote of thanks,

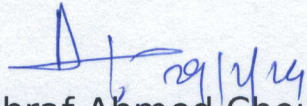
  
29.2.24  
(Shri Abubakkar Siddique)  
District & Sessions Judge  
Dima Hasao, Haflong.



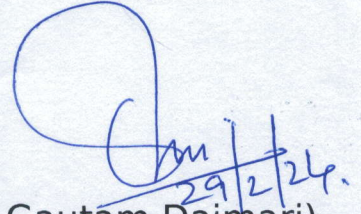
(Shri Nayan Jyoti Dutta)  
Civil Judge (Sr.Div) & Asstt.  
Sessions Judge, Dima Hasao.



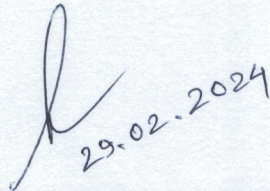
(Smti. Sonamoni Chanda)  
Chief Judicial Magistrate,  
Dima Hasao.



(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.