

Weekly Meeting
Dima Hasao District Judiciary
Dated:- 14.03.2024

Proceedings of weekly meeting of Judicial Officers under Dima Hasao District Judiciary, held on 14.03.2024 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:-

1. Section 8 of the Indian Evidence Act, 1872 dealing with "Motive, preparation and previous or subsequent conduct"-

The conduct, in order to be admissible under Section 8, must be such that it has close nexus with a fact in issue or relevant fact.

State V. Navjot Sandhu (2005) 11 SCC 600

2. Circumstantial evidence:

The District & Sessions Judge, asked the members present to go through judgment of Apex Court laid down in:-

Padala Veera Reddy V. State of A.P

(1991) SCC (Cri) 407

-In case of a circumstantial evidence such evidence must satisfy the following test:

(I) The circumstances from which an inference of guilt is sought to be drawn, must be cogently and firmly established.

(ii) Those circumstances should be of a definite tendency unerringly pointing towards guilt of the accused.

(iii) The circumstances, taken commutativity, should form a chain to complete that there is no escape from the conclusion that within all human probability, the crime was committed by the accused and none else, and
 (iv) the circumstantial evidence in order to sustain conviction must be complete and incapable of explanation of any other hypothesis than that of the guilt of the accused but should be inconsistent with his innocence."

3) Section 300 IPC: (Murder)

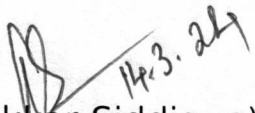
Exception 4 : Culpable homicide is not murder if it is committed without premeditation in a sudden fight in the heat of passion upon a sudden quarrel and without the offenders having taken undue advantage or acted in a cruel or unusual manner.

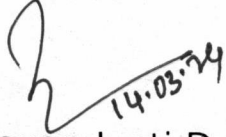
Explanation :- It is immaterial in such cases which party offers the provocation or commits the first assault.

Rajinder V.State (2000) 4 SCC 298

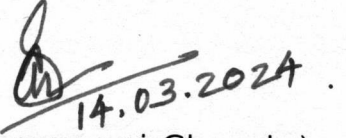
The occasion must be sudden and not as cloak for pre-existing malice. It is only an unpremeditated assault committed in the heat of passion upon a sudden quarrel which would come within Exception 4 and it is necessary that all the ingredients must be found.

With this, the meeting ended with a formal vote of thanks.

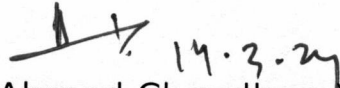

 (Shri Abubakkar Siddique)
 District & Sessions Judge
 Dima Hasao, Haflong.



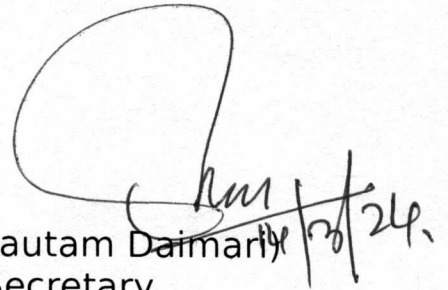
(Shri Nayan Jyoti Dutta)
Civil Judge (Sr.Div) & Asstt.
Sessions Judge, Dima Hasao.



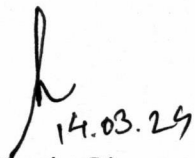
(Smti. Sonamoni Chanda)
Chief Judicial Magistrate,
Dima Hasao.



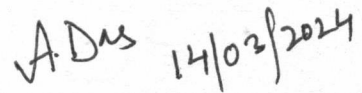
(Shri Ashraf Ahmed Choudhury)
Addl.Chief Judicial Magistrate,
Dima Hasao.



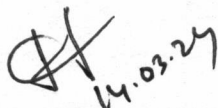
(Shri Gautam Daimary)
Secretary,
District Legal Services Authority,
Dima Hasao.



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



(Shri Aditya Vikram Das)
Civil Judge (Jr.Div) No.1
Dima Hasao.



(Shri Hadi Alam)
Judicial Magistrate First Class,
Dima Hasao.