

THE GAUHATI HIGH COURT AT GUWAHATI
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

NOTIFICATION NO. 68

Dated Guwahati, the 5th of October, 2024

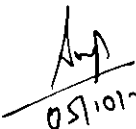
Whereas the Office of the Additional Director General of Police, CID, Assam has published two notifications vide no. CID/Cell-VII/Law/F.66/Prosecution/2022/100 dated 10.05.2023 and vide no. CID/Cell-VII/Law/F.66/Prosecution/2022/203 dated 13.07.2023 directing all Superintendent of Police not to send original CASE DIARY (CD in short) along with **Final Police Report Form** (Charge sheet or Final Report);

And, whereas from the letter received from the Inspector General of Police, CID, Assam, it was brought to the notice of the High Court, that, few Courts have raised objections in accepting the Final Form (Charge sheets or Final reports) without original Case Diaries;

And whereas section 173 of Cr.P.C and 193 BNSS or Assam Police Manual only provides that on completion of investigation; the investigating Officer is required to submit the Police Report along with the relied-upon materials on record, such as seized exhibits, documents, laboratory reports, expert opinions, and statements recorded under section 161 Cr.P.C/180 BNSS etc. before the competent Court for taking cognizance and these provisions read with other provisions do not provide for sending the original case diaries along with **Final Police Report Form**;

Now, upon considering all aspects, Hon'ble the Gauhati High Court has been pleased to issue the following guidelines for acceptance of **Final Police Report Form**:

1. **Police Reports i.e.** Final Form (Charge sheets or Final reports) **shall be accepted by all Courts without insisting for original Case Diaries.**
2. While accepting the **Final Police Report Form with all its enclosures**, the concerned Courts shall ensure that provisions of Section 173 Cr.P.C/193(6) BNSS and 193(8) BNSS are strictly complied with by the investigating officer. Courts shall also ensure that there shall be one copy for the use of Court and another copy for the prosecutor apart from the number of copies required to be furnished to the accused persons.
3. **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.


05/10/24

4. It is also provided that while submitting the Final Police Report Form, the investigating officer shall also send a digital copy of such police report along with all its enclosures having clear mention of Police Station Case Number as heading through email.
5. To receive the digital copy, District and Sessions Judges/Special Judges shall use official email account (preferably the email account with NIC for security purpose of the data) and store them in systematic manner in the data base for future use.
6. District and Sessions Judges/Special Judges shall provide the email account details to the Commissioner of Police, Guwahati/Superintendent of Police of the concerned district for receipt of such digitized copy for use in future.
7. While sending the original case record in connection with any appeal/revision, the concerned trial Court shall also send court copy of Final Police Report Form along with all enclosures received from the police station or the digital copy as per direction of the said court calling the record.

By Order,

Sd/- Sunil Kumar Poddar
REGISTRAR GENERAL

Memo No. HC.-III-10/2024/4115-4145/G

Dated Guwahati, the 5th of October, 2024.

Copy to:

1. The Advocate General, Assam.
2. The L.R. & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati, Assam.
3. The Director General of Police, Assam, Ulubari, Guwahati-7.
4. The Addl. Director General of Police, CID, Assam.
5. The Inspector General of Police, CID, Assam, Ulubari, Guwahati-7.
6. The Registrar [Vig./Admin./Judl./ Estt. (I/C)], Gauhati High Court, Guwahati.
7. The Secretary, Gauhati High Court Legal Services Committee, Gauhati High Court.
8. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati. Guwahati.
9. The District & Sessions Judge,
Bajali / Baksa / Barpeta / Biswanath / Bongaigaon / Cachar / Chirang / Charaideo / Darrang / Dhemaji / Dhubri / Dibrugarh / Dima Hasao / Goalpara / Golaghat / Hailakandi / Hojai / Jorhat / Kamrup / Kamrup (M) / Karbi Anglong / Karimganj / Kokrajhar / Lakhimpur / Majuli / Morigaon / Nagaon / Nalbari / Sivasagar / Sonitpur / South Salmara-Mankachar / Tinsukia / Udalguri/ West Karbi Anglong.

(He / She is requested to circulate this Notification amongst the Judicial Officers under his/her jurisdiction).

10. The President / Secretary General, Gauhati High Court Bar Association, Guwahati.

Ans
05.10.2024

11. The President / General Secretary, Gauhati High Court Advocates' Association, Guwahati.
12. The President / Secretary, All Assam Lawyers' Association, Guwahati.
13. The President / Secretary, Lawyers' Association, Guwahati.
14. The Member Secretary, Assam State Legal Services Authority.
15. The Principal Judge, Family Court, Barpeta / Cachar / Dhubri / Kamrup (M) No. I, II & III / Nalbari.
16. The Presiding Officer, Industrial Tribunal, Guwahati / Cachar / Dibrugarh.
17. The Member, MACT, Barpeta / Cachar / Dhubri / Goalpara / Kamrup / Kamrup (M) No. I, II & III / Nagaon / Nalbari / Sonitpur.
18. The Presiding Officer, Labour Court, Dibrugarh / Kamrup (M).
19. The Special Judge-cum-Judge, Designated Court, Assam.
20. The Special Judge, Assam.
21. The Special Judge, NDPS Court, Guwahati, Kamrup.
22. The Special Judge, CBI & NIA, Guwahati, Assam.
23. The Special Judge, CBI, Addl. Court No. I, II & III, Guwahati, Assam.
24. The Director, Law Research Institute, Gauhati High Court, Guwahati.
25. The Senior Information Technology Consultant, Gauhati High Court, Guwahati.
26. The Joint Registrar (_____), Gauhati High Court, Guwahati.
27. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
28. The P.S. to Hon'ble Mr. / Mrs. Justice _____, Gauhati High Court, Guwahati.
29. The Project Manager, Gauhati High Court, Guwahati.
(He is requested to upload this Notification in the website of the Gauhati High Court).
30. The C.A. to the Registrar General, Gauhati High Court, Guwahati.
31. The Gauhati High Court Notice Boards.


REGISTRAR GENERAL