

Home-E-(5)-2-336/2004
Government of Himachal Pradesh
Department of Home-E Section.

To

All the District Magistrates in
Himachal Pradesh.

Dated: Shimla-171 002, the, 15-01-2015.

Subject:- Delegation of Powers in Criminal cases.

Sir,

I am directed to invite your attention to this Department's letter of even number dated 8.8.2008 on the subject cited above and to say that in view of the provisions of section 378 (i) (b) of Cr.P.C. it has been decided to amend the instructions issued by this department's letter in para (iii) of Clause B as under:-

“ where the District Magistrate, on the opinion of the Public Prosecutor, found that whether the case is fit for appeal or not, against the orders of acquittal under the offences which are appealable before the Hon'ble High Court, all such cases may be sent to the State Govt. for further decision. The final decision to file appeal/revision or close such cases shall be taken by the State Govt.”

This amendment may be followed in letter and spirit.

By order

Chief Secretary to the
Govt. of Himachal Pradesh.

Endst. No. As above, Dated: Shimla-171 002, 15-01-2015.

Copy forwarded to the following in continuation to this department letter of even number dated 08-08-2008 for compliance & necessary action :-

1. The Director General of Police, Himachal Pradesh, Shimla-171 002.
2. The Addl. Director General of Police,(Vigilance) Himachal Pradesh, Shimla-2.
3. The Joint Secretary-Cum-Director (Vigilance) to the Govt. of H.P.
4. The Director (Prosecution) SDA Complex, Kasumpti, Shimla-171 009, H.P.
5. All the Superintendent of Police in Himachal Pradesh.
6. The Controller, Printing & Stationary, Department for publication in the official Rajpatra.
7. All the District Attorneys/APPs in Himachal Pradesh.

(Milap Chand)

Under Secretary (Home) to the
Govt. of Himachal Pradesh

Telephone No. 2626416

Dst.