

Most Urgent
Personal Attention

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, 05-06-2015.

Subject:- Regarding sending of criminal cases in the light of
instructions dated 08.08.2008 .

Sir,

In continuation to this department letter of even
number dated 08.08.2008 and subsequent amendment dated
15.01.2015 on the subject cited above, I am directed to say that
the State Govt. has decided to withdraw the instructions dated
15.01.2015 and to revive the earlier instructions dated
08.08.2008 with amendment to Clause (iii) of the instructions as
at **Annexure-A**.

It is requested that these instructions may please be
adhered to strictly.



(Devinder Saraswati)
Joint Secretary (Home) to the
Govt. of Himachal Pradesh.
Telephone No. 2626450

Endst. No. As above, Dated: Shimla-171 002, 05-06-2015.

Con'td.....

Copy forwarded to the following in continuation to this department letters of even number dated 08.08.2008 and dated 15.01.2015 for compliance & necessary action :

1. The Director General of Police, Himachal Pradesh, Shimla-2.
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 for strict compliance.
8. The Diarist of this Section Mr. Naresh Kumar Sharma, to upload the instructions on the website of Home-E Section please.
9. Guard file.



(Devinder Saraswati)
Joint Secretary (Home) to the
Govt. of Himachal Pradesh.
Telephone No. 2626450

Dst.

Annexure - A

Existing instructions

Amended instructions

(iii) Where the District Magistrate on the opinion of Public Prosecutor found that the case is not fit for appeal against the orders of acquittal under the offences which are appealable before the Hon'ble High Court, such cases may be closed at the level of the District Magistrate and only those cases may be sent to the Govt. which are found fit for filing of appeal in the High Court by the District Magistrate.

(iii) Where the District Magistrate on the opinion of Public Prosecutor finds that the case is not fit for appeal against the orders of acquittal *passed by the Magistrates* for the offences which are appealable before the Hon'ble High Court, such cases may be closed at the level of the District Magistrate and only those cases *decided by the Magistrates* may be sent to the Govt. which are found fit for filing of appeal in the High Court by the District Magistrate.

Further, all cases decided by the Special Court /Court of Session whether in the original or appellate Criminal jurisdiction be sent to the Govt. for further decision whether found fit for appeal or not by the District Magistrate.

