

HIGH COURT OF CHHATTISGARH, BILASPUR

Endorsement

Endt No. 1528 /Rules/2022

Bilaspur, dated 11/02/22

Copies of Chhattisgarh Gazette dated 31/01/2022 related to amendments in the **Rules & Order (Criminal)** forwarded to :-

1. Additional Registrar-cum-P.P.S. to Hon'ble the Chief Justice, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
2. Private Secretary to Hon'ble Mr. Justice Goutam Bhaduri, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
3. Private Secretary to Hon'ble Mr. Justice Sanjay K. Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
4. Private Secretary to Hon'ble Mr. Justice P. Sam Koshy, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
5. Private Secretary to Hon'ble Mr. Justice Sanjay Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
6. Private Secretary to Hon'ble Mr. Justice Rajendra Chandra Singh Samant, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
7. Private Secretary to Hon'ble Mr. Justice Arvind Singh Chandel, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
8. Private Secretary to Hon'ble Mr. Justice Parth Prateem Sahu, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
9. Private Secretary to Hon'ble Mr. Justice Gautam Chourdiya, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
10. Private Secretary to Hon'ble Mrs. Justice Rajani Dubey, High Court of Chhattisgarh, Bilaspur for information of her Lordship.
11. Private Secretary to Hon'ble Mr. Justice Narendra Kumar Vyas, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
12. Private Secretary to Hon'ble Mr. Justice Naresh Kumar Chandravanshi, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
13. Private Secretary to Hon'ble Mr. Justice Deepak Kumar Tiwari, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
14. Private Secretary to Registrar General, High Court of Chhattisgarh, Bilaspur, for information.
15. Steno to Registrar (Vigilance and I&E/Judicial/S & A Cell) High Court of Chhattisgarh, Bilaspur, for information.
16. Director, Chhattisgarh State Judicial Academy, High Court of Chhattisgarh, Bilaspur for information.
17. The District & Sessions Judge, Bastar at Jagdalpur/ Bilaspur/ Durg/ Raigarh/ Raipur/ Rajnandgaon/ Dakshin Bastar at Dantewara/ Janjgir-Champa/ Dhamtari/ Korba/ Mahasamund/ Kabirdham(Kawardha)/ Uttar Bastar (Kanker) /Koriya (Baikunthpur)/ Jashpur/ Balod/Bemetara/Kondagaon/Surajpur/ Sarguja at Ambikapur/ Baloda-Bazar/ Mungeli/ Balrampur at Ramanujganj for information.
18. The Principal Judge/Judge, Family Court, Bastar at Jagdalpur/ Bilaspur/ Durg/ Raigarh/ Raipur/Rajnandgaon/Janjgir-Champa/Dhamtari/Korba/Mahasamund/ Kabirdham (Kawardha)/ Uttar Bastar (Kanker) /Koriya (Baikunthpur)/ Jashpur/ Balod/Bemetara/Kondagaon/Surajpur/ Sarguja at Ambikapur/ Baloda-Bazar for information.
19. Registrar (S&A Cell/C.S.J.A.), High Court of Chhattisgarh, Bilaspur for information.
20. Additional Registrar (Judicial/D.E.&E/HCLSC/Adm.), High Court of Chhattisgarh, Bilaspur for information.
21. I/c Registrar (Computerization)-cum-CPC, High Court of Chhattisgarh for information.
22. All Additional Registrar (M), High Court of Chhattisgarh, Bilaspur for information.
23. Member Secretary, Chhattisgarh State Legal Services Authority, Old High Court Building, Bilaspur for information.
24. The President, Chhattisgarh State Industrial Court, Near Ghadi Chowk, Raipur with a request to circulate all the Presiding Officers of the Labour Courts for information.
25. Commercial Court, Sector-19, Kotara Bhantha, Naya Raipur, C.G. 492101 for information.
26. All Deputy Registrar, High Court of Chhattisgarh, Bilaspur for information.
27. Library, High Court of Chhattisgarh, Bilaspur for information.
28. Court Manager, High Court of Chhattisgarh, Bilaspur for information.
29. In-Charge, NIC High Court Computer Cell, High Court of Chhattisgarh, Bilaspur with a direction to upload in the official web-site of this High Court.


(Sanjay Kumar Jaiswal)
Registrar General

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजक / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 48]

रायपुर, सोमवार, दिनांक 31 जनवरी 2022 — माघ 11, शक 1943

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर
HIGH COURT OF CHHATTISGARH, BILASPUR
Bilaspur, the 21st December 2021

MEMO

No. 12961/Rules/2021.— With reference to the subject cited above, it is to inform you that High Court of Chhattisgarh has been pleased to recommend the following amendments in the Rules & Order (Criminal) :-

AMENDMENTS

- 1. In the Rule 72(2), after the words and parenthesis “witness in order to contradict him” and before the word “and” the following shall be inserted :-**

“where the relevant portion is not extracted, the portions only shall be distinctly marked as prosecution or defence exhibit as the case may be, so that other inadmissible portions of the evidence are not part of the record. In cases where the relevant portion is not extracted, the admissible portion shall be distinctly marked as prosecution or defence exhibit as the case may be.”
- 2. After the Rule 72(2), the following shall be added :-**
 - (3)** The aforesaid rule applicable to recording of the statements under section 161 shall mutatis mutandis apply to statements recorded under section 164 of the Cr.P.C., wherever such portions of prior statements of living persons are used for contradiction/corroboration.
 - (4)** Omnibus marking of the entire statement under section 161 and 164 Cr.P.C. shall not be done.”
- 3. After Rule 117, the following shall be inserted :-**

“Rule 117A :- SUPPLY OF DOCUMENTS UNDER SECTIONS 173, 207 AND 208 CR.PC :-

Every Accused shall be supplied with statements of witness recorded under Section 161 and 164 Cr.PC and with list of documents, material objects and exhibits alongwith copies of all Panchnamas prepared during investigation and relied upon by the Investigating Officer (I.O.) in accordance with Section 207 and 208, Cr.PC.

Explanation: The list of statements, documents, material objects and exhibits shall specify statements, documents, material objects and exhibits that are not relied upon by the Investigating Officer."

4. In the Rule 180, after the words and parenthesis "Magistrate with his own hand and in his mother tongue," and before the word "unless" the following shall be inserted :-

"in typed format, or shall be prepared on computers, in the court on the dictation of the Presiding Officer,"

5. After Rule 182, the following shall be inserted :-

"Rule 182A: Prosecution witnesses shall be numbered as PW-1, PW-2 etc, in *seriatim*. Similarly, defence witnesses shall be numbered as DW-1, DW-2, in *seriatim*. The Court witnesses shall be numbered as CW-1, CW-2, in *seriatim*,

6. In the Rule 458, after the words and parenthesis "Exhibit D-2," the following shall be inserted :-

"the court exhibit shall be marked as Exhibit C-1, Exhibit C-2,"

7. In the Rule 253, after the words and parenthesis "charged and convicted.", the following shall be added :-

"In case of acquittal and if the accused is in confinement, a direction shall be given to set the accused at liberty, unless such accused is in custody in any other case."

8. After Rule 375, the following shall be inserted :-

"Rule 375A :- The application for bail in non-bailable cases must ordinarily be disposed off within a period of 3 to 7 days from the date of first hearing. If the application is not disposed off within such period, the Presiding Officer shall furnish reasons thereof in the order itself. Copies of the reply to the bail application or status report (by the police or prosecution) if any, shall be furnished to the accused before hearing on the bail application."

9. After Rule 239, the following shall be inserted :-

"Rule 239A :- Every judgment shall contain the following :-

- i. Start with a preface showing the names of parties as per FORM D to the Rules.
- ii. A tabular statement as per FORM-E to the Rules.
- iii. The Judgement in original decision shall, apart from the particulars prescribed by Section 354 of the code also contain an index in tabular Form as per FORM-F to the Rules.

N.I.C.

FORM - F**Index**

S.No.	Description	Page No..
1	Heading of Judgment	
2	Appearance of Advocates	
3	Charge	
4	Admitted Facts	
5	Prosecution Story	
6	-----	
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8	Reasons and findings	
9	Sentence	
10	Period of Detention & Set-Off	
11	Disposal of Property	
12	Order of Compensation	
13	Certificate under section 428 CrPC	
14	Warrant of Commitment on a sentence (Imprisonment or Fine)	
15	Copy of Judgment	

It is, therefore, requested to get the above amendments notified in the Official Gazette of Government of Chhattisgarh after due and appropriate approval. A copy of the Gazette be made available to this Registry.

Sd/-

(Sanjay Kumar Jaiswal)
Registrar General.