

RAJASTHAN HIGH COURT, JODHPUR

CIRCULAR

No. 08/P.I./2018

Date : 06-12-2018

Despite concrete directions issued vide Circular No.7/P.I./2017 dated 30.03.2017, it is observed that most of the standing arrest warrants are not entered in the Absconders' Register (No.25) of Courts as well as in the Register of Police Stations, consequently, required efforts are not made for the arrest of absconded accused. Besides this, case files of absconded accused are consigned to record without recording the statements of witnesses as per provisions of Section 299 of Cr.P.C. which results in miscarriage of justice in the event of non-availability of witnesses on subsequent arrest of absconded accused.

Therefore, while reiterating earlier directions contained in Circular No.7/P.I./2017 dated 30.03.2017 (copy enclosed), it is enjoined upon all the Presiding Officers to ensure that standing arrest warrants are invariably entered in Absconders' Register (No.25) on same day and its receipt details of concerned Police Station is endorsed both in Absconders' Register and concerned case file. These details of standing arrest warrant must also be recorded in the proceedings on CIS so that the same may be searched out instantly without calling the case file from the record room. Further, no criminal case of absconded accused shall be consigned to record without recording the statements of witnesses as per Section 299 Cr.P.C. and without instituting proceedings under Section 82-83 and 446 Cr.P.C.

Necessary compliance of above directions will also be ensured in the cases which have already been consigned to record.

The District & Sessions Judges would regularly monitor the compliance of these directions in the Bi-monthly meetings.

Any lapse in this regard will be viewed seriously.

BY ORDER,

Encl.: As above.


REGISTRAR GENERAL

No.Gen./XV/112/2018/ 7216

Date : 06-12-18

Copy forwarded to all the District & Sessions Judges with the request to circulate the same amongst all the Subordinate Courts in their Judgeships for information and compliance.


REGISTRAR GENERAL