

**By E-mail/Speed Post.**

**THE GAUHATI HIGH COURT AT GUWAHATI**

(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**NO.HC.VII-44/2018/11457/A**

**Dated: 28.11.2022**

From: **Shri R.A. Tapadar**  
Registrar (Judicial),  
Gauhati High Court,  
Guwahati.

To: **The District & Sessions Judges,**  
Bajali / Baksa / Barpeta / Biswanath / Bongaigaon / Cachar /  
Charaideo / Chirang / Darrang / Dhemaji / Dhubri / Dibrugarh /  
Dima Hasao / Goalpara / Golaghat / Hailakandi /Hojai /Jorhat /  
Kamrup (M) / Kamrup / Karbi Anglong / Karimganj / Kokrajhar /  
Lakhimpur / Majuli / Morigaon / Nagaon / Nalbari / Sivasagar /  
Sonitpur / South Salmara-Mankachar /Tinsukia / Udalguri

Sub.: Withdrawal of petty/minor cases from the District Judiciary.

Ref.: Government Letter No.E-217405/59 dtd:21.10.2022 and  
Government Notification No.E-217405/52 dtd:21.10.2022

Sir/Madam,

With reference to the subject cited above, I am directed to request you to upload, in your respective District website, the list of cases for withdrawal as per the request of the Government of Assam and dispose off the same as per law. A copy of the Standard Operating Procedure issued by the Judicial Department, Government of Assam, in this regard is enclosed herewith for your reference.

You are, therefore, requested to take the follow-up steps in this regard immediately, with intimation to this Registry.

With warm regards

Yours faithfully,

Encl.: As stated above

**REGISTRAR (JUDICIAL)**

**Memo No HC.VII-44/2018/11458/A Dated Guwahati 28-11-2022**

Copy to:-

1. The Advocate General, Assam, Gauhati High Court, Guwahati.
2. The Director General of Police, Ulubari, Guwahati.



3. The Registrar-cum- Principal Secretary to Hon'ble The Chief Justice, Gauhati High Court, Guwahati for favour of his lordship's kind information.
4. L.R.-cum-Commissioner and Secretary, Judicial Department, Govt. of Assam, Dispur with reference to his letter No.E-217405/59 dtd:21.10.2022.
5. The Chief Judicial Magistrate, all Districts.
6. The P.S. to the Hon'ble Law Minister, Dispur, Guwhati-06.
7. The President/Secretary, Gauhati High Court Bar Association, Guwahati.
8. The President/Secretary, Gauhati High Court Advocates' Association, Guwahati.
9. The President/Secretary, All Assam Lawyers' Association, Guwahati.
10. The Public Prosecutors, all Districts, Assam.
11. The Government Pleader, all Districts, Assam.
12. The Joint Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
13. The Deputy Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
14. The Assistant Registrar (\_\_\_\_\_), Gauhati High Court, Guwahati.
15. The Administrative Officer (Judicial) \_\_\_\_\_, Gauhati High Court, Guwahati.
16. The P.S. to Hon'ble Mr./Mrs. Justice \_\_\_\_\_ Gauhati High Court, Guwahati for favour of his / her Lordship's / Ladyship's kind information.
17. The C.A. to Registrar General / Registrar (Admin. / Vig. / Estt.), Gauhati High Court, Guwahati.

R. A. Tapadar  
28.11.22

**REGISTRAR (JUDICIAL)**



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## STANDARD OPERATING PROCEDURE

1. A general authority will be issued by the Judicial Department, Govt. of Assam to all the PP, Addl. PP, Asst. PP to move appropriate application/petition under Section 321 CrPC, 1973 before the respective Courts for withdrawal of cases covered under the policy, pending in their respective Districts/sub-divisions.
2. Judicial Department shall also forward copies of the list of cases with details collected from the Hon'ble Gauhati High Court to the respective PP, Addl. PP, Asst. PP of every District/Sub-division.
3. The Govt. of Assam in the Home & Political Department will issue a general public notice by way of paper publication in leading newspapers about the Govt. Decision for withdrawal of cases punishable upto 3 years or fine and informing the public to check the details of cases in their respective District Judiciary's website as well as in the notice board of respective District Judge/CJM. Also specifying that if any of the victim is aggrieved with the proposed withdrawal, he/she will be at liberty to file Complaint Case on their own, to proceed with their grievance and in appropriate cases such eligible victim may approach for legal aid before the District Legal Service Authority.
4. Judicial Department will request all the District & Sessions Judges through the Registrar General, Gauhati High Court for the assistance of the Sheristadar/ Court Manager / System Officer/ System Assistant or any other staff to the Public Prosecutor/ Additional Public Prosecutor/Assistant Public for the purpose of publishing the list of cases / details of cases for publication in District Judiciary Official website as well as on the notice boards of the respective courts.
5. The Public Prosecutor/ Additional Public Prosecutor/Assistant Public Prosecutor, on receipt of list of cases from the Govt. shall verify each of the cases to ensure that the case is squarely covered under the principles/ categories of cases, to be withdrawn. If any of the case/cases are found not to be in accordance with the principles/criteria laid down in the policy for withdrawal (including cases U/S 498 A IPC and Dowry) and reiterated in this SOP, the same not to be pressed for withdrawal. Accordingly, a list indicating such cases shall be forwarded to the Government in the Judicial Department by way of fortnightly report.





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Memo No. E-217405/52-A

Dated Dispur, 21<sup>st</sup> October, 2022

- i. The Advocate General, Gauhati High Court, Guwahati-1
- ii. The Director General of Police, Ulubari, Guwahati-7
- iii. The Registrar General, Gauhati High Court, Guwahati-1
- iv. The Principal Secretary to the Hon'ble Chief Minister, Dispur, Guwahati-06
- v. The Principal Secretary to the Home & Political Department, Dispur, Guwahati-06
- vi. The District & Session Judge, all districts
- vii. The Chief Judicial Magistrate, all districts
- viii. The P.S. to the Hon'ble Law Minister, Dispur, Guwahati-06
- ix. The S.O. to the Chief Secretary to the Govt. of Assam, Dispur, Guwahati-06
- x. The Public Prosecutors, all District
- xi. The Government Pleader, all Districts
- xii. The Director of Printing & Stationary, Government Press, Bamunimaidan, Guwahati-21 for publication of the above notification in the Assam Gazette.

By Orders etc.

*Nitin Kalita*  
21/10/2022

L.A. to L.R. & Under Secretary to the Govt. of Assam

**Judicial Department**