

**REGISTRAR GENERAL  
HIGH COURT, CALCUTTA**



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[BY E-MAIL/SPEED POST/SPECIAL MESSENGER]

**No. 2779-RG.**

**Date: 14.07.2021.**

**To:**

**(1) The Chief Judge, City Sessions Court, Calcutta;**

**(2) All The District & Sessions Judges of West Bengal:**

(Darjeeling, Kalimpong, Jalpaiguri, Cooch Behar, Uttar Dinajpur, Dakshin Dinajpur, Malda, Murshidabad, Purba Bardhaman, Paschim Bardhaman, Bankura, Birbhum, Purulia, Paschim Midnapore, Purba Midnapore, Howrah, Hooghly, Nadia, North 24 Parganas, South 24 Parganas, Jhargram, Andaman & Nicobar Islands);

**Subject: Compliance of the solemn order dated 14.07.2021 passed by the Hon'ble Court presided over by the Hon'ble Justice Tirthankar Ghosh in connection with CRR 3988 of 2011 with C.R.R. 3630 of 2011.**

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Sir/Madam,

With reference to the captioned subject, I am forwarding herewith the copy of solemn order dated 14.07.2021 along with the guidelines with regard to procedure of handing over the case diary by the Investigating officers/Police personnel to the concerned Advocate/Court Officer/Bench Clerk etc. formulated by the Office of the Director General & Inspector General of Police, West Bengal and the Commissioner of Police, Kolkata for information and strict compliance of the aforesaid solemn order of the Hon'ble Court.

With regards,

*Ananya Bandyopadhyay*  
Registrar General.

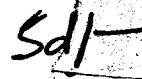
High Court, Calcutta.

14-7-21

**Enclosure: As stated above.**

Serial No.	Date	Notes and Orders
	Sr. 05 & 06 <b>14-07-2021</b> Subha. Court no. 34	<p style="text-align: center;"> <b>IN THE HIGH COURT AT CALCUTTA</b>  <b>CRIMINAL REVISIONAL JURISDICTION</b>  <b>APPELLATE SIDE</b> </p> <p style="text-align: center;"> <b><u>CRR 3988 of 2011</u></b>            ( Via Video Conference )         </p> <p> <b>In Re</b> : An application under Section 482 of the Code of Criminal Procedure.         </p> <p style="text-align: center;">And</p> <p>           In the matter of: <b>Sanju Chand &amp; Ors.</b> .....Petitioners.         </p> <p style="text-align: center;">With</p> <p style="text-align: center;"> <b><u>C. R. R 3630 of 2011</u></b>            (Via Video Conference)         </p> <p> <b>In Re</b> : An application under Sections 397 and 401 read with Section 482 of the Code of Criminal Procedure, 1973.         </p> <p>           In the Matter of : <b>Smt. Anisha Singh</b> ....Petitioner.         </p> <p style="margin-left: 40px;">           Mr. Ayan Bhattacharyya            Mr. Sharequl Haque            Mr. Aditya Narayan Tiwary            .....for the petitioners in CRR 3988/2011            &amp; O. P. Nos. 1 to 4 in CRR 3630/2011.         </p> <p style="margin-left: 40px;">           Ms. Chandreyi Alam            ...for the Petitioner in CRR 3630/2011            &amp; Opposite Party no. 2 in CRR 3988/2011.         </p> <p style="margin-left: 40px;">           Mr. Saswata Gopal Mukherji. Ld. PP,            Mr. Arijit Ganguly            Mr. Sanjib Kumar Dan            ...for the State.         </p> <p style="margin-left: 40px;">           Mr. Mukherji, learned Public Prosecutor, High Court,            Calcutta submits the report of the Commissioner of Police,         </p>

Serial No.	Date	Notes and Orders
		<p>Kolkata. The Commissioner's Order No. 392 dated 13<sup>th</sup> July, 2021 incorporates the Standard Operating Procedure (SOP) formulated for compliance in respect of movement of case diaries in all courts of law.</p> <p>It has also been brought to the notice of this Court that the same has been published in the Calcutta Gazette on 13<sup>th</sup> July, 2021 and an information has been sent to all the police stations within the jurisdiction of Kolkata.</p> <p>Mr. Mukherji, learned Public Prosecutor also hands over Memo No. 287/Law Cell(ADM/CR/LC-390/21) dated 13<sup>th</sup> July, 2021 of the Office of the Director General &amp; Inspector General of Police, West Bengal wherein a guideline has been formulated for ensuring the movement of the case diaries in courts. The documents so produced from the Office of the Commissioner of Police, Kolkata and the Office of the Director General &amp; Inspector General of Police, West Bengal be kept with the record.</p> <p>The Office of the Director General &amp; Inspector General of Police, West Bengal is directed to ensure that the guidelines so formulated should reach the Officer-in-Charge of all the police stations within 72(seventy-two) hrs. from date.</p> <p>The Registrar General, High Court, Calcutta is directed to intimate the guidelines formulated by the Office of the Director General and Inspector of Police, West Bengal and the Commissioner of Police, Kolkata to all the District Courts and subordinate courts within a period of seven days from date so</p>

Serial No.	Date	Notes and Orders
		<p>that there is no non-cooperation from the court staff with the police personnel regarding the handing over of the case diaries.</p> <p>The Registrar General, High Court, Calcutta is directed to send necessary intimation to the Chief Judge, City Sessions Court, Kolkata for engaging an office staff in tracing/tracking/retrieving the original case diary relating to Hastings PS/DD Case No. 244 dated 16<sup>th</sup> December, 2008.</p> <p>The Chief Judge, City Sessions Court, kolkata is directed to file a report of compliance with the Registrar General, High Court, Calcutta which will be placed before this Court on the next date fixed for hearing.</p> <p>The Director General and Inspector General of Police, West Bengal is directed to submit a report of compliance on the next date fixed for hearing.</p> <p>List this matter under the same heading on 22<sup>nd</sup> July, 2021 at 12.30 p.m.</p> <p>The Investigating Officer of the case as also the Officer-in-Charge, Women's Grievances Cell, Detective Department, Lalbazar, Kolkata is present in court today. Their personal appearance stands dispensed with for the day and they are directed to appear on the next date fixed for hearing.</p> <p style="text-align: right;"> ( Tirthankar Ghosh, J. )</p>

WEST BENGAL POLICE DIRECTORATE  
BHABANI BHAVAN, ALIPORE  
KOLKATA- 700 027

Memo No. 287 /Law Cell  
ADM/CR/LC-390/21

Dated the 13 July, 2021.

To:

- 1 All Superintendents of Police of all Districts/Police Districts in West Bengal
1. All Commissioners of all Police Commissionerates in West Bengal
2. All Superintendents of Railway Police in West Bengal
3. Deputy Inspector General of Police, Anti Corruption Branch, West Bengal
- 5 Additional Director General, Criminal Investigation Department, West Bengal
- 6 Inspector General of Police, Enforcement Branch, West Bengal
- 7 Inspector General of Police, Special Task Force, West Bengal
- 8 Director, Directorate of Economic Offences.
- 9 All Range Deputy Inspector General of Police, West Bengal.
- 10 All Zonal Inspectors General of Police, West Bengal/ Additional Director General & Inspectors General of Police, West Bengal, South Bengal, Western Zone.

Sub : Circulation of guideline regarding procedure of handing over the case diary by the Investigating officers/ Police personnel to the concerned Advocate/Court Officer/Bench Clerk etc.

Ref : Order of Hon'ble High Court, Calcutta dated 09.07.2021 in connection with C.R.R. No. 3988 of 2011 in the matter of Sanju Chand & Ors. -Vs- State of West Bengal & Ors. with C.R.R. No. 3630 of 2011 in the matter of Smt. Anisha Singh -Vs- State of West Bengal & Ors.

Enclosed please find herewith a comprehensive guideline regarding the procedure of handing over the case diary to the Ld Advocate representing the State or to the Court officer/Bench Clerk as and when called by the Ld. Court.

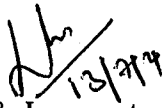
The guideline is based on the prevalent provisions of PRB 1943 and should be strictly followed.

Received  
13/07/21

It is requested that Sub-Divisional Police Officer/Zonal Dy. Superintendents of Police who supervises the work of court officers, will counter check the relevant registers/records periodically so as to ensure safety of the confidential document.

Any deviation in this regard, will construe disciplinary action against the erring officer.

Encl : As above

  
For Director General & Inspector General of Police  
West Bengal

**Guideline for handing over the case diary by the Investigating Officer or the police personnel to the concerned Advocate representing the State/Court officer/bench clerk etc.**

Instances have come to the knowledge of Director General & Inspector General of Police, West Bengal where due to negligence and lackadaisical attitude of the Investigating officer / Officer in- Charges, case diaries are not being produced before the concerned court in time. Even there are such instances where case diaries are not being traced out for a couple of years resulting inordinate delay in conclusion of trial/appeal/revision etc. and such delay affects the entire criminal-justice system.


Case diary being treated as a confidential document should be kept in safe custody and it is the duty of the concerned I.O. or any other police officer specially entrusted, to ensure its safety. In this regard it is directed that all SPs/CPs/SRPs will ensure strict compliance of the Regulation 68 of PRB 1943.

Apart from the above following guideline is issued to ensure production of the CD as and when called for:-

1. Every page of the Case Diaries and any connected papers received with them shall be stamped with the date immediately on receipt in the court officer. Concerned Court Inspector/GRO will ensure it.
2. Care should be taken that case diaries called for by the court under section 172 Cr. P.C., but not put in as evidence, are not attached to the record and they are returned by the court when no longer required.

In this regard procedure as laid down in Reg. 442 of PRB should be followed strictly.

3. In cases decided in a Magistrate's Court, the diaries and enclosures shall, as soon as the case is decided, be returned by the Court officer to the officer-in-charge of the Police Station. Court Inspector of the concerned court being the Court officer within the meaning of Reg. 411(ii) of PRB 1943 will ensure that such exercise is completed without any loss of time.
4. If the cases are committed to the court of Sessions, the court officer shall ascertain the name of the P.P. who will represent the State and shall make over to him in person the diaries and enclosures under proper receipt. On return from the P.P., the court officer shall send the diaries and enclosures back to the Officer-in-charge of the concerned Police Station.

  
For Director General & Inspector General of Police  
West Bengal




In compliance with the Order of Hon'ble High Court, Calcutta passed on 09<sup>th</sup> July, 2021 in CRR 3988 of 2011, a Standard Operating Procedure (SOP) is hereby formulated to be complied with for movement of Case Diaries in all Courts of Law:

1. The Case diary comprising of the Special Diary U/S 172 CrPC alongwith statements, seized documents etc should be duly paginated. I.O on handing over the case diary to Ld. Court shall obtain a receipt from the Court Clerk mentioning the number of pages in the said receipt.
2. The Case Dairies for each Case shall have to be maintained in triplicate, keeping in with the provision of Rule 71(b) of Chapter V of the Police Regulations Calcutta, 1968 (Volume-I). The first copy of the same shall be with the Investigating Officer (IO) of the Case while the 2<sup>nd</sup> Copy shall be under the disposal of the Officer-in-Charge of the Police Station. A certified Xerox copy of the Original Case Diary shall be submitted in the office of the PP of a Ld. Court while the original may be produced on demand.
3. When the IO during Bail Hearings and on Trial will hand over the case diary to Ld. Public Prosecutor of lower Courts, Sessions Courts and Hon'ble High Court, shall obtain a receipt from the Public Prosecutor mentioning the number of pages in the said receipt.
4. All Officers-in-Charge of Police Stations and other Investigative Units of Kolkata Police shall maintain a Case Diary Movement Register in the office. This register should be checked by Assistant Commissioners of Police once in a month. OCs will regularly check the said register. A copy of the receipt should be kept in the Register. The original Copy will be retained by the IO.
5. In case the IO is transferred from the PS or Investigative Unit, the said receipt should be handed over to the next IO.

6. In case of superannuation of IO from service, OCs should take care to ensure that he hands over the receipt to the next IO in case the investigation of the case is not complete.
7. Moreover, IOs can handover the certified photo copy of the Case Diary to Ld. PPs, as practiced in Hon'ble High Court, Calcutta. If Ld. Courts insists on original Case Diary, the above-mentioned SOP be practiced.

The above SOP should be followed in letter and spirit to keep a systemized process in the movement of Case Diaries.

  
13/7/2021  
Commissioner of Police,  
Kolkata