

## **OFFICE OF THE DISTRICT AND SESSIONS JUDGE, JHAJJAR.**

### **ORDER:**

Keeping in view the prevailing situation of COVID-19 in District Jhajjar and in compliance of the directions of the Hon'ble High Court conveyed vide letter No. 80/RG/Spl./Misc. dated 17.04.2021, following fresh guidelines/instructions are issued w.e.f. 01.07.2021 to 31.07.2021, subject to further change in situation of COVID-19 or any further new guidelines/instructions received from the Hon'ble High Court of Punjab and Haryana, Chandigarh, following fresh directions/guidelines for ensuring effective working of the Courts in Sessions Division, Jhajjar are issued:-

### **Sessions Courts:**

1. Recording of evidence in all Criminal Trials in which the accused are in custody and cases pertaining to POCSO, crime against women and old criminal trials in which accused are on bail.
2. Framing of charge, recording of statement of accused under section 313 Cr.PC and defence evidence and final arguments in criminal trials.
3. Filing of written statements, framing of issues, recording of evidence in old MACT cases and final arguments.
4. Arguments in all the old Civil & Criminal Appeals and Criminal Revisions which are more than 2 years old.
5. All urgent execution petitions.
6. All bail matters and urgent stay matters.
7. All protection matters pertaining to runaway couples.
8. All compromise/compoundable matters.
9. Any other urgent cases.

### **Family Court:**

1. All cases pending for consideration for maintenance.
2. All Execution petitions pending for maintenance.
3. All divorce matters filed under section 13-B of Hindu Marriage Act and Petitions under section 125 Cr.P.C.
4. All urgent matters pertaining to the custody of Minor Child.
5. All compromise matters.
6. All matters which are fixed for final arguments.
7. Recording of evidence in old cases.

### **Lower Courts :**

1. Arguments in all old civil and criminal cases.
2. All matters relating to issuance of Succession Certificate.
3. Framing of issues in civil cases and filing of written statement.

4. Framing of charge, recording of statement of accused under section 313 Cr.PC and defence evidence and final arguments in all criminal cases.
5. Recording of evidence in cases where the accused is/are in custody.
6. Recording of evidence in all old civil and criminal cases.
7. Arguments in all urgent stay matters, miscellaneous applications pending in Civil Suits,
8. All compromise/compoundable matters.
9. All bail matters, superdari, remand work and urgent stay matters.
10. Cases under section 138 of Negotiable instruments Act.

**Production of undertrials :**

Undertrial prisoners shall be produced in the Courts through Video Conferencing mode only. However, in case there is any requirement of physical hearing of a particular undertrial prisoner in any Court, the concerned court shall pass order in exceptional cases/framing of charges. The Model Rules on Video Conferencing received from Hon'ble Supreme Court of India circulated by Hon'ble High Court of Punjab and Haryana vide letter No.670/Spl./C.B.8 dated 21.05.2020 already conveyed to all the Judicial Officers, shall be followed.

**Restrictions on entry:**

None other than the Advocates and their Clerks shall be allowed entry in the Courts concerned.

The witnesses and the parties shall be allowed entry only when their presence is required by the courts concerned. The office reposes confidence in the Advocates that they shall bring only those parties whose physical presence is warranted by the court. The witnesses shall be allowed to enter in the court premises only on production of summon(s) to the security personnel's. There shall be double check by the Naib Court of each court. He shall allow entry to only those parties/witnesses whose presence has been ordered by the court.

**Fresh Institution:**

The timings for fresh institution shall be from 10:00 a.m. to 1:00 p.m only. No fresh institution/application shall be handed over directly to the Reader of the Court or official(s) in Suvidha Centre. The same shall be put-up in the boxes provided separately in the Suvidha Centre. The files shall be taken out after proper sanitization on the next working day for being assigned. Only urgent matters are required to be put up on the same day after proper sanitization and placing them in the UV Boxes for at least 2 hours.

**Copying Agency:**

The timings for fresh applications for certified copies shall be from 10:00 a.m. to 3:00 p.m only. No fresh application shall be handed over directly to the Reader of the Court or official(s) in Suvidha Centre. The same shall be put-up in the boxes provided separately in the Suvidha Centre. The applications shall be taken out after proper sanitization on the next working day. Only urgent applications are required to be put up on the same day after proper sanitization and placing them in the UV Boxes for at least 2 hours.

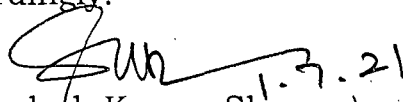
**General Instructions:-**

1. All the Judicial Officers are directed to provide physical hearing as per necessity/requirement by informing the Counsels well in advance and after taking their consents. Alternate modes i.e. Video Conferencing/Video Calling and other Apps allowed by the Hon'ble High Court be adopted by all the Courts and if the Counsels are objecting for the same, they should not be pressurised.
2. The guidelines/advisories and other SOPs issued by the Government of India, State Government, Hon'ble Supreme Court of India, Hon'ble High Court of Punjab and Haryana and by this office from time to time as well as instructions contained in the High Court letter bearing No.110 Spl.E.II/L.80(a) dated 08.02.2021 shall be followed strictly.

3. The directions issued vide order dated 14.04.2021 conveyed vide Endst. No. 7474-98 dated 14.04.2021 regarding working of staff/officials in 50% ratio in the Judicial Courts/Offices/Branches of this Sessions Division has been withdrawn subject to following COVID-19 norms by employees of this Sessions Division.
4. All the stakeholders shall maintain the norms of social distancing.
5. The representatives of Bar Association shall press upon the Advocates not to bring unnecessary persons in the Court, Advocates shall also avoid overcrowding and only in case of utmost necessity, they shall be accompanied by only one assistant that may either be Clerk or Junior Advocate.
6. Neither Advocates nor their Clerks or any person shall enter in any Ahlmad room/Copying Agency/office and they will be dealt with through window only.

All concerned be informed accordingly.

Dated: 01.07.2021

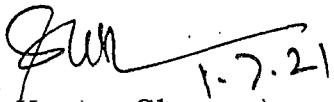
  
(Sudesh Kumar Sharma),  
District & Sessions Judge,  
Jhajjar.

Endst. No. 13254-79

Dated. 01/07/2021

Copy forwarded to the following for information and necessary action:-

1. The Registrar General, Punjab & Haryana High Court, Chandigarh.
2. The Special Secretary to Hon'ble Administrative Judge of Jhajjar Sessions Division, Punjab and Haryana High Court, Chandigarh.
3. All the Judicial Officers posted in this Sessions Division including Principal Judge, Family Court, Jhajjar.
4. The Deputy Commissioner, Jhajjar.
5. The Superintendent of Police, Jhajjar.
6. The District Attorney, Jhajjar.
7. The Superintendent, District Jail, Jhajjar.
8. The President, Bar Associations, Jhajjar and Bahadurgarh.
9. Incharge Filing Section/Reader/Ahlmads of the court of undersigned.
10. System Officer to upload on the website.

  
(Sudesh Kumar Sharma),  
District & Sessions Judge,  
Jhajjar.