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NOTIFICATION

THE GAUHATI HIGH COURT AT GUWAHATI

(The High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura, Mizoram and Arunachal Pradesh)

No. HC. VII-63/95/354/Apptt. Dated 10/2/1998. The Hon'ble High Court is pleased to modify the following forms for the use of Subordinate Judiciary. This will come into force with immediate effect.

1. The High Court Form No. (J) 1 used in Civil Courts and the High Court Criminal Form No. (M) 83 used in the Criminal Courts be integrated in a single Form as per model in Annexure-1.
2. The High Court Form No. (J) 13 used in the Civil Courts and High Court Criminal Form No. (M) 106 used in the Criminal Courts be amalgamated into a single Form as per model at Annexure-2.
3. Form at Annexure-2 will be sufficient for use in place of Form No. (J) 18 (a).
4. The High Court Criminal Form No. (M) 85 (Form used for recording examination of the accused) be modified and printed in the format given in Annexure-3.
5. The High Court Criminal Form No. 37 (charge with two heads) be modified as per Annexure-4. (After framing of the charge, it is required to be read over and explained to the accused by the Presiding Officer in the language understandable to the accused and his/her reply whether the accused claims to be tried or pleads guilty is also to be incorporated in the charge form at Annexure-4. The Presiding Officer to write all these in his own hand writing while framing, charge, after framing of charge and prior to obtaining the accused's signature.)

6. The Translated form of Summons to an accused person (High Court Criminal process No. 10) in Assamese Language be modified as per Annexure-5.
7. New Form for Notice to Bailor in English and Vernacular language be introduced as per Annexure-6 and Annexure-7 respectively.
8. Criminal Form No. (M) 4 be modified as per Annexure-8.
9. High Court Criminal process No. 36 (Charge with one head) be corrected and modified as per Annexure-9. (After framing of charge, it is required to be read over and explained to the accused by the Presiding Officer in the language understandable to the accused and his/her reply whether the accused claims to be tried or pleads guilty is also to be incorporated in the charge form at Annexure-9. The Presiding Officer to write all these in his own hand writing while framing charge, after framing of charge and prior to obtaining the accused's signature).
10. High Court Criminal process No. 4 be corrected and modified as per Annexure-10.
11. High Court Criminal process No. 2 be corrected and modified as per Annexure-11.

By order etc.,

P.G. Agarwal,

REGISTRAR (JUDL.)

ANNEXURE—1**ORDER SHEET.****COURT OF****PRESENT :****SUIT/CASE NO.**

Serial No.	Date of order of Proceeding	Order	Signature of Court	Office action taken on order with date and dated signature of Pleaders of parties when necessary.
1	2	3	4	5

ANNEXURE—2**FORM FOR RECORDING DEPOSITION**

In the Court of :

Present :

Case No. :

Deposition of witness No.....for the.....
 recorded on oath or solemn affirmation under provision of
OATHS ACT, 1969(Act 44 of 1969) on this.....day of.....
 in the language interpreted by.....
 Name.....Aged.....
 son/daughter/ wife of
 Residence.....District Police Station.....
 District.....Occupation

ANNEXURE-3

FORM FOR RECORDING EXAMINATION OF ACCUSED
(SECTION 313 OF CRIMINAL PROCEDURE CODE, 1973)

In the Court of :

Present :

Case No :

Statement of Accused..... Aged

recorded before me on this day of

in the language, interpreted by

My name is

My father's/husband's name is

My home is at Police Station

At present I reside at

Police Station District State

(Signature of the accused)

The above examination was taken in my presence and hearing and contains a full and true account of the statement made by the accused.

(Signature of Judge/Magistrate)

ANNEXURE-4

Assam Schedule VIII, Form No. 250

High Court Criminal Process No.37

CHARGES WITH TWO HEADS

(No. 32 (II), Schedule II, Act 2 of 1974)

(Sections 211/212/213 of Code of Criminal Procedure, 1973)

CASE No.

(1) Name and Office of
Magistrate/ Judge etc. I, (1)

..... hereby charge you (2)

(2) Name of the accused as follows

(3) Date and place First-That you, on or about (3) at
 and thereby committed an offence punishable under Section
 of the and within the cognizance of this court.
 Secondly - That you, on or about at
 and thereby committed an offence punishable under Sec.
 of the and within the cognizance of this court.

And I hereby direct that you be tried on the said charge.

Dated the day of 19

Magistrate/Judge
 (Sections 228(2), 240(2), 246(2) of Criminal Procedure Code)

Dated this

th day of

Signature of the Magistrate/Judge

IN THE COURT OF.....

ANNEXURE—5

IN THE COURT OF.....

ANNEXURE—7

ANNEXURE—6

NOTICE TO BAILOR TO PRODUCE A PERSON RELEASED ON BAIL

In the Court of :

CASE NO.....NEXT DATE.....

To

To

The Officer-in-charge,

.....P. S.

For causing service and
report......
Magistrate/Judge

WHEREAS you by a bail bond dated.....
stood as surety for the below noted accused that he/they would appear before
this Court whenever required and whereas the attendance of the said accused be-
fore this Court is now necessary, you are hereby required to produce the said
bailee in my court on———failing which appropriate legal action
shall be taken against you.

NAME OF THE ACCUSED

ADDRESS

Given under my hand the seal of the Court, this... :.....day of
of 19

MAGISTRATE/JUDGE

ANNEXURE—9

Assam Schedule VIII, Form No. 247
High Court Criminal Process No. 36

CHARGE WITH ONE HEAD

No. 32(II), Schedule II, Act 2 of 1974

.....(Sections 211/212/213 of Code of Criminal Procedure, 1973)

CASE NO

(1) Name and Office
of Magistrate, Judge I,
etc.

(1)

(2) Name of accused

hereby charge you (2)
as follows

(3) Date and
place

That you on or about at
and thereby committed an offence punishable under section of the and
within the cognizance of this court.

And I hereby direct that you be tried on
the said charge.

Magistrate/Judge

Dated this day of 19

(sections 228(2), 240(2), 246(2) of Criminal Procedure
Code)

Dated this th day of

Signature of the Magistrate/ Judge.

HIGH COURT CRIMINAL FORM NO.(M) 4

FORM OF MEDICAL EXAMINATION OF WOUNDED PERSON

F.I.R. / G.D. Entry No.

Dated

..... ... Police Station

To

.....

..... Hospital

Sir,

I have to request the favour of your examining

..... of

Father's/Husband's Name

sent to the Hospital on

Be so good as to fill up the columns on the reverse of this letter, and return it to me with such remarks as you may consider necessary to show clearly your opinion regarding the cause of the injuries.

Should there be any fear of the case terminating fatally or should unfavourable symptoms develop at any time, immediate information should be given to the Prosecuting Inspector and to me so that steps may be taken to have the dying declaration recorded by a Magistrate.

All that is known of the case at present is as follows :

Yours faithfully,

REPORT OF MEDICAL EXAMINATION OF WOUNDED PERSON

Nature of Injury, i.e. whether a cut, a bruise, a burn, etc	Size of each injury, in inches, i.e., length, breadth, and depth	On what part of the body inflicted	Whether 'Simple' or 'Grievous' or 'Dangerous'	By what kind of weapon inflicted	Name of the Police personnel who procured and identified the victim	Time and date of examination	REMARKS
1	2	3	4	5	6	7	8

Name of Hospital

The day of 19

Signature/Thumb impression of victim

(if the victim is in a stage to put the same).

(Signature of the Medical Officer).

(Full Name in BLOCK LETTERS)

Designation :

Note : Medical officers are specially requested to note accounts given by the injured persons as to the causes of their injuries and make it clear that such accounts come from the lips of the injured persons themselves. They are also requested to write their full names in block letters below their signatures to avoid confusion while issuing summons to them at the time of trial.

ANNEXURE—10

Assam Schedule VIII, Form No. 100,
High Court Criminal Process No.4

**PROCLAMATION REQUIRING THE APPEARANCE
OF A PERSON ACCUSED**

(Section 82 of the Code of Criminal Procedure)

- | | |
|---|---|
| 1) Name, description
and address of the
accused | Whereas complaint has been made before me that
(1)

has committed/or is suspected to have committed
the offence of
.....punishable under
Section of
and it has been returned to a warrant of
arrest thereupon issued that (2)

.....

cannot be found, and whereas it has been shown
to my satisfaction that the said (2)

.....
has absconded/or is concealing himself to
avoid the service of the said Warrant |
| 2) Name of the accused | Proclamation is hereby made that the
said (2)
of is required to
appear at (3) before this court
to answer the said complaint on
the day of....., 19.... |
| 3) Place | |

Dated this day of, 19.....

(Seal of the Court)

Signature

ANNEXURE—II

Assam Schedule VIII, Form 152
HIGH COURT CRIMINAL FORM NO. 2

WARRANT OF ARREST

No. II, Schedule V, Act V, 1898

(Section 70 of the Code of Criminal Procedure)

CASE NO.
NEXT DATE:

(1) Name and the designation To(1)
of the person or persons who is
or are to execute the warrant

Whereas

of

(2) State the Office

Stands charged with offence of (2) you,
are hereby enacted to arrest said and pro-
duce him before me, Herein fall act

Magistrate/Judge

Dated, the day of 19

In the said Shall give bail

himself in the sum of

with surety in the sum of

to attend before me on the day of and

continue so to attend until otherwise directed
by me, he may be released.

Magistrate/Judge

Dated, this day of 19