

OFFICE OF DISTRICT MAGISTRATE KANGRA AT DHARAMSHALA

No 428 SK/DM

Dated 29 /April/ 2022

Proceedings of the meeting held on dated 13th/April/2022 under the Chairmanship of Sh. Nipun Jindal, IAS, district Magistrate, Kangra at NIC Hall for dismissal/withdrawal of the cases registered in violation to the Covid-19 Guidelines

Following were present in the meeting:-

1. Sh. Khushal Sharma, IPS, Superintendent of Police, Kangra
2. Sh. Rohit Rathour, HAS, Additional District Magistrate, Kangra
3. Sh. Bhuvnesh Minhas, District Attorney
4. Sh. Sanjeev Katoch, Joint Director (Special Invitee)

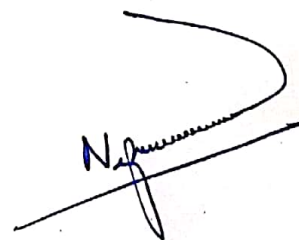
At the outset of the meeting Sh. Rohit Rathour, Additional District Magistrate-cum-Nodal Officer, DDMA, Kangra welcomed worthy District Magistrate, Kangra, Sh. Nipun Jindal, IAS and the attendees. With the permission of the chair following points were brought into the discussion

Agenda Point No. 1

- 1) Large number of cases were registered during the period of Covid-19 under section 188 of Cr. P.C and under section 51 to 60 of Disaster Management Act, 2005 in violation of the orders promulgated under section 144 of Cr.Pc. and 33 and 34 of the Disaster Management Act, 2005 respectively. Further a number of persons accused of violating the Covid-19 guidelines who require character certificates for their jobs and other reasons and are unable to get the same due to the cases registered against them and such persons are approaching this office time and again and hence a decision in this regard has to be taken.

Decision:-

- The committee collectively decided to constitute the following Sub Division Level Committees:-
 1. Sub Divisional Magistrate, Chairperson
 2. SDPO/DSP Concerned (Member)
 3. Additional District Attorney concerned (Member)
 4. Station House Officer concerned (Member)



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And the committees shall be responsible to:-

- a) hold a meeting within a week from the date of issuance of order in this regard;
- b) screening and examination of cases registered during the period of Covid-19 under section 188 of Cr. P.C and under section 51 to 60 of Disaster Management Act, 2005 in violation of the orders promulgated under section 144 of Cr.Pc. and 33 and 34 of the Disaster Management Act, 2005 respectively under their jurisdiction and submit a compiled report of each case in the format enclosed as Annexure-1 within a week of issuance of order in both hard and soft formats.

The district committee shall take case specific decision after detailed examination of the reports received from Sub-Division Level committees formed in this regard.

2) Agenda Point No-2

Dismissal of the cases registered against farmers w.e.f 09.08.2020 to 11.12.2022 in Himachal Pradesh

Decision:-

The committee perused the letter no. 17925, dated 03/03/2022, received from the Superintendent of Police, Kangra regarding withdrawal of Criminal case FIR No. 207/2020, dated 14/12/2020, under sections 188, 269, 270 IPC which reveals that the case was registered on 14/12/2020, at about 12:30 PM, while Head Constable Kuldeep Singh No.108 along with his team consisting of HASI Ajay Kumar No. 716, HHC Baldev Singh No. 578 and L/HHC Brij Bala No. 669 was present at the main gate to the office of Deputy Commissioner Kangra at Dharamshala. In this connection Ashok Katoch son of Sh. Kashmir Chand resident of village Andranana, Hem Raj son of Sh. Japhu Ram resident of Ward no. 10, Shyamnagar were interrogated during investigation of the case and they were issued notice under section 41 A (1) of Cr. P.C. During investigation of the case, it was found that the said accused persons have not been found involved in spreading of any infection of Covid-19,

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therefore section 269 and 270 IPC were deleted in the case by the District Police. On complete investigation of case, it was found that the accused persons have disobeyed an order duly promulgated by District Magistrate, Kangra under section 144 of Cr. P.C. and hence the same is submitted to District Administration for decision. Following which the committee examined the case file number 207/2020, dated 14/12/2020 and also endorsed the recommendations of Superintendent of Police Kangra submitted vide letter no.17925, dated 03/03/2022, regarding withdrawal of the aforesaid case and unanimously found it appropriate to dismiss the section 188 under which the aforesaid case was registered.


District Attorney


Superintendent of Police

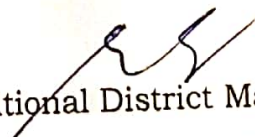

District Magistrate

Endst. No. as above

Date 29/April/2022

Copy forwarded to the following for information and necessary action:

1. Chief Secretary to Government of Himachal Pradesh
2. Principal Secretary (Home) to Government of Himachal Pradesh
3. Divisional Commissioner Kangra
4. Superintendent of Police, District Kangra
5. District Attorney, Kangra
6. All Sub-Divisional Magistrates, District Kangra
7. All Additional District Attorneys, Kangra
8. All Station House Officers, Kangra
9. All concerned officers/officials of Government Departments/ PSUs/ local bodies/ Autonomous Bodies for compliance.


Additional District Magistrate
District Kangra at Dharamshala