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PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

HIGH COURT AT CALCUTTA

NOTIFICATION

No. 2301 – G - 14th July, 2022— *In view of the judgment passed by the Honourable Supreme Court in Suo Motu Writ (CRL) No (S) 1 / 2017 and in exercise of the powers conferred by Clauses (2) and (3) of Article 227 of the Constitution of India and with the approval of the Governor of West Bengal, the High Court at Calcutta hereby makes the following amendments in the Calcutta High Court Criminal (Subordinate Courts) Rules, 1985 namely :-*

AMENDMENTS

The following Rule 91 A shall be inserted after Rule 91 with a separate heading:

2A. Supply of documents to the accused

Rule 91 A :

Every Accused shall be supplied with statements of witness recorded under Sections 161 and 164 of the Code and a list of documents, material objects and exhibits seized during investigation and relied upon by the Investigating Officer (IO) in accordance with Sections 207 and 208 of the Code.

Explanation:

The list of statements, documents, material objects and exhibits shall specify statements, documents, material objects and exhibits that are not relied upon by the Investigating Officer.

The following Rules 92A and 92B shall be inserted as Chapter IV(A) with the heading :

CHAPTER IV(A)

CHARGE & TRIAL in General

Rule 92 A :

(1) The order framing charge shall be accompanied by a formal charge in Form 32, Schedule II of the Code to be prepared personally by the Presiding Officer after complete and total application of mind.

(2) After framing of charges, the accused shall be referred to only by their ranks in the array of accused in the charge and not by their names or other references except at the stage of identification by the witness.