

ORISSA POLICE
STATE HEADQUARTERS: CUTTACK

POLICE CIRCULAR ORDER NO. 285 / 1998

SUB: Need for pursuing filing of appeal in cases acquitted by Sessions Courts.

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There is urgent need to pursue the filing of appeals in suitable cases, acquitted by the Sessions Courts.


According to the present practice, the Court Sub-Inspector sends the copy of the acquittal judgement with the comments of the Public Prosecutor to the concerned Superintendent of Police, who, in turn, after reviewing the opinion of the Public Prosecutor, sends it to the Director Public prosecution. On receipt of the proposal, the Director Public Prosecution sends the proposal to the Advocate General with his recommendation. The Advocate General generally sends the proposal to Law Department for vetting and after that, files an appeal in the High Court. At times, to save time, the Advocate General files the appeal and thereafter informs the Law Department. No agency has been earmarked for pursuing the matter of filing the appeal. The time limit for filing an appeal is three months.

In view of the limitation period of 3 months, Government have laid down a time bound procedure for filing of an appeal. The Ss.P. should send a copy of the acquittal judgement with comments of the P.P. and their own comments, to the D.P.P. within a time frame of 15 days from the date of pronouncement of the acquittal judgement, endorsing a copy to the Addl.D.G. & I.G. of Police, C.I.D., CB, Orissa, Cuttack. The D.P.P. should thereafter, move the proposal for appeal within 15 days and send the same to the Advocate General, with a copy separately to Law Department and to the State Police C.I.D. Crime Branch.

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All the Dist.Ss.P. are hereby directed to conform to the time bound procedure. Also, to obviate delay in processing of the appeal, the Dist.Ss.P. should send all documents, required to be appended to their appeal proposal and also send the I.O./Officer acquainted with the case for discussion, as and when required, by the D.P.P. of the Advocate General.


The above procedure and stipulated time frame must be adhered to strictly.


(B.B.PANDA) 19/9/98
DIRECTOR GENERAL AND INSPECTOR
GENERAL OF POLICE, ORISSA, CUTTACK

Memo No. 24662 /

Dated 19 .9.98

Copy forwarded to the Principal Secretary to Govt. of Orissa, Home Department, Bhubaneswar for information.


DIRECTOR GENERAL & INSPECTOR
GENERAL OF POLICE, ORISSA, CUTTACK.

Memo No. 24663 /

Dated 19 .9.98

Copy forwarded to the Heads of Police Establishments, Orissa, ~~Cuttack~~ for information and necessary action.


DIRECTOR GENERAL AND INSPECTOR
GENERAL OF POLICE, ORISSA, CUTTACK.

Memo No. 24664 /

Dated 19 .9.98

Copy to Section Officer, Supply Section for information.

Copy to All Section Officers of State Police Headquarters for information.