

**GOVERNMENT OF ASSAM
JUDICIAL DEPARTMENT :: JUDICIAL BRANCH
DISPUR :: GUWAHATI-6**

ECF No. 217405/2022/67

Dated Dispur the 9th December, 2022

From : Shri Binod Kumar Chetri, AJS,
L.R. -cum- Commissioner & Secretary to the Govt. of Assam,
Judicial Department, Dispur, Guwahati - 6

To : 1. The Public Prosecutor,
All districts, Assam
2. The Additional Public Prosecutor,
All districts, Assam
3. The Assistant Public Prosecutor,
All districts, Assam

Sub: Authority letter for withdrawal of petty/minor criminal cases u/s
Section 321 Cr.PC.

Sir,

In pursuance of the Cabinet Decision held on 11.09.2022 and as per SOP issued vide Notification No.E.217405/52 dated 21.10.2022, the Public Prosecutor, Additional Public Prosecutor and Assistant Public Prosecutor of all districts in Assam are hereby authorized to file application under Section 321 Cr.PC before their respective Courts for withdrawal of petty/minor pending criminal cases that are covered under the policy/SOP i.e. cases where punishment is upto 3(three) years of fine under the Indian Penal Code or any other Special Act / Regulations registered upto 14.08.2022 except the following categories of cases:

- i. Molestation/ Sexual Assault /POCSO Act.
- ii. Corruption /embezzlement of public fund.
- iii. NDPS Act.
- iv. Arms Act/Explosive Substance Act.
- v. Cases registered under Section 498(A) IPC and other cases related to dowry.
- vi. 304 A IPC/Vehicle theft cases U/S 379 IPC.
- vii. Offence relating to coins and Government stamp/Currency.
- viii. Unlawful Activities (P) Act.
- ix. Organized Crimes like cattle smuggling / supari smuggling / coal smuggling / oil theft etc.
- x. Cases against MPs & MLAs.

Yours faithfully,

L.R.-cum-Commissioner & Secretary
Judicial Department

Memo ECF No. 217405/2022/67-A

Dated Dispur the 9th December, 2022

1. The Principal Secretary, Home & Political Department, Dispur, Guwahati-6, for information.
2. The Registrar General, Gauhati High Court, Guwahati-1, Assam for information.

3. The District & Session Judge, All Districts, Assam for information and needful.
4. The Deputy Commissioner, All Districts, to coordinate with their respective PP for implementation of the policy.
5. The Chief Judicial Magistrate, All Districts, Assam, for information and needful.
6. The Superintendent of Police, All Districts, Assam to coordinate with their respective PP for implementation of the policy.

By order, etc.

L.A. to L.R. & Under Secretary
Judicial Department