

Request-31

From,
Avanish Kr. Jaiswal,
Assistant Registrar (Admin. A-1 & A-4),
High Court of Judicature at
Allahabad.

To,
The District and Sessions Judge,
Moradabad

358
3/11

No. 8068/IV- 2585/Admin. A-1 Section/

Dated: 20 June, 2019.

Subject: Regarding appearance of Sri Lallu Singh, the then Additional District Judge, Auraiya presently posted as Additional District and Sessions Judge, Moradabad on 04.07.2019 in connection with Criminal Case No.769/18 Crime No.97/18 U/S. 409, 420, 467, 468, 471, 120B IPC P/S Auraiya District Auraiya.

Sir,

with reference to endorsement no.1328/I dated 04.06.2019 of the District Judge, Auraiya forwarding therewith letter dated 03.06.2019 of Sri Ram Net, Chief Judicial Magistrate, Auraiya on the aforesaid subject, I am directed to send herewith summon in original received herewith and to say that this Court has been pleased to permit Sri Lallu Singh, the then Additional District Judge, Auraiya presently posted as Additional District and Sessions Judge, Moradabad to appear before the Court of Chief Judicial Magistrate, Auraiya on 04.07.2019 for his oral testimony in connection with Criminal Case No.769/18 Crime No.97/18 U/S 409, 420, 467, 468, 471, 120B IPC P/S Auraiya District Auraiya.

I, therefore, request you to kindly serve the said summon upon Sri Lallu Singh, Additional District and Sessions Judge, Moradabad and ask him to adduce his evidence on 04.07.2019, before the Court of the Chief Judicial Magistrate, Auraiya in connection with Criminal Case No.769/18 Crime No.97/18 U/S 409, 420, 467, 468, 471, 120B IPC P/S Auraiya District Auraiya.

Enclosures: Copy of endorsement no.1328/I dated 04/06/2019
alongwith Summon in original.

Yours faithfully,
Avanish Kr. Jaiswal
Assistant Registrar
20.06.19

FAX/Registered Post

358
3/11

No. 8069/IV- 2585/Admin. A-1 Section

Dated: 20 June, 2019.

Copy forwarded for information and necessary action to:-

- 1) The District Judge, Auraiya with reference to his endorsement no. 1328/I dated 04.06.2019.
- 2) Sri Ram Net, Chief Judicial Magistrate, Auraiya.
- 3) Sri Lallu Singh, Additional District and Sessions Judge, Moradabad.

Avanish Kr. Jaiswal
Assistant Registrar
20.06.19

A.R. (Admin-A1)

May like to issue?

Rinani
20/06/2019

Yes
Avanish
20.6.19

2 RES
Delivered
10-6-19

Request - 91
13-6-19
Reg. No. 11962
File No. 2585
Serial No. 355

2

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113
10-6-19
12/6/19
02
Pys

From,

Ram Net,
Chief Judicial Magistrate,
Auraiya.

Bindu
17-6-19

14-6-19

To,

The Registrar General,
Hon'ble High Court of Judicature at Allahabad.

Through,

The Respected District Judge,
Auraiya.

Subject- Request for service of summons issued by this court to Sri Lallu Singh Additional District & Session Judge, Moradabad (U.P.) as a witness in Criminal Case No. 769/18 arising out of Crime No. 97/18 U/S 409,420,467,468,471,120B IPC P/S Auraiya, District Auraiya as per Appendix-E of General rules (Criminal).

Respected Sir,

I have the honour to submit that Criminal Case No. 769/18 arising out of Crime No. 97/18 U/S 409,420,467,468,471,120B IPC P/S Auraiya, District Auraiya is pending in my court and is fixed on 04.07.2019 for oral evidence of Sri Lallu Singh, Additional District & Session Judge, Moradabad (U.P.) I.D. No.-UP 5678 . Sri Lallu Singh is chargesheeted witness in abovementioned criminal case. Summon is being sent to Hon'ble High Court of Judicature at Allahabad for serving on Sri Lallu Singh as per Appendix-E of General rules (Criminal).

I, Therefore, humbly request you kindly to place summons issued by this court attached herewith before the Hon'ble Court to get the summons served on Sri Lallu Singh, Additional District & Session Judge, Muradabad (The then A.D.J. Ist Auraiya) for adducing evidence. I shall be highly thankful to the Hon'ble Court for its kindness in this regard.

With due respect.

Yours Faithfully,

Ram Net
(Ram Net) 02.06.19
Chief Judicial Magistrate,
Auraiya

Date- 03 June, 2019

J.R.(J) (B)

98
PS TORB
Cwe

19 0 JUN 2019

Ms. Pitwani

17-6-19

Enclosure-
Original Summons with carbon copy.

1/c R.G.
10-06-19

Auraiya Judgeship
No.-1328/J Dated-04/06/19
Forwarded

DRUM

District Judge
AURAIYA 04/6/19

J.R. (J) (B)
11/6/19

3. C.L. No. 68/VIII-b-14 dated 26th November, 1966

In the processes issued for service in Jammu and Kashmir the addresses of the parties and witnesses on whom service is to be effected as also the date fixed should be written in English, besides, Hindi to facilitate easy and quick service.

4. C.L. No. 88/VII-b-107 dated 8th July, 1975

Summonses should not be issued to the accused until the charge sheets are received in the courts from the police.

12. Register of Processes.

A register of processes shall be maintained in the form given below in all Criminal Courts:

PROCESS REGISTER

Particulars of cases	Date of order for issue of process	Date of Des patch of processes from Court	Description of processes and of the Person/ Persons to be served	Initials with date of police or other officials Receiving Processes	Name of Thana or district to which Processes Sent	Date Fixed For return	Actual Date of return	Action taken for late receipt of process	Remarks
1	2	3	4	5	6	7	8	9	10

Relevant Circular Order:

C.L. No. 42/98 Dated Allahabad 20.8.1998

The Hon'ble Court has noticed that the present system of service of summons is not effectively working and service upon the witnesses/ accused persons are not being effected with in the period fixed by the Courts. The system is affecting the speedy trial of sessions and magisterial cases. In this regard the Court has taken the following decisions for strict compliance by all:-

- (i) Old practice of fixing one sessions trial for three days in continuation, is revived. No other sessions trial except any formal part-heard trial in which one or two formal witnesses are to be examined, should be fixed on that day.
- (ii) The process register as mentioned in rule 12 of Chapter III of G.R. Criminal be strictly maintained by all courts. A police

official who is receiving the summons must state his name and number in clear block letters in column no. 5 so that the responsibility be fastened upon him.

- (iii) Public Prosecutor and D. G.C. (Criminal), as the case may be, should be asked to apply to the court for issue of summons by giving complete particulars of the witnesses. The summons should, thereafter be prepared and served upon the witnesses.
- (iv) If the police personnel are not complying with the directions of the court then appropriate action under the provisions of the Contempt of Courts Act be initiated against them.
- (v) A Monitoring cell be constituted under the supervision and control of the Sessions Judge and the Chief Judicial Magistrate of the Judgeship to monitor the matter relating to service of summons on witnesses/accused persons both in the Sessions as well as in Magisterial Courts.

I am, therefore, directed to communicate the aforesaid directions of the Hon'ble Court for compliance.

13. Summons to Government servants.

When under section 66(i) of the Code a summon is to be served on a person in the active service of the State, the "head of the office" to whom the summons shall ordinarily be sent (in duplicate) shall in the case of a Person in the civil employ or a soldier, sailor or airman in the Defence Department, be the local head of the office or local officer in command of the corps or department in which such person may be serving at the time, and in the case of a local "head of the office", be the authority to which he is immediately subordinate.

A list of officers with their "head of offices" is given in Appendix E. In the case of officers not included in the list, summons shall be dealt with by the court in the light of the instructions contained in this rule after such enquiry, if any, as may be considered necessary.

NOTE: Now see section 61 of the new Code. -Ed

APPENDIX - E

Heads of offices through whom service may be made on Gazetted Officers in Uttar Pradesh (Chapter III rule 12)¹

Column 1 1	Column 2 2
Head of Department	Government in the Administrative Department concerned
Prohibition and Social Uplift Officers	Under Secretary to Government in the Excise Department
District Judges, Additional District Judges and Civil and Sessions Judge ²	The Chief Justice of the High Court of Judicature at Allahabad or the Senior Judge on duty
Civil Judges and Munsifs ³	District Judge
Judicial Members, Board of Revenue and Commissioners of Divisions	Administrative Member, Board of Revenue
Indian Civil Administrative Cadre Officers, State Civil Service Officers and all gazetted officers employed under the Land Reforms Commissioner.	Land Reforms Commissioner
Additional Commissioners, District Magistrates, Additional District Magistrates (Judicial) and Official whole-time Chairman of Municipal Board.	Commissioners of Divisions
Deputy Inspectors General of Police, Assistant Inspector General of Railway Police and Assistant to the Inspector General of Police.	Inspector General of Police

Continues on the next page

¹ NOTE: Figure 12 may please be read as 13- Ed.
² NOTE: The post of Civil and Session Judge has now been abolished.
³ The words Civil Judges and Munsifs shall now be read as Civil Judges (Senior Division) and Civil Judges (Junior Division) Respectively.- Ed.

[Contd.]

Column 1 1	Column 2 2
Superintendent of Police Headquarters	Deputy Inspector General of Police, Headquarters and Railways
Commandants of Provincial Armed Constabulary, Principal, Police Training College, Moradabad, Provincial Wireless Officer, Lucknow and Staff Officers of the Deputy Inspector General of Police, Provincial Armed Constabulary and Training	Deputy Inspector General of Police, Provincial Armed Constabulary and Training
Superintendents of Police (with the concurrence of the District Magistrate).	Deputy Inspectors General of Police of Ranges.
Junior Indian Police Service Officers and Deputy Superintendent of Police and Regional Fire Officers.	Superintendents of Police
Assistant Wireless Officers	Provincial Wireless Officer
Assistant Commandants and Adjutants, Provincial Armed Constabulary.	Commandant, Provincial Armed Constabulary.
Inspectors of Stamps and Registration	Inspector General of Registration
Deputy Inspector General of Prisons, Director and Assistant Director of Jail Industries, all whole-time Superintendents of Jail in Uttar Pradesh (under intimation to the District Magistrate concerned). Principal Jail Training School, Lucknow. Personal Assistant to the Inspector General of Prisons, and the Officer Incharge, Jail Depot, Lucknow	Inspector-General of Prisons, Uttar Pradesh.

Continues....

Request -91

<https://192.168.0.230/m/webmail/Webmail.html?isCu...>

Subject: Fwd: Request for service of summons issued by this court to Sri Lallu Singh ADJ Moradabad(U.P.) as a witness in Crime case no. 769/18 Dist. Auraiya Date:- 04/06/2019
From: Criminal Section <criminal@allahabadhighcourt.in>
Date: Jun 6, 2019 11:09:35 AM
To: "O.S.D. (Criminal), Allahabad" <criminal2@allahabadhighcourt.in>

Sir, it is important.

From: Registrar General <rg@allahabadhighcourt.in>
Date: Jun 4, 2019 5:17:50 PM
To: "O.S.D. (Criminal), Allahabad" <criminal2@allahabadhighcourt.in>, "Criminal Section, Allahabad" <criminal@allahabadhighcourt.in>
Subject: Fwd: Request for service of summons issued by this court to Sri Lallu Singh ADJ Moradabad(U.P.) as a witness in Crime case no. 769/18 Dist. Auraiya Date:- 04/06/2019

7
07/06/19
93
04:30 PM

From: District Court Auraiya <dcaur@allahabadhighcourt.in>
Date: Jun 4, 2019 3:50:48 PM
To: Registrar General <rg@allahabadhighcourt.in>
Subject: Request for service of summons issued by this court to Sri Lallu Singh ADJ Moradabad(U.P.) as a witness in Crime case no. 769/18 Dist. Auraiya Date:- 04/06/2019

Respected Sir,
Kindly see the attached letters.

With Kind regards,
District Court Auraiya
Phone No- 05683-244265
Fax No.- 05683-244265

Attachments:

auraiya1984.jpeg
auraiya1983.jpeg

1

7/6/19

Request-91

5

11768

Reg. No. ...
File No. ... 2585
Serial No. ...

10/6/19

10/6/19

From,

Ram Net,
Chief Judicial Magistrate,
Auraiya.

To,

The Registrar General,
Hon'ble High Court of Judicature at Allahabad.

Through,

The Respected District Judge,
Auraiya.

Subject- Request for service of summons issued by this court to Sri Lallu Singh Additional District & Session Judge, Moradabad (U.P.) as a witness in Criminal Case No. 769/18 arising out of Crime No. 97/18 U/S 409,420,467,468,471,120B IPC P/S Auraiya, District Auraiya as per Appendix-E of General rules (Criminal).

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With due respect.

Yours Faithfully,

Ram Net
(Ram Net) 02.06.19

Chief Judicial Magistrate,
Auraiya

Enclosure-

Original Summons with carbon copy.

Auraiya Judgeship
No. 1328/17 Dated-04/06/19
Forwarded

District Judge
AURAIYA 04/6/19

DR(M)
10/6/19

Mr. Himani
10.06.19

23

D.R. (R.R.) Admn
S.O. Admn, AI
Rfd
7/6/2019
802

JR(J)(Budget)

Date- 03 June, 2019

Reg. Gen.
6.6.19

सम्मन साक्षी

न्यायालय मुख्य न्यायिक मजिस्ट्रेट जनपद ^{२१९} औरिया
 बाद सं० 769/18 अ० सं० 97/18 घरा 409, 420, 467
 बनाम चालानी धाना को ^{२१९} औरिया जिला ^{२१९} औरिया 468, 471
 साक्षी ^{२१९} औरिया 1208/18

श्री लल्लू सिंह उपर जिला एवं सत्र
 न्यायाधीश मुरादाबाद (उ०प्र०)

आपको आहूत किया जाता है कि दिनांक 4/07/2019 को समय 10 बजे इस न्यायालय
 में उक्त बाद के सम्बन्ध में साक्ष्य देने उपस्थिति हो ऐसा करने में त्रुटि न होगी।



हस्ताक्षर मजिस्ट्रेट

02.06.19
 मुख्य न्यायिक मजिस्ट्रेट

3-6-19