Item No.6

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

PIL No.2 of 2020

Mr.O.Chittaranjan Singh … Petitioner
-Versus
State of Manipur & ors. … Respondents

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR
HON'BLE MR. JUSTICE LANUNGSUNGKUM JAMIR

For the Petitioner :: Mr.Thoi Thoi Meitei, Advocate
For the Respondents :: Mr.P.Tamphamani, GA
Date of Order :: 27.01.2020

O R D E R

CJ,

[1] The prayers in this PIL are as follows:-

> " a. pass appropriate writ, order or direction in the nature of mandamus to the respondents for framing the specific practice procedure or guidelines for effective implementation of the mandatory provision under Section 439 (1A) of the Code of Criminal Procedure, 1973.
>
> b. pass any other further order (s) as deemed fit and necessary by this Hon'ble Court in the interest of justice."

[2] After hearing for sometime, Mr.Thoi Thoi Meitei, learned counsel for the petitioner pleaded that by oversight, he has filed this Public Interest Litigation thinking that similar practice/notice should be issued as in the case of High Court of Delhi, New Delhi to implement the amended provisions of Section 439 of the Code of Criminal Procedure, 1973 as mandated by Criminal Law (Amendment) Act, 2018 (No. 22 of 2018) w.e.f. 21.4.2018.

[3] When it was pointed out that such a plea was misplaced because the provisions are to be strictly followed both by the High Courts and the

Sessions Court in a case falling under Section 439 of the Cr.P.C and the need to issue a direction in the PIL does not arise. He agreed to the same and opted to withdraw the same.

[4] The petitioner could have filed a representation, if there is any breach in the implementation of the Criminal Law (Amendment) Act, 2018 (No.22 of 2018) to the Registrar General, High Court of Manipur or to the Court concerned in a specific case. There is no such complaint or representation.

[5] The learned counsel for the petitioner has made an endorsement that no cause arises and he is not inclined to pursue this PIL. Accordingly, the PIL stands dismissed as withdrawn.

JUDGE **CHIEF JUSTICE**

Opendro (rt)

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