



**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No. 54/Home/2023

Dated: 11/09/2023

NOTIFICATION

In partial modification of Notification No. 110/Home/2009 dated 19/08/2009, the State Government is hereby pleased to make the following amendment namely:-

In the said notification, for the existing paragraph 4, the following paragraph shall be substituted, namely:-

"4. In case the State Government decides to withdraw from prosecution in a case, the necessary instructions for such withdrawal from prosecution shall be intimated to the Prosecuting Agency namely, Sikkim Police or Sikkim Vigilance Police as the case may be by the Home Department.

Consequently, the Prosecuting Agency shall then intimate the decision of the State Government to the Public Prosecutor or Assistant Public Prosecutor in-charge of the case for taking appropriate steps for withdrawal of the prosecution under section 321 of Code of Criminal Procedure, 1973 in the Court in which the case is pending".

By order and in the name of the Governor,

-Sd/-

**(V.B. Pathak) IAS
Chief Secretary**

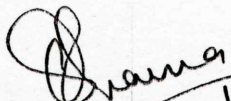
Government of Sikkim

File No. Home/Confdl/174/2021/03

Copy for information to: -

1. The Secretary to Hon'ble Governor, Raj Bhavan;
2. The Secretary to Hon'ble Chief Minister, CMO;
3. The Director General of Police, Sikkim Police, Police Headquarters;
4. The Director, Directorate of Vigilance Police, Gangtok;
5. The Secretary, Law Department, Government of Sikkim;
6. All Addl. Chief Secretaries, Principal Secretaries, Secretaries and HODs;
7. District Collectors, Gangtok, Pakyong, Mangan, Gyalshing, Soreng & Namchi;
8. Superintendents of Police, Gangtok, Pakyong, Mangan, Gyalshing, Soreng & Namchi;
9. Staff Officer-cum-Additional Director to Chief Secretary;
10. Resource Officer, CMO;
11. PS to Additional Chief Secretary, Home Department;
12. PA to Secretary, Home Department;
13. Programmer-IT, Home Department- for uploading in Government website;
14. Gazette Section- for publication in the Official Gazette;
15. File & Guard File.




11.09.23
Deputy Secretary-I (Confdl.)
Home Department