

RSB No.92/2016

High Court of Karnataka
Bangaluru,
Dated 10TH March, 2016.

GENERAL CIRCULAR No.03/2016

Sub: Disposal of criminal cases in which Foreign Nationals are involved, on top priority.

Ref: 1.General Circular No.4/94, GOB.II.58/93, dt.14.02.1994.
2. Hon'ble High Court Order, dt.18.02.2015 passed in CrI.P.No.7905/2015.

It is informed to all the Judicial Officers that there is a General Circular referred to above, wherein, it is directed to all the Sessions Judges and the Magistrates in the State to dispose of the cases pertaining to the Foreign Nationals expeditiously. Still, the cases involving Foreign Nationals are not disposed of on top priority.

The Hon'ble High Court in CrI.P.No.7904/2015, disposed of on 18.2.2016, in Paragraph No.48, has observed as under:


48. In the event of filing charge sheet against any foreign national for violation of the relevant provisions of the Foreigners Act, 1946, or any other act or penal provisions of the local laws, the concerned criminal court will have to take up such cases for trial on top priority, whether the foreign national is on bail or in judicial custody. If there is delay in conducting trial, it would be as good as allowing such foreign national to be in India even after expiry of the visa period. The registry of this court may, in consultation with the Hon'ble Chief Justice, also think of issuing a circular directing the presiding officers of all criminal courts in the state to dispose of criminal cases in which foreign nationals are involved, on top priority.

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Therefore, the Hon'ble Chief Justice has directed all the Presiding Officers of the Criminal Courts dealing with the cases involving Foreign Nationals in the State to dispose of the cases pertaining to the Foreign Nationals, as expeditiously as possible.

The above instructions shall be followed scrupulously.

By Order of Hon'ble The Chief Justice


(P.N.DESAI)
Registrar (Judicial)

Copy for information and necessary action to:-

1. The Prl. City Civil & Sessions Judge, Bengaluru City.
2. All the Prl. District and Sessions Judges in the State.
3. The Chief Judge, Court of Small Causes, Bengaluru.
4. All the Prl. Judges, Family Courts in the State.
5. All the Presiding Officers, Industrial Tribunals and Labour Courts in the State.
6. The Private Secretary to the Hon'ble Chief Justice.
7. All the Private Secretaries to the Hon'ble' Judges.
8. The Registrar General, Registrar (Vigilance), Registrar (Recruitment), Registrar (Judicial), Registrar (Infrastructure & Maintenance), Registrar (Administration), Registrar (Computers).
9. The Addl. Registrar General, Dharwad Bench.
10. The Addl. Registrar General, Kalaburagi Bench.
11. The Director, Karnataka Judicial Academy, Bengaluru.
12. The Director, Mediation Center, Bengaluru.
13. The Director, Arbitration Center, Bengaluru.
14. The Central Project Co-Ordinator, with a request to web-host the Circular in the High Court Website.
15. Circular Copy.
16. Office Copy.

with a request to circulate the copy of the Circular amongst all the Judicial Officers in their Unit.