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Uniform Criminal Investigation Report Drafting Manual 2022

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The Uniform Charge-Sheet Drafting Manual 2022

Forward

In pursuance to section 101 of the Office of the Attorney General Act 2015, the Office of the Attorney General (OAG) hereby frames and issues this Uniform Charge-sheet Drafting Manual for the OAG and RBP 2021. The rationale of framing and adopting theManual is to harmonize and systematize the drafting of charge-sheet and set a uniform and standard practice of prosecution across the country.

This Manual is expected to the standardization of criminal prosecutions and address the conglomeration of cases in the courts resulting from cases of frivolous and trivial nature while ensuring prompt, fair and effective prosecution. It was felt that prosecution and its resulting punitive actions must mitigate the damage to society rather than aggravate it. The review of a case must involve a holistic outlook, due diligence, evidentiary tests into the nature of the offence committed, mitigating and aggravating circumstances of the case, cost-benefit analysis, evaluation of the overall criminal justice system along with the principle of reformative sentencing and decriminalization in a society. The prosecution must duly consider the overall economic, social and financial burden to the state and public interest whilst preparing to forward an indictment before a court of law.

For these purposes the drafting of charge-sheet must address thorough review and analysis of each case and any grounds for prosecution or an appeal should pass the test of reasonableness in seeking appropriate sentencing during the framing of charges as well as in seeking just punishment on appeals. This Manual will not only guide the OAG and RBP in framing common charge-sheet, but also is expected to usher unparalleled dispensationof justice by our courts with common objective of ensuring

ลิ:าุณการาชีาลายสาสูง กริเวร์สาเวการาร์ที่

૫૫૫ નેવ વર્ષ ગેશ્વ કેશ્વ કર્યા છે કેશ વ્યવે સ્રહ્ય ક્યું વર્ષ વર્ષ વર્ષ વર્ષ વર્ષ વર્ષ ગેયું વર્ષ ત્ર શેય છે વર્ષ શેય કે ગાળ વર્ષ ગેયું ગેયું

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free, fair and impartial criminal proceedings and uphold the due process of law.

Accordingly, this Uniform Charge-sheet Drafting Manual for the OAG and RBP 2022 is hereby adopted and issued on 8th day of the 9th Month of the Water Male Tiger year corresponding to 1st November 2022.

(Lungten Dubgyur) Attorney General

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Introduction

The Constitution of the Kingdom of Bhutan mandates that the criminal proceedings be conducted in fair and independent manner without fear, favour or undue delay in accordance with the Rule of Law. The Constitution also requires that a person charged with a penal offence has the right to be presumed innocent until proven guilty (the presumption of innocence) and it is the duty of the Prosecutor to prove the case beyond reasonable doubt (burden of proof). Similarly, the principles of right to remain silent and double jeopardy are well recognized within the ambit of the criminal justice system in Bhutan.

In consonance with the underlying cannons of criminal law and in the interest of justice, the need to have a uniform charge-sheet and its uniform application by all prosecuting agencies are of paramount importance. It will not only assist the prosecuting agencies but also guide the prosecutors while discharging their duties. The uniform charge-sheet by the Royal Bhutan Police(RBP) and the Office of the Attorney General (OAG) has been highlighted to provide due cognizance in consonance with the principle of natural justice. Further, an adequate notice to the accused, fair hearing and principles of rule against bias shall be duly considered.

Further, the OAG Act 2015 stipulates that the Office shall endeavor to promote fair, impartial and just proceedings in civil and criminal cases. It is certain that drafting and presenting the uniform charge-sheet before the Court of law will promote fair and impartial proceedings in accordance with the principle of fair trial.

न्रिंग्देग्दन्द्र्ी

It is with aspiration that this Manual will not only provide specific guidance to the prosecutors but also serve as a catalyst for new ideas and avenues for the criminal prosecution in seeking truth and ensuring justice.

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Chapter I Title and Purpose

Title

1. This Manual is called Uniform Charge-sheet Drafting Manual 2022.

Purpose

- 2. The purpose of the Manual is to:
 - Draft uniform charge-sheet by Prosecutors of the OAG and RBP to promote fair, impartial and just proceeding in criminal cases;
 - (2) Guide the prosecutors while providing legal representation on behalf of the State;
 - (3) Outline systemic process of prosecutorial services to be rendered;
 - (4) Assist Prosecutors in framing appropriate and proportionate criminal charge-sheet based on facts, evidences and laws; and
 - (5) Ensure that evidentiary and public interest test is satisfied before initiation of any Prosecution.

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Chapter II Case Assignment and Review

Case Assignment

- 3. The Prosecutor shall declare Conflict of Interest if any in the prescribed format as soon as a case is being assigned. The determination of such can be finalized in consultation with the immediate supervisor.
- 4. The Office shall not assign case to Prosecutor who may have or be reasonably construed to have conflict of interests on the case in hand.
- 5. When an accused is under custody and requires remand extension, the concerned Prosecutor shall inform the Investigating Officer to seek remand extension as per prescribed form.

Case Review by the Prosecutor

- 6. The Prosecutor shall first examine the facts of the case and the probable charge recommended in the Investigation Report and examine the applicable laws and relevant provisions.
- 7. Determination of the offence shall be done by elementization of the provisions of the laws in-line with the facts and evidence available with the Investigation Report.
- 8. While reviewing the Investigation Report in-detail, if the prosecutor finds that the evidence provided is insufficient to "Proof Beyond Reasonable Doubt", the prosecutor shall seek additional evidence from the Investigating Officer.

ત. વૈન્ગન્ડકનજીવાલુાવનું ભાગભાવાજી નજીન્ગલનન્ગ્વવિજ્ઞનચા ગાવજીવું છે અવર્દ્ર ગાવ માંગીયા જ્ઞુનાકેનગ્વર્ગન્જી જું "કોર્ટેંચાર્ગવાવ્યક્યું અઠવારી અદેવાદ્વાદ્યાં જે સંવર્ધ છે અવર્દ્ય ગાયા સેવઠનગ્રે છે અવર્દ્દે ગાયા ગાયા વિનાનકન્ગન્ગાન્ય જીવાનકન્ગયા જ્ઞુનાકેના જે સંવર્ધ જે ત્યાં છે અદેવા ગાયા સ્ટે ગાય સ્ટે ગાયા સ્ટે ગાય સ્ટે ગાયા સ સ્ટે ગાયા સ્ટે ગાય સ્ટ સ્ટે ગાયા સ્ટ ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટ ગાય સ્ટે ગાયા સ્ટ ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટ ગાયા સ્ટે ગાયા સ્ટ ગાય સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગાયા સ્ટે ગ

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- ų. કેશ્વાદ્વાશ્વાચ્ચ્ર કેંગ નેંડ્રચાર્વે ગાયું ગલગાયવે સુવચા નેંડ્રચાયર વશુરચાય નેંડ્રચાયર છે. કેં તારે વર્ષે બાંધુ કે સાં બેંડ્રચાય નેંગ્રચાય મું સ્ટે સ્ટે કે પ્રાથમિક સુવચાય તે સુધાય તે સુધાય તે સુધાય તે સ આ બુદ્ધ સે મું તે સુધાય તે સુધાય સુધાય સુધાય સુધાય સુધાય સુધાય તે સુધાય તે સુધાય તે સુધાય તે સુધાય તે સુધાય તે સ

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- 9. Any communication made between the Prosecutor and the Investigating Officer must be recorded.
- 10. The Prosecutor may request the concerned Investigation Officer to make presentation, if the nature of the case requires.

Case Screening Corpus

- 11. When a case cannot be determined conclusively, the case shall be put up to the Case Screening Corpus.
- 12. All decisions of the Case Screening Corpus must be made based on a simple majority of the members present.
- 13. When a case is dropped, all the documents relating to the case shall be returned to the Investigating Officer along with the reason for dropping the case.
- 14. The concerned Prosecutor shall maintain the decision of screening corpus in written and duly signed by the members.

The Decision for Prosecution

- 15. The prosecution shall be initiated only if there is a prima facie case against the accused, corroborated by sufficient credible evidence.
- 16. The prosecution shall be initiated only when both the evidential test and public interest tests for prosecution have been satisfied.
- 17. It is a common principle to consider that each aspect of the test shall be considered separately before a decision is taken to initiate prosecution. The Evidential Test shall be satisfied before the Public Interest Test is considered.

^{9ઌ.} કેશ્વ પ્લેમ કેથા વર્ષે મ્ફ્રંથશ્વ વૈલે ર્થેશ્વ થયા અર્ઠે નુપ્યવે સ્થર્યો મ્પ્યુ વક્રયા નુધનુ મે મેવે છતુ ઠેશ્વ સેંગ્સે મંબેનુ સેંદ્ર વર્ષે વર્ષે વર્ષે વર્ષે વર્ષે થયા અર્ઠે નુપ્યવે સ્થર્યો મ્પ્યુ ગંતુ મુંગ દેનુ ગ્રી વક્રયા નુધનુ વર્તુ સે નુસરસાયે પ્લ શી વક્રયા નુધનુ વર્ષે વર્ષે વર્ષે થયા સ્થર્યો ન્ય બુશ નેસ બેશ વર્ષે ત્સાર સુંયાસય સું નુર્યો

- ^{૮૫.} ୩ભ'ર્સેઽ' કેશ્વ'વર્દ્ધથાશ અતુ શૈ મુગ્વ'વયાભ ભું ભેડ્ર જ્રેશ'ર્ડ્ડ પ્વર્ત સ્નુવ'ગ્રેડ્' ભડ્યાસે સેંદ્ર ર્દ્યથાશ પ્લે ભુડશ'ર્સ્ટ સ્વાર્થ કે બુલ્ય છે. આ બુલ્ય છે. આ બુલ્ય છે. આ બુલ્ય બુલ્ય બુલ્ય બુલ્ય બુલ્ય બુલ્ય બુલ્ય

<u>केश्वान्वप्रेन्त</u>्री खगार्केन्

- ૧૯. વર્લેબ ચેંન છે સાવર્ને ગાય પા ગોય કેંન ગાલે છે એ બ કેં ગાય છુ ન ગોન છે સાવ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે. ત્ર ગાય છે સાથ ગાય છે સ સાથ ગાય છે સા સાથ ગાય છે સા

- ^{17.} ર્કેન'गલિ'&ેગ' ઘગ'ર્ಹેન'ગ્રે'ગનિક 'વાયેબ'શુન'અ'ર્દ્ધુ ગર્ય'એક કેન' ગેલિ'વને' ર્કેન'ગલિ'ર્ક્ર' એબ'ર્ಹેગર્ય હુન'ફન'નર્ફુ ગર્યન્સ'નર્ગે

ર્કેનુ ગાલે છે એવા ર્ઢે ગાય છુન્

- ၉. બેસાવર્ને ગાયામાં મુખ્ય મુખ્ય મુખ્ય તે છે. આ ગામ મુખ્ય મુખ મુખ્ય મુખ્ય

The Evidential Test

18. The Evidential Test requires that there is sufficient credible evidence to prove a case beyond reasonable doubt and that every element of an offence must be supported by the corresponding evidence.

Public Interest Test

19. The Public Interest must be considered in each case where there is enough evidence to provide a realistic prospect of conviction. A prosecution will not usually take place whenthere are public interest factors tending against prosecution which clearly outweigh those tending in favour.

Public Interest Consideration for Prosecution

- 20. The Public Interest considerations for prosecution shall include cases where:
 - (1) A conviction is likely to result in a significant sentence;
 - (2) The defendant was in a position of authority or trust and the offence is in abuse of that position;
 - (3) The offence is committed against a person serving the public;
 - (4) The defendant is an organizer of the offence;
 - (5) The offence is pre-meditated;
 - (6) The offence is carried out by a group;
 - (7) The offence is motivated by hostility against a person because of his or her race, ethnicity, sexual orientation, disability, religion, political belief, age or the like;

(๗) ୩ବିଁ୍ମ 'ଦ୩ବିଦ' ଈୖ'ଽ୕ୖଽ୩୮୩ୖ'ଽ୩ଷ୍ୟୁଷ୍ୟ ଭଦ୍ୟ ଈୖଂଽ୩ଷ୍ୟ ଝିଂଇଁଦିମ୍ୱିଙ୍ଗ୍ୟ ଖ୍ରି୩ଷ୍ୟ କ୍ଷୁସ ଅଟ୍ୟ ଛିଷ୍ୟାପ୍ତ୩ଷ୍ୟ ଷ୍ଟ୍ରିମ୍ବି ଅୖୁ ଔ୩ଷ୍ୟ ସଞ୍ଚଟ କ୍ଷ୍ରିଷ୍ୟର୍ଘ୍ୟ ଭଦ୍ୟ ମିଂସଞ୍ଚୁଷ୍ଣ ଅଭିନ୍ ୩ବ୍ୟାଦସସ୍ୟାନ୍ସ ସ୍ଥ୍ୟୁସ୍ଟିବ୍ ଜିଦ୍ୟାଇଁ'ଭ୍ୟ ଜିହିବ୍ୟୁଟ୍ୟୁ ଅଷ୍ଟ୍ୟୁଷ୍ୟ ଅଷ୍ଟ୍ର ଅଷ୍ଟ୍ର ଅଷ୍ଟ୍ର ଅଷ୍ଟ୍ର ଅଷ୍ଟ୍ର ଅଷ୍ଟ୍ର ଅଷ୍ଟ

- (c) ๆสิ้าราวมาณาว่า ซิ่าฮสาธิภามาสาวนี้ราม
- (u) ๆสิ้า เลขานารา จานานสา ๆสิ้า เพิ่มสารมีทุลารา เนาน้างาน
- (e) ર્ફેન સિંગ્સ ત્ર ના બુધ ના બ તે બુધ ના બુ ના બુધ ના
- (4) ୩) ୩) મુંદ્ર ત્ર્યોબ પર્દ્ર શે અન્પ્યુ લગ્ન કેંગાલુ ખેંનુ અભે શે છે. જે ગામી મુન્ગ પ્રાપ્ય પ્યુ પ્રથન આ બેંદુ આ
- (4) รั้าสูานา รานาน สาย เป็นการ เป็นการ
- (1) ผิลพาทธิ์า เนู เรศิล รรีสาผิลพาพธิ์เศิพ ธิท มิสามา

40. કેશ્વ નવેત્ર શું કેંત્ર ભું કું કેંત્ર નકે વર્દે ગાળો શાક્ય સું દું કે સે દું પારુ તે છે. કેશ્વ નવે કે સું દું સું દું કે સું દું કે સું દું સું દું સું દું સું દું સું દું સું દું દું કે સું દું કે સું દું સું દું સું દું સું દું સું દું સું દું દું સું દું સું દું સું દું સું દું સું દું દું સું દું સું દું સું દું સું દું સું દું દું સું દું સું દું સું દું સું દું સું દું સું દુ સું દુ સું દુ સું દું સું દુ સું દુ સું દુ સું દુ સું દું સું દુ સું દુ

<u> કેશ્વ નવેત્ર શ</u>ીર્વે વાયુ. શુર્વે વાયકે વર્દેશા

য়৾৾ঀ৾ঀ৾ঀ৾৽৽৽৽৽৽৾ঀ

94. য়ુન છેન ન ક્વાન ક્વાન કાર્ય કેન વાલે સ્થા કોર્ટી સાથ માં સ્થાન સ સ્થાન સથત સ્થાન સથાન



- (8) The offence has resulted in substantial financial loss to an individual, corporate person or society;
- (9) The victim of the offence or his or her family has been put in fear or suffered personal attack, damage or disturbance;
- (10) There is a marked difference between the ages of the defendant and the victim and the defendant took advantage of this;
- (11)The defendant's previous conviction is relevant to the present offence; or
- (12) There are grounds for believing that the offence is likely to continue or be repeated.

Public Interest Consideration Against Prosecution

- 21. The public interest considerations against prosecution shall include:
 - (1) Likelihood of imposing a very small or nominal penalty;
 - (2) The loss or harm can be described as minor and is the result of a single incident, particularly if it is caused by an error of judgment or a genuine mistake;
 - (3) The offence is not of a serious nature and is unlikely to be repeated;
 - (4) That a prosecution is likely to have an adverse effect on the victim's physical or mental health, bearing in mind the seriousness of the offence;

- (e) พลี้าานที่ณาฮ์กลาอริกา มีสมมานกากสาาหู่า หิมานการเการสา หมายสารณ์ พาสูงทุณานมณ แกรสา รสาศิมาณ ทลี้าานสมาณธูกรมา
- (ஆ) ธีจรง ธิสายู่ ๆสุด ญลุล เพิ่สานนิ ๆสี้า นาโนเพิ่สาน เพิ่สาน เพิ่ม เพิ เพิ่ม เพิ่ม
- (1) จิสาฮารสารเศิสา พราสา สิราร์สาษีรสาริญาณฑณาสิราม
- ૧૦. ઙેચ નવેમ શે શાના ત્યાપાય કે મેં વ નકે વર્દ વા ગો ગામ સું દું ન ને સે સં પ્ય જ સં સં પ્ર સ સં પ્ર સં પ્ર સં પ્ર સં સં પ્ર સ સં પ્ર સં

<u> કેશ્વ નવેત્ર શે સ</u>ૈનાયતાળ તેરે. શે દ્વેત્ર તે સ્ટેલ્ટ્યા

- (14) गર्वेन'पगेष'पन्ने' पर्धे'अद्युन' अन्य अन्यमुन्यप्रध्य' वनेव'पर्ध्व'र्य्स्क्रुगस' यदेगाबे'गवन'र्द्यु'र्थेन'या
- (10) รี้าาสาราชิมมาสูานลินารสา ผู้หาณ์สิมชิรามสายิเยานารสัมเสาะนั่วนา มาฮา รั้ราสาวาที่มา วินาสุมามลิบาสมาหราม จิมาชิรานารา
- (a) ๆสิ้าราวที่ณาฏิเชลมาสูราน พราสา ที่เวลามีเริ่าสรามิญ เริ่าสมมูญนารกราน พราสา ๆสูมมาญาทสิ้าราน พราชิสา มากรีสา เสชานารมาญานา
- (<) ୩ର୍ଶିନ'ଦ୩଼ିଲ'ନ୍ରିୟ'ନ୍ନିଶ' ନିଂଗ୍ରୁମ' ଭଷ୍ୟ'ଦିଛିଶ'ନ୍ଧି'ରି'ନି' ଭମ୍ପ' ଶିଂଛ୍ଟି'ୟୁ' ମୁଦ୍ଭ୍ୟ' ମୁଦ୍ଭ୍ୟ' ଦ୍ୱରିଲ'କ୍ସି'କ୍ସି-'କ୍ସୁମ'ର୍ଶ୍ୱିଶ'କ୍ସି'ନ୍ୟିମ୍'ଆଁନ୍ୟା

- (5) That the defendant is elderly or is or was at the time of commission of the offence, suffering from significant mental or physical ill health, unless the offence is serious or there is real possibility that it may be repeated; or
- (6) Where the offence is described as a minor and the defendant has put right the loss or harm.

Case Brief by the Prosecutor

- 22. The Prosecutor shall maintain case brief and keep note of every stage of the case.
- 23. The Case brief shall contain the followings:
 - (1) Brief facts of the case;
 - (2) Issues in the case;
 - (3) Laws and rules are applicable in the case;
 - (4) Analysis on facts, issues and laws presented; and
 - (5) Conclusion of the case.

- (u) र्डेन'गलि'घग'गठना
- (e) พุณพ.ษัฐส.มีน.พ.ช.รูปส.พ. พุลป.ปูง. พูณพ.ภิ.ปลา 221.
- (ع) รี้ราฑิติ เวา สรา ณฑาณิสาวสรา จรางนิ เลิมพาราร จรานิขา
- (१) र्डेन गविते र्डेन र्छेग।
- (\mathfrak{g}) $\widetilde{\mathfrak{F}}$ \mathfrak{f} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} }\mathfrak{h}\mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h}\mathfrak{h}\mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} \mathfrak{h} $\mathfrak{$
- २३. ईंन्गलेग्मर्भयानगॅन्निन्द्रन्न्मांश्वेद्धापनः
- **છે^સ પ્લર્ને મુશ્વ મ્પર્વર્કે નું માલિ માયવ્ય મર્મોનિ** ૧૧. છે^સ પ્લર્ને માર્ચ માંગ્રે સંતુ માલિ માયવ્ય મર્મેનિ ન્ટ્ર સંતુ માલિ સેય માંગ્રે માર્ગ્વર વિદ્યુ મેટ્ટે માલે માંગ્રે સ્વર્ણ સ્વર્થ માંગ્રે સ્વર્થ સ્વર્થ માંગ્રે સ્વર્થ માંગ્રે સ્વર્થ માંગ્રે સ્વર્થ સ્વર્થ માંગ્રે સ્વર્થ માંગ્રે સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ માંગ્રે સ્વર્થ સ્વર્થ સ્વર્થ માંગ્રે સ્વર્થ સ્વર્થ માંગ્રે સ્વર્થ સ્વર્થ માંગ્રે સ્વર્થ સ્વરે સ્વરે સ્વર્થ સ્વરે સ્વરે સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ સ્વરે સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ સ્વરે સ્વરે સ્વર્થ સ્વરે સ્વરે સ્વર્થ સ્વરે સ્વરે સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ સ્વર્થ સ્વરે સ્વર્થ સ્વર્ય સ્વર્ય સ્વરે સ્વરે સ્વરે સ્વર્ય સ્વર્ય સ્વ સ્વર્ય સ્વર્ય સ્વરે સ્વર્ય સ્વર્ય સ્વર્ય સ્વરે સ્વરે સ્વરે સ્વર્ય સ્વરે સ્વરે સ્વર્ય સ્વર્ય સ્વરે સ્વર્ય સ્વરે સ્વરે સ્વરે સ્વરે સ્વર્ય સ્વરે સ
- (u) ୩ୡ୕୵୲୵୩୕ୄୢୖ୩୴୲୵୵ୖୄ୵ ଌ୕୕ୖୖୖୖ୶୴୴ଌୖୡ୕୲ୖୖୖୖୖୖୖୖୖୖଢ଼ୄ୶୲ୖ୴୷ଌୖୡ୲୴୰ଌୖୡୄ୶୲ୖୖଢ଼ୄ୶୲ଌୖ୲ଽୡୢୖୄ୶୷୴ୖଌୄ୶୲ଌୄ୲ଽୡୢୖ୶୷୴ୖଌୄ୶୲ଌୄ୲ଽୡୢୄୢୖ୶୷୴ୄଌୢୖ୶୷୴ୄଌୢୖ୶୷୴ୡୢୢୣୗ୷୷୲ଌୄ୶୷୴ୡୄୢୣୣ୷୷୴ୡୄୢୣ୷୷୴୷ ଌ୲ୄ୩୲୵ୖ୶ୡ୲ୖୄ୵୲ୖୡ୲ୡୄ୲ୖଽ୵୲ୢୖୄୢୢୢୢୢୢୢୢୢୢୢୖ୷୲୵ୄୖଽ୲ୢୢୢୄୢୠ୲୵ଽୡୢୄୢୣ୷୷ୡୢୄୢୣ୷୷୴ୡୄ୲୷୴ୡୢ୶୷୴ୡୢୄୣ୷୷୴ୡୄୢୣ୷୷୴ୡୢୢୣ୷୷୴ୡୢ ୴୷ୖଽଌୡ୲ୖ୵ୖ୳୲ୖୄଽ୲୶୷ୢଽୡୢଽୠୠ୶୲୴ୡୢ୴ଢ଼ୢ୶୴୲୴ଌ୶୴୲ୠୄୢୢୢୢୢୢୢୢୄୣୠ୲ୡୢୢୄୢୖୄୢୠ୲ଽୢୖୄୡୠ୲ୢଌୖୄୢୢୠ୲୵ଽୖୡୄୣ୶୲ୖ୴ୢୖୄୣୣୣୣୣ୵୷ଡ଼୷୲୴୷୷ ୡୢ୲

Chapter III Power of Attorney and Charge-sheet Registration

Time Frame for Filing Charge-sheet

- 24. The prosecutor shall expeditiously register the case upon diligent review of the case within a reasonable time.
- 25. The charge-sheet shall be registered before the jurisdictional Court within forty-nine days from the date of complaint received by the Investigating Officer and for the heinous crimes it shall be done within hundred and eight days.

Power of Attorney

- 26. The Power of Attorney empowers one to represent or act on behalf of another person in criminal and civil litigation before the competent jurisdiction of the Court.
- 27. The Office of the Attorney General shall issue the Power of Attorney to the concerned Prosecutor for prosecution of the case.
- 28. The Power of Attorney issued may be revoked when the prosecutor is deemed unfit or unable to perform the job fairly and justly due to interference or undue influence.

รัชสาขูาปลุกาป

ૢૢૢૢૢૺ^ૹઃૡક્ર્યીૹઃઌગ્રીટી.વુપુ, હુ

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Chapter IV Charge-Sheet and Contents

Framing of Charge-Sheet

- 29. The Charge-sheet shall contain the information that the accused is being criminally charged under the specific provisions of the laws.
- 30. The charge-sheet shall include the specific provisions of the law under which the offence is committed, written in Court language and mention the previous crime record if any.
- 31. The charge-sheet shall contain time and place of the alleged offence and person against whom or the thing in respect of which it was committed.
- 32. The charge-sheet shall also incorporate all the relevant information provided by the investigating agency.
- 33. There shall be separate charge for every distinct offence and if there are multiple counts under the different charge(s), every count shall be mentioned separately.
- 34. If a person in a series of acts so connected to form a part of the same transaction commits more than one offence, the person may be charged with and tried at one trial for every such offence.
- 35. The charge-sheet shall be registered in the Registry Section of the jurisdictional Court along with the Power of Attorney and relevant documents.

- ^ૡ ગાભા સૈન્ એ મેં દેગા ગીએ બગા ખેતુ ગારુ ગાસી ભારતા ગી અને અપર ગાય છે. ગાય પ્રાપ્ત શુત્ર સ્ડત્વ તે સ્ત્ર ર્દ્ય બાય અર્દ્ય અર્જ્ય સુંત્ર શું છુ સુંત્ર દ્વં તેન્ ગારુ ગાય અપ્ર અન્ય વિદ્ય પ્રાપ્ત ગાય વ્યવ છે. સે મેં ને ભા તે ભારતા તે તે બાય બાય બાય બાય બાય બાય બાય બાય બાય તે બાય તે તે બાય તે બ
- ٩٩. ઙૢૺૹૻૡ૬ૢૼૼૼૼૼૼૼૼૼૼૼૹૻૻૹૻૻૡ૾ૼૺૻ૽ૡૻૻૼૻૻ૾ૡ૽ૺૼૼૼૼૻૻૻૻૡૻૻ૱ૡૻૺૡૼૻૻૡ૽ૼૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૼૡૻૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ ૨ અઙૢૹૻૹૣ૽ૺઌૡઌૼઽૻૡૼૼ

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Contents of the Charge-Sheet

- 36. The prosecutor shall include the following sequence in the charge-sheet:
 - (1) Name & address of the parties;
 - (2) Particulars of the offence;
 - (3) Salutation to the Court;
 - (4) Jurisdiction of the Court;
 - (5) Facts of the case;
 - (6) Previous crime record;
 - (7) Appropriate charges;
 - (8) Restitution, damages and compensation;
 - (9) Prayers; and

(10) Dated, affixed legal stamp and signature of the prosecutor.

Name and Address of the Parties

- 37. The charge-sheet shall contain the name and address of the accused along with CID/passport and contact number or contact details of guardian/guarantor/surety of the accused to;
 - (a) Serve as contact points to the Prosecutor and Court official dealing with the case.
 - (b) Issue the Service of Process by the competent Court.

- (ጦ) รุจระสราชสายิาติมมาตรูสายิมา รัฐระริมายิาศจมาร์ทาทสระสิติรัสาญ
- (୩) \hat{f}_{7} 'गबि'તરપ્तचेभग्गोर्हेगर्भग्धेरप्तर्थ છેશ્વ देग्राश्वयर्गर ख़ैस्रस्व ख़िस्य प्तुत्व भ्याचेर्यः \hat{g}_{8} 'गेश्व चर्गार, रवेभग्न प्रचेत्यः क्रिंग्श्व क्रिंग्रेंद्व ख़ा

<u>अन्त्रमी</u>ज्यूर्ये अन्ये स

- (10) สูาสีพารรา ผิมพาหุฑพารราจงา ผิมาวรัทพามณิณฑายิพ
- (p) ๆสัญาณริสสปุ 551

- (b) จิ[•]พณิชิพาณพานธิราร์
- (๗) รััราฑิติสิ:ฐาา.แระพ
- (๔) จารีสุรารารายา
- (3) ผิมพาวุรูสายิามทุาฏส
- (१) गर्वेन प्रगेप मुण्य मुग्त न र देवा
- (1) สีเซลาฏิเพิ่ารุกเลาอูก]

ชิสารธุ์ทุลาข์าสุรารุ์ลุ แน. ชิสารรุ้ทุลานาทิสา ชิสารธุ์ทุลาสุราญา ทุศุลาทุลณาทั่าริสารติสารกับรุรทันารานกะ (c) Track the record of the case by the Investigating and Prosecuting Agencies.

Particulars of Offence

38. The prosecuting agency shall mention the main offence committed by the accused as a subject matter of the charge-sheet in brief.

Salutation of the Court

39. The Charge-sheet shall be drafted in the formal letter writing format addressed before the competent Court.

Jurisdiction of the Court

40. The prosecutor shall determine the Court venue where the criminal trial is to be conducted based on place where the crime has been committed or the cause of action arose.

Facts of the Case

- 41. The facts of the case shall:
 - (1) Be in chronological order based on the chain of events that occurred;
 - (2) Describe the history of the case asking "who, when, what, where, and why" questions;
 - (3) Not contain argumentative facts;
 - (4) Be precise;
 - (5) Provide all relevant information including place, date and time of crime occurrence; and

- (4) จิพาณพาสุธูราพสิพาฑุสุพา สูาฮิพารรา รูพาฮิ์ราวอพา รรัพาสุลิณาฮิาฑุสุพา สูณาฑาราฮิสาริ พิสารทั
- (e) ผนูณาราสิรามาสิราพิสาราที่
- (a) 5 ગામાં આવે. મું. દ્વે લાય જે. આ ગામ દ્વે આ ગામ છે. તે છે. આ ગામ આ ગામ છે. આ ગામ
- () र्रेन गविते मुन रेश न र मक्कु गों रेश क्री गा के खित न गों।

र्डेन्ग्वित्रेक्नुनःसुन्श्र

٤٥. કેશ્વાવર્ડેગશ્વમ્યાયોશ્વ કેશ્વાયશ્વાવઘવાશ્વવિશ્વાર્યત્શ્વ વ્યત્ત્વ હ્યું કેવુદ્વાર્ય્વાયું ગાલે વલગ ક્ષે. કેશ કરા છે. કેંદ્રાં વને સંવર્ત્વ વિશ્વ સ્વયંત્ર કે હોય પ્રત્યું પ્રત્યું પ્રત્ય સ્વયં છે. કે સ્વયં સ્વય વાયેલા વર્ષે કે દેવી

<u>ଞି୶୶'ନ୍</u>ଦୁଣ'ଶ୍ରି'ମ୍ମ୍ୟୁଅଟ୍ର

गर्वेन प्रगेल मुग्मवन र्नेवा

(6) Be within the scope of proof and evidence.

Previous Crime Record

- 42. The Prosecutor shall provide a clear and detailed charge-sheet stating the previous criminal record of the accused.
- 43. The Prosecutor shall seek enhancement of convictions, if the previous crime record is the same as the present charge.

Charges

- 44. The charges shall:
 - Specify the offence committed and state the provision of the laws under which the accused is charged;
 - (2) Be elementize as per the provision of the law;
 - (3) Mention the sentencing term based on the provision of law; and
 - (4) Mention separate charges and counts as per law.
- 45. The Prosecutor may alter or add to any charge before the judgment is pronounced to meet the ends of justice.

Restitution/Recovery

46. The Prosecutor may pray before the Court that the accused shall restore or furnish any property or repay any loss, damage or the value of what the victim/state had bee deprived of possession.

र्श्वेन:कुन्:/म्झुन:येवा

૯૫. કેશ્વ'વર્રેળશ્વ'મ્ય'મૈશ્વ' કર્ડ્યાયશ્ચ'ગ્રી'નથેળશ્વ'ર્ત્વેન્દુ'વશુપ્ત' વૈવર્ય્દેન'ભુ' વલુવ'ર્ઢન'મ્પાવ' વસ્ચુવ્ય'અ'ગવર્ત્યોન'પ્રથા' કેશ્વ'વર્દ્ધગશ્વ'ગન્સ્ટ્રન્ડેગા'ભુ' વશુર'ર્થેગ' બન્ડવ' વ્યર્સેન્અદ્ધન' ર્ઢેગા

- (ح) ผิสสารราวผิณาริ จิสาวส์ที่สารรา จิสาริสา สำลักราวที่รารที่
- (4) ผิลมพาพิาราทีรพารัสารราวผิณาริ เลมูราชณิชานาเลมูราราที่

ee. केश तह्माश तर्न मीशः

*উ*শ্ব:দৰ্ছ্মশা

૯૧. કેશ્વ વર્તે ગશ્વ માંગેશ્વ કેશ વર્દ્ય શાસ અને છે. કેંદ્ર શું કેશ અને છે ને દેવ ગોવ પ્રે છે. જે આ બાળ આ અને આ બાળ આ બ આ બાળ આ બ આ બાળ આ બ

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Compensatory Damages

47. The Prosecutor may seek compensatory damages to be paid by the accused to the state/victim for any appropriate damages or reparation for any loss or injury caused.

Prayers

- 48. The following prayers may be submitted before the Court by the Prosecutor that:
 - The accused be convicted as charged in accordance with provision cited above;
 - (2) The compensatory damages be paid according to the section cited above;
 - (3) The accused be convicted with enhanced punishment as per the provision of the law;
 - (4) he State/victim be restituted according to the provision cited above; and
 - (5) In the interest of justice, the Court may pass any other order or directions deemed necessary.

Dated, Affixed Legal Stamp and Signature

- 49. The Charge-sheet shall be concluded with:
 - (1) Date on which day the charge-sheet is registered before the Court;
 - (2) Affixed with a legal stamp; and

- (4) ผิสสารุกาลาราจสานารา
- (1) ผิลมาขึ้านรูสามา จิมานสุขมาร์าาที่รานกรานนิจิสมาราทิเสาสิมา

૯. દુશ્ય લદ્દં માય છે અદ્ માસુ ન વન્ જેન્દ્ર ને વિશ્વ છે.

สาธิสารรณีสสารทุสารรรรสารณ์ณฑาร์ส

พลัญ หรือง

૯୬. કેસ્ર'વર્રેળસ્પ્ય'મૈસ્ય કેસ્ય'વર્દ્ધળસ્ય અવું છેંન્રેન્સ્ય'બસ્ય જીવ્ય'ાવવ'/કુચસ્ય'જ્ઞુનુ'ચ'ભુ' તેંસ્ર' વર્ઠઅસ્ય'ભ્રુષ'ચલે'ર્મેન્સ્ નુન'ગન-સુ- મૌર્મેન્યવ્રુશ્ય' બન્યન નસુગ'ર્સેન્સ્'ગન-સુ-' બન્યન' ગર્बેન્'વર્ઠે'વગાવા'ર્બેન્સે'વને'મૈન્દેવ'ભુ' જ્ઞુન'ગર્સે'ર્સ્લેન્'નર્મે'ચલે'લુ'વ'વનને દેગા

- (3) The signature of the concerned Prosecutor and attested with initials in every page.
- 50. The copy of the charge-sheet must be shared with Investigating Officer after filing before the Court.

- (3) ผลิณาพีราชิพาผรัสามานนิณฑาสีมารรา ผีสามารมรรรมิสาญา ณฑาสีมา สมูญานาสู์เพิส

Annexure-1 [Conflict of Interest Declaration Form]

Declaration of Conflict of Interest

- I,with the Royal Bhutan Police have been assigned the following case:
- 1. Case Name:
- 2. Case No:
- 3. Offence:
- 4. Jurisdiction of Court:
- 5. Date of Assignment:

I declare that:

1. I have Conflict of Interest in this particular case, the nature of Conflict of Interest being:

(a).....

(b).....

(C).....

2. I have no Conflict of Interest in this particular case to the best of my knowledge and information, and shall inform my superior officer in the event I become aware of any Conflict of Interest.

| Signature: | |
|------------|---|
| Name: | • |

Date:

ષેપ્યન ભુગ ર્જ્યું જ ગી ગામ જ ગ गविति'तगातामुन क्रिन्य छीतः ર્કેન માલેલે એન્ટ 1) **z**) र्डेन गवि खन्ः गर्वेन प्रगेभः z) <u>ଞ୍</u>ଷିକ୍ଷୟଂନ୍ଦରୁ ମୁକ୍ତି ମୁକ୍ଟ ଅନ୍ତର୍କ୍ଷ ଅନ୍ତର୍କ୍ଷ e) দেশব গ্রিন স্ত্রা ক্রিশঃ y) รามีณ มุณาผู้สาวกราสารานาร รุฒิทุฬาจพณายิรัฐราตุดาวราสรา รายา การสาหตารัฐราพัรษารรา การสาหตารัฐรา 1) พีรารที่านนิ พุสุฆาญูพุฆาราพระ (끼) (P1) •••••••••••••••••••••••••• (**ग**) ••••••••••••••••••••••••••••••••••••• ୵ୡୖ୶୶୶୵୶୶୲ୄଈୖୢଽୖଽ୵୶୲ଵୖ୲୵ଽୖୄ୲୶୵୕୵ୄୠ୵ୖ୵୵ୡୖ୲୶୶୲୰ଢ଼ୖ୶୵୵୷୶୶ୄଌୖ୶୲୷୶ ાવે અવ સુયાર્ શ્વેન યાન અન્સેન માનન લો અવ સુયાર્ શ્વેન યાન સુવાર છે યા બે જા છે તે સાથ છે. તે સાથ સાથ સાથ સાથ સ ગ્નગાભું જ્રુવાલુંવગ્ન વે જેવા बेरहग्रा र มีระ ^ଅ.ହୁ_ୁଣଃ......

<u> चुरुञ्चगुरु- 1 (विष्यवाक्षमार्च्चेत्रमुर्थयार्क्केवर्य्य</u>ेरद्वेःर्वेग)

Annexure-2 [Remand Extension Request Form]

OAG/PLD/

The Investigating Officer, Thimphu City Police Station, Thimphu

23 November 2021

Sub: Remand Order Extension for case No.381/2015

Sir/Madam,

Kindly seek remand order extension for the case detailed below:

| SI. No | Case No(s) | Offence(s) | No. of days | Reason |
|--------|------------|------------|-------------|--------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Thanking you,

Yours Sincerely,

sd (Name of the Prosecutor) Prosecutor

ि केश्र पर्दे गुरू म्यते सेन) <u>के</u>श्र'वर्देगस्र'म

รทัศง พธิ์ พาพิพา พี่ ราพุพณา จดิสา รั่ารุณาจาก รฐานูสาพิราพุสราษิราพิสาษฐารพุสราสู

| 645 | ર્કેનુઃભન્ | गर्वेन्द्रयोग्यः (र्हु) | উব স্ম দ ম্ম | য়ৣ৽য়৾৾ঌ৾ঀ |
|------------|------------|-------------------------|----------------------------|-------------|
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લુ'નર્થોય'ને'અન્ય

รัส^ะฮสะ รัร^{-เพร-} 341/4014 ที่รัสเญ รัรสานาพิศีรฑิเลฑเราฮูเลูเล

23.22.2022

ૡ૾ૺઞઽૡઙૢઽૻૡૹ૽ૼઽૣઽૼૡૼ૱૱ૼૹ ^ૹ૱ૡૢૡૻૡૻૹૡૻૹ૽ૡૺૡૡૡ ૡ૾ૺ૱ૡૢૡ

พีเพาะิ/มาพิณาวิ/

त्र-श्चगया- १ म (रें. द्याय क्रेन्मी लुमर्वेत्य त्वी केंग)

Annexure- 3 [Power of Attorney]

OAG/PLD/2021/

The Hon'ble Judge District Court, Thimphu Royal Court of Justice

25 October 2021

Sub: Power of Attorney

Hon'ble Dasho,

This has reference to the letter No...... dated...... dated..... received from Division I of RBP, on the requirement of a prosecutor from this office to represent the case of Embezzlement.

In this regard, this Office is hereby conferring the Power of Attorney to Mr......bearing EID/P No:....., Prosecutor as a representative of the Government in prosecuting and discharging all the necessary prosecutorial duties deemed fit and proper with regard to the captioned case.

With due respect,

Yours sincerely,

sd

(.....) AG/DAG/Chief Attorney

Copy to:

- 1. Investigating Officer, Thimphu Police Station, for Kind Information
- 2. Office Copy
- 3. Case file

(.....) કેંદ્ર'દ્ર'દ્રેંત્ર'ખેંદ્રશ્વ: છુવ, કેંદ્ર'દ્ર મેંત્ર'ખેંદ્રશ' છુવ દેવાય છે. કેંદ્ર'દ્ર મેંત્ર' વર્કેંદ્ર' દેવા

ณิสาณณาฉฏิ์นารณิ ซิราร์สา รั้ทฺ๙าลัสาอสา ณีฺยุ่ฦาณ๙ รั้ารานขุลานกราสารระรัราทุตานรารรานยุณานนิเยลงเพยุสายิเอานิงพัน๙ Èัฑฺ๙ฺารุฐาริสิวิวาทุสารารรัฐ ติาทพัทารัรุฑฺ๙ฺ๛ราาาง๙ รุทั๙ฺง๛สามาวอรามิ รัรา รุนัสาร์ฌราาางสามารรรฐ ติาทพัทารัรุฑฺ๙๛ราาง๙ รุทัฬางสิทาทิง รุราติสา र्देश्वग्येब्रायह्न देन्यमेव्रायस्तु

พฤการ์กระ รัชสารกระส

ઽમેંન્સ:ઽઽૻઽઽ૾ૼૡૼ૱ૹ૾ૼૼૼૼૼૼૼૼૼૼૼૻૻૡૢૺ [ૺ] ਬૺ૱:ૡૢઌૻૻ*૽ૼૼૼૼૼૼૼૼૼૼૼૻ*ઌઌૻૻ૿ૡ૽ૺ૱૱૽ૺઌ૿ૺૻૡૼૢૢૼૼૼૼૼૢૢૢૼ૱૱ૣ ૾ૺ

พี.พ.ธ./ม.พณ.ร./4041

तुरःश्चग्रय- ४ मा (रेंक्वरन्दर्म)

Annexure- 4 [Charge-Sheet Template]

BEFORE THE HON'BLE DISTRICT COURT, THIMPHU CASE NO. 11/2021

OFFICE OF THE ATTORNEY GENERAL..... PROSECUTOR Thori Lam, Lower Motithang Thimphu: Bhutan Post Box No. 1045 PABX Tel: (00975-2) 326889/324604/336947 Vs. MR. NIMA

| DEFENDANT 1 | | |
|-----------------|-----|---------------------|
| Sex | : | Male |
| D.O.B | : | 09.06.1986 |
| CID No. | : | 10907000300 |
| Thram No. | : | Nil |
| House No. | : | Ta-7-33-Kha |
| Village | : | Bangtsho |
| Geog | : | Zobel |
| Dzongkhag | : | Pemagatshel |
| Occupation | : | Executive Director. |
| Present Address | | Thimphu |
| Contact Number | : | 00975- |
| | AND | |
| MR. DAWA | | |

| ਨੱਕ ਗ ੁੱਧ | केश्व .पईंग≈. |
|----------------------|----------------------|

55'

| સુત્ર સુયાય ૯ મા (કેલ પદ્વાય છે નયે યોલી | | | | | |
|---|---|--|--|--|--|
| ਬੈਕਾਲੂग?ਵੇੱदायगायिकवायी प्र હેલા ફેંદ્રાયદા 19/2023 | ਬੈਕਾਲੂग:ਵੇੱਨਾ¤ग'ਸ਼ੈਕਕਾਈ''97537***। ଡ଼ेब:र्से5 ^{:645:} 11/2021 | | | | |
| الآجرة الآجرة <t< td=""><td>لانت</td></t<> | لانت | | | | |
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| ૡૣૻૻૡૻૻૹૻૻ૱ ૼૡૢ૽ૼૡ૿ૺૼૼૼૼૡૻ૾ૼૣૼૻૻૼૼૻૻૣૻૡૻૻૺૼૹૻ ૡૼૺૺૡૺ૾ૻઌૻૻૡૢૢઌૻૻૻૹઽ૾ | ᠴᠭᢅᡏ᠋ᡪᡃᡃᡦᡃᢩᠴ᠄ᢂᠫᢅ᠂᠋ᢆ᠋᠋᠋᠋᠋ᢆ᠋ᢆᡆ ᠌ᢓᠯᢂ᠄ᢋᢩᠯ᠋᠋ <i>᠔᠐᠙ᢀ</i> ᡃ᠋᠋ᡃᡰ | | | | |

DEFENDANT 2

| Sex | : | Male |
|-----------------|---|-----------------|
| D.O.B | : | 05-12-1990 |
| CID No. | : | 11508001110 |
| Thram No. | : | 528 |
| House No. | : | Ta-10-NIL (12) |
| Village | : | Gayri |
| Geog | : | Nanong |
| Dzongkhag | : | Pemagatshel |
| Occupation | : | Businessman |
| Present Address | | Businessman, |
| Contact Number | : | 00975- 77090195 |

ত্তর শান্ত রুশ্ব

IN THE MATTER OF: CRIMINAL CHARGE FOR THE OFFENCE OF MURDER MAY IT PLEASE YOUR HONOUR,

The Prosecution most respectfully submits before this Honorable Court, the charges against the above-mentioned defendants in accordance with Sections 187, 192, 193 & 194 of the Civil & Criminal Procedure Code of Bhutan 2001, as mentioned here under:

JURISDICTION

The above captioned case is filed before this jurisdictional Court as per the section 189 of the Civil and Criminal Procedure Code 2001. The OAG established that the accused have committed the alleged offence within this Hon'ble Court's jurisdiction, whereby the Prosecutor is filing the cited case before this jurisdictional Court for trial proceedings and adjudication accordingly.

BRIEF FACTS OF THE CASE

- The complainant filed a complaint on dated alleging that the accused committed the cited offence on a particular place, date and time.
- Based on the information received the RBP conducted the detailed investigation and found that the accused had committed the cited crime at that particular place and date which was corroborated by the direct and circumstantial evidence gathered by the investigating agency.
- 3. The commission of alleged crime by the accused is corroborated by the confessional statement submitted by the accused to the Investigating agency.

- 3. พัรนาฐานรุสาพัรนารรา ราพรา ดินารยุราณสาษาที่สา นษูาผู้สมารนรา ૡ૾ૻૼૢૢૢૢૢૻઌૡ૽૾ૺ૾૾ૹઽૢૻ૾ૻઌૻૻૢૻઽૻૡૻઽૻ૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱૱ ଌୖୄ୶୰୵ଽୄଽ୕୩୶୲ଌ୶୲ୄୢୖୄୢ୴୴୷ଌ୷୴ୖ୶ୖଡ଼୶୲୷ଽ୵୵ୖୢୄୡ୶୲୵ଽୄଽୣ୷୶୲ଌ୶୲୵ଽୖୄ୲ 3.
- ฑุณฑ จิพาณธุ์ พพาธสายิพา ที่สาญาตที่สานสิ่า หลิ พพา สิ่า เล่าพา าลงณาฏิ สาทุสุลา สูาสีสารรรสาสีราริสาธิทานรา นยาพัรามนิชิมานธุ์ทุณา ন্দান্:র্শা
- 1.

र्डेन्गवितेकु्मासुरुश्

24e นลิราที่กลาร์สานสิสา จิลานส์ทลางสาส์ ที่ลา นยนาพ์รานลิทักราทลงญาจิลาณลา ୵ଽୖୄ୲ୖଈ୶୶୵୵ୣୠ୵୶ୖୄ୳ୖ୩୲୶୵୵୵ୖ୕ୡ୕୩୲ୄୠୄୄୢୄୢୢୢୄୢୢୄୢୡୄୢ୕୵୳୲ୖ୴୶୲ୖୖୢୢୢୢୢଽ୵ୄ୵ୖ୳୶୲ୖ୴ଽ୶୲ପୄ୶୲ୖୖ୴୷୲୷ଽୖ୲୲ୖୢଽ୵୶୲୴୶୲ ૻ૾ૢૼૼૼૢ[ૣ]ઌૢૢઌ૱ૻૡૢ૱ૻઌ૾ૼૢૻૡ૽ૻૡ૿૱૱૾ૻઌ૽૿ૡૻ૱૱ૡૢૻૡૡ૱ૡ૽ૻૡૢૻૡૢૡ૾ૻૡૢૻૡૢૻૡ૽૿ૢ૱

শ'র্দ্তিব'ন্দ্রন্দ্রন্দ্র

ૹ૾ૣૢ૽ૺૼ૱ શૢૹૻૻઌૹૻૻ૽ઙૻૢૼૼઽૢૻઽઽ૾ૼઽૼ૱ૡ૽ૻઽૹ૿ૻૡ૱ૻ שלקי איש איקדי ארא אי קייאי ארא איקדי ארב איגיקאקראייקקישואק איקדיאי ૡૻૹૢૣૣਗ਼૿ઌૹૻૻ૾૾ૻૻઌૼૢૻૻૡ૽ૼૼૹૡ૽૿ૢૻ૱ૹૻૡ૽ૻઌૹૻૻૡ૽ૻઌૹૻૻૡ૽૿ઌૹૻૻૡ૽૿ઌૹૻૡ૽૿ૡૻ

(3 ผธิ์ฑฺฑิ เลาง รูร รู

- 4. The crime commission by the accused is further evidenced by documentary and digital evidence made available to the Office by the investigating agency.
- 5. It was further corroborated by the witnesses present at the crime scene who witnessed the commission of the above captioned crime.

PREVIOUS CRIME RECORD

The defendant has no previous crime record as per the Investigation Report.

CHARGES

Based on the facts and issues established above, it is confirmed that the accused have committed the cited offence and he or she is guilty for the said offence under the Section 138 of Penal Code of Bhutan 2004. Hence, the accused is punishable for a felony of first degree with minimum of fifteen years and maximum of life sentencing under Section 139 of the abovementioned Code.

RESTITUTION/RECOVERY

As per the Section 46 of the PCB, the Prosecutor prays before this hon'ble Court that the accused shall restore or furnish any property or repay any loss, damage or the value of what the victim/state had been parted or deprived of being possessed as a result of the cited crime.

20

র্থন:ব্রুন:শ্রুন:শার্থা

केश्र दईगाल

ঝশ্বাক্ষা

য়৾ঀয়ৣ৾৽ড়য়৽য়য়৽য়৾৾য়৾ঀ৾

- માં તે પુંચ કર્યા ગુપ્પ માં પ્રાપ્ય મુંચ મુંચ કુ સુ પ્રાપ્ય ગુપ્ દેર શે અર્દેવ ह गશ્ચ કે સ્ક્રાય કે માં ફુ ત્ર સુ માં મં રેં રડ્ત શુપ્ત हે વર્શ સુ પર્ટે માલવ પ્યત્ત ગેન્ ગાંધવા છે સાય ચાલ્દ્ર ત્વા સ્વ ગય છે સાય ગાંધ ગુપ્ત સુ પ્ વિત્સાવત્ત દેવ્વદેશ સાય વગ્ત ? તે પે દેવા સાય ગુપ્ત સુ પ્રાપ્ય ગેન્ ગાંધવા છે સાય ચાલ ગાંધવા છે સાય ગાંધવા છે સ વિત્સાવત્ત દેવ્વદેશ સાય વગ્ત ? તે પે દેવા સાય ગાંધવા છે સ

COMPENSATORY DAMAGES

As per the Sections 36 to 45 of the PCB, the Prosecutor prays before this Hon'ble Court that compensatory damages be paid by the accused to the victim/state for any appropriate damages or reparation for any loss or injury caused.

PRAYERS

In view of the above facts and circumstances, it is therefore, most respectfully prayed that this Honorable Court may please that:

- 1. The accused be convicted as per the provision of the laws cited above.
- 2. The victim or state be compensated for whatever loss incurred.
- 3. The victim or state be restituted for the reparation or loss incurred.
- 4. In the interest of justice, may pass any order or direction that deems necessary.

Submitted before this Hon'ble Court on 21.09.2021.

sd (Name of the Prosecutor) Prosecutor

[(المريم ا

ধুন্য

ধ্রিমা'নন্তর্ম'

- () ฟ୍ଲୁସକ୍ଷ୍ୟୁଏସ୍ସ୍ସ୍ୟୁସ୍ସ୍ସ୍ୟୁର୍ଦ୍ଦ୍ସ୍ପ୍ରିକ୍ ସ୍ଦ୍ର୍ସ୍ର୍ ସ୍ମ୍ୟୁର୍ଦ୍ଦ୍ର୍ ବ୍ରିକ୍ ଅଭ୍ୟୁଷ୍ଣ ଅଭ୍ୟୁସ୍କ୍ୟୁ ଅଭ୍ୟୁସ୍କ୍ୟୁ ଅଭ୍ୟୁ ଅତ୍ୟୁ ଅତ୍ୟୁ ଅତ୍ୟୁ ଅଭ୍ୟୁ ଅଭ୍ୟୁ ଅଭ୍ୟୁ ଅତ୍ୟୁ ଅତ୍ୟୁ ଅତ୍ୟୁ ଅଭ୍ୟୁ ଅଭ୍ୟୁ ଅତ୍ୟୁ ଅତ୍ ଅତ୍ୟୁ ଅତ୍ ଅତ୍ୟୁ ଅତ୍ ଅତ୍ୟୁ ଅତ
- ผู้ สั้ระสูราวุราร์ที่านติเดู รารารา
 ผู้ สั้ระสูราวุราร์ที่านติเดู รารารา
 ผู้ สั้ระสูราวุราร์ที่านติเดู รารารา
 ผู้ สั้ระสูราวุราร์ที่มีราวุรา
- ع) معاجد بقرح بحد بقوم المحامين على المحاط المح
- ୩૨૬૮ મૌન.૨૮૫ મું. મું.૨૬ મું.
- นรี่จะพ.ตู สิ รั่นเระ 1) จิฆานธุ์ พมารสานร์ พักรณู นทั่ารานนิ ผิมมายิ รพักรณ์ รัสารรานผิณาร์ เผิมมา

ૻ ઌૼૼઽૡૢ੶ૡૢ੶ઐ੶য়ૡઽૢઽ૾ૼૡૢૻૡૢૻ૾ઌૢૻ૾ૹૢ૿૾ૡૡ૽ૻૡ૽ૻૡૻ૽ૹૻ૾૾ૻૡૻ૽ૼ૱ૡૻૡ૽ૻૡ૽ૻ૱૱ૡ૽ૻૡ૽ૻૡ૽ૻ૱૱ૡ૽ૻૡ૽ૻૡ૾ૻૡૻ૾ૡૻ૾૾૾ૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ૽ૻૡ

พลัญ หรือง

Annexure- 5[Judgement Report Template]

OAG/PLD/2021/

The Investigation Officer, City Police Station, Thimphu

25 October 2021

Sub: Judgment Report for Police Case No. 101/2021

Sir,

We have the honor of reporting the outcome of prosecution of the above captioned case which was forwarded to this Office by Royal Bhutan

Police, Thimphu

| SI. No | Court | Judgment No. & Date | Name of the Accused | Charges | Sentence,if convicted | Fine Payable | Appeal Due date |
|-----------|-------|------------------------|---------------------------|---------|--------------------------|-----------------|--------------------|
| | | | | | | | |

The operative part of judgment is hereby attached for your kind reference and record.

sd (Name of the Prosecutor) Prosecutor

Copy to:

1. Dy. Chief of Police, RBP, Thimphu, for kind information

2. Case File

๑) घैठासुगाक्तुपागालुरायसुगागीप्यगगास्वेयिगाईंप्यहें दर्धिदार्यमाठापुरा क्रुदार्भ्वेदा
 ३) ईर्रागालियेप्पेगार्भ्वेरा

ເຊະ

ઙૺૹ[ૻ]ૡઽ૾ૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૻૹૺૻૻૻઌ૽૿ૺૼૼૼૼૼૼ૾ૻઌૺ ઙૺૹૻૻૡૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૼૹૺૻૻૻઌૺ

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| ๙ฦ | ૡ૿ ે શ્વશ્વ વર્તુ વ | ୶ଞ୍ଗୁଵ୍ଟାଁଛିଁମ୍ ^{ଭା} ଦ୍ୟୁଦ୍ଦିଲ୍ଲି ଛିଦ୍ଧ୍ୱା | <i>ୠୖ</i> ୶ॱदई्षग्रन्थ उदाग्रीजित्त | <i>केषः दर्ह्याम्</i> थ | ૡ૿ૹૹ [઼] ୩૨૾ૼૼૼ શુવઃક્રે ^{ઌૻ} ૼૼૼૼૼ ૡ૿ૺ ^{ૹૹ} ૾ૼૢૼૼૣ | র্ষ্রান্যন্ব ঈশভা | ॺर्षेॱ୩ୄୄୄ୕ଽ୩ [ୣ] ୶ สิ [:] ढेेश |
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พี.พ.ธ./ม.พณ.ร./1003)/

र्शे के १९ २५/१/२०२१

| Name of the case | | | |
|--|--|----------------------|--|
| Defendant details | Name: Contact no: Guardian name & contact no.: | | |
| Details of victim | Name: Contact no: | | |
| Name of PS/ACC and its details | | | |
| Name of Court & Bench clerk | Name: Tel. No.: | | |
| Follow up Date | Action taken Remarks OR To be taken | | |
| (To be used by Enforcement Divis | ion Only) | | |
| Judgment Date: | t Date: Name of Prosecutor: | | |
| Judgement Copy Received by PJED | Assigned On: | | |
| Person assigned for enforcement in PJED: | | Case Closed date: | |

Annexure- 6[Enforcement Form]

sd (Name of Prosecutor)

<u>(אימלָ אישישמישמיש</u> איקריארן)

| र्डेन्यावेदिसेन् | | | | |
|---|--|---------------------------------|--|--|
| કેશ્વ'તરદ્વાશ્વ'ચે.પ્રગ્નજ્ઞભા | ລັດ | | | |
| | ૡૣૣૢૢૢ૽ૺૡૺૻઌૢૻૡૺૻૹઽ૾ | | | |
| | র্ক্ট কেইব্ অন্দ ন দেৱ বর্ক্ট কেইব্ আন্দ ন দেৱ মান দিব সা | °° | | |
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| | दम्रेव्य'यान्नुया'खन्दः | | | |
| สีนารยรามสิมีกรรรวิที่เผาทุญญา | | | | |
| สิมพาวุรูสารายุิมพาติวิมา | સેન્દ્ર | | | |
| | <u> ন্ঞূ</u> ন্'দেশ্বির'জে ন ঃ | | | |
| સુ'અદ્યુ5'.ગ્লુ'કેંચ્ય | ઽઽૡ૽ૺૡૻૻૹૣૢૣૣૢૢૢૢૢૢૢૢૢૢૢઌૻૻૻૻૡૻ૱ૻૡૹૣૢ૱ૡ૽૿ૡ૾ૺૡૻ | হ ব ^{: মা} র্শি | | |
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| (पश्चरःर्श्चेनःश्चेर्क्तवःग्रीक्षःक्तुनव्यःडेयाः व्ययाय्येवःद | ାସମ୍ଦର୍ଶି) | | | |
| रष्तुब'र्केन्'ञ्च'र्केश्वः | કુષ્ય'વર્દ્દે ગાય'માંવે' સેન્ટ: | | | |
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त्र-ख्रुगश्च- ७ मा (तत्तुकर्केन्-नक्षन्-र्ध्वन्गी त्वीःर्भग)



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