

CODE OF CRIMINAL PROCEDURE, 1973

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	Abbreviations	Abbreviation Subject matter	
		Abbreviation	Subject matter
		Addl.SJ	Additional Sessions Judge
		ASJ	Assistant Sessions Judge
		CG	Central Government
		CJM	Chief Judicial Magistrate
		CMM	Chief Metropolitan Magistrate
		CoS	Court of Session
		CP	Commissioner of Police
		CPC	Code of Civil Procedure, 1908
		Cr PC	Code of Criminal Procedure, 1973
		DM	District Magistrate
		DSP	Deputy Superintendent of Police
		EM	Executive Magistrate
		HC	High Court
		JM	Judicial Magistrate
		MA	Metropolitan Area
		MM	Metropolitan Magistrate
		PO	Police Officer
		PP	Public Prosecutor
		PR	Police Report
		PS	Police Station
		S	Section
		SC	Supreme Court
		SG	State Government
		SJ	Sessions Judge
		SDM	Sub- Divisional Magistrate
	DEFINITIONS		
2(a)	Bailable Offence	Offence shown as Bailable in 1 st Schedule (or) is made Bailable under Law.	
2(b)	Charge	Includes any Head of Charge, when it contains more heads.	
2(c)	Cognizable Offence	Offence for which, and Cognizable Case the PO under 1 st Schedule (or) other law, arrest without Warrant.	
2(d)	Complaint	Allegation made Orally (or) in writing to Magistrate to take action under this Code that some person committed Offence, not include PR.	
2(h)	Investigation	All proceedings to collect evidence by PO (or) person (other than a Magistrate, authorized by him).	
2(i)	Judicial proceeding	Evidence on Oath.	
2(n)	Offence	Act (or) omission punishable under any Law.	
2(r)	Police Report	Made by PO to a Magistrate u/s 173(2)	
2(w)	Summons case	Offence, not Warrant case	
2(x)	Warrant case	Offence punishable with Death, Life (or) Jail > 2 years	
6	Courts Classes	High Court; Courts of Session; 1 st Class JM. In MA the MM; 2 nd Class JM; and an EM.	
7	Territorial Divisions	Every State be Sessions Division(s), be District(s). Every MA be separate Sessions Division and District. SG after HC consultation alters limits it.	
8	Metropolitan Area	SG Notification declare, alter where population > 10 lakh, but not below. Bombay, Calcutta, Madras, Ahmedabad deemed MA. Alteration not affects any pending inquiry, trial or appeal.	
9	Court of Session	The SG shall establish CoS for every Sessions Division presided by HC appointed Judge. if vacant, HC arrange urgent application disposal and every such Judge or Magistrate shall have jurisdiction to deal it. Session Court sitting place(s) as HC specify.	

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10	Sub-ordination of ASJ	All ASJ's be sub-ordinate to SJ in whose Court exercise Jurisdiction. SJ make Rules for work distribution and urgent applications.
11	Courts of JM	In every District (not MA) be 1 st class and 2 nd class JM's Court as SG, after HC consultation specify. Provided that SG may after consultation with HC, establish Special Courts. Presiding Officers of such Courts be HC appointee.
12	CJM and Additional CJM	In every District (not being MA), HC shall appoint JM of 1 st Class be CJM; any JM of 1 st Class be Additional CJM; any 1 st Class JM as sub-divisional JM. Subject to general control of CJM, every Sub-divisional JM exercise powers over JMs (other than Additional CJMs) as HC orders.
13	Special JM	HC may, if requested by CG or SG, confer Government persons powers of 1 st class JM or 2 nd class JM, in particular cases, not in MA. He possess qualification or experience in legal affairs as HC specify. Be called Special JMs for not > 1 year. HC may empower Special JM, MM powers of any MA outside his local jurisdiction.
14	Local jurisdiction of JM	Subject to HC control, CJM define local limits of Magistrates appointed u/s 11 or 13 to exercise powers, except otherwise provided throughout District. If beyond District or MA, any reference to CoS, CJM or CMM in relation to such Magistrate, throughout the area within his local jurisdiction, be construed, unless otherwise required.
26	Trial Courts	HC (or) CoS (or) other Court by which such Offence is shown in 1 st Schedule be triable provided that any offence u/s 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB, 376E IPC be tried by women presided Court. Any offence under any other law when Court mentioned be tried by it; when no such mention then HC or other Court shown in 1 st Schedule triable.
28	HC, SJ sentences	HC may pass any sentence authorized by law. Sessions Judge or ASJ may pass any sentence authorized by law; but any sentence of death passed by any such Judge shall be subject to confirmation by the HC. Assistant Sessions Judge may pass any sentence authorized by law except a sentence of death or of Jail for life or of Jail for a term exceeding ten years.
29	Magistrate Sentences	CJM may pass sentence authorized by law, except death or jail for life or jail > 7 yrs. 1 st class Magistrate sentence jail not > 3 yrs or fine not > Rs.10K or both. 2 nd Class Magistrate sentence for jail not > 1 year or fine not > Rs.5K or both. CMM have CJM courts power and of MM, 1 st class Magistrate.
30	Jail in default of fine	Magistrate may Award such jail term in default of fine. Provided that term not > Magistrate power u/s 29. Shall not where jail awarded as substantive sentence > 1/4 th Jail term, in default of fine. Jail term in addition to S. 29.
33	Power of officers appointed	Whenever any person in Government invested by HC or SG powers under this Code throughout any local area, unless HC or SG directs, exercise same powers in local area where appointed.
35	Judges, Magistrates powers exercisable by successors	Powers be exercised by successor-in-office, subject to this code. In doubt, SJ determine who deemed such Addl. SJ or ASJ. In doubt for Magistrate's successor, CJM or DM determine deemed such successor.
41	PO Arrest without Warrant	<ul style="list-style-type: none"> a) Any person commits in PO presence cognizable offence. b) Reasonable complaint or credible information or reasonable suspicion committed cognizable offence term 7 yrs, with or without fine, if, PO believe committed offence; PO satisfied arrest necessary to prevent further offence or investigate or tampering evidence or c) any inducement, threat or promise to any person acquainted dissuade from disclosing or court presence cannot be ensured, and PO record reasons, in writing. Provided PO arrest not required record reasons. d) Credible information > 7 yrs punishable, with or without fine or with death + PO believe on information committed offence. e) Proclaimed Offender. f) Stolen property. g) Obstructs PO in duty or escaped or attempts from lawful custody. h) Armed Forces of Union deserter. i) Reasonable Complaint, Suspicion place out of India, if committed in India, would have been punishable as an offence, and any extradition law liable be detained in India.

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		<p>j) Released convict, commits breach u/s 356(5).</p> <p>k) Whose arrest any requisition from another PO, provided requisition specifies person to be arrested and Offence or other Cause be arrested without Warrant.</p> <ul style="list-style-type: none"> ▪ Subject to S.42, in non-cognizable offence or complaint or credible information or reasonable suspicion be arrested except Warrant or Order of a Magistrate.
43	Arrest by private person	Non-bailable and Cognizable Offence {or} Proclaimed Offender + without unnecessary delay, make over or cause to PO, in absence, to nearest PS. If believe, comes under S.41, PO re-arrest. If committed non-cognizable offence + refuses PO demand give name + residence or gives false information, be dealt under S. 42; but no sufficient reason be released.
50	Arrest grounds bail right inform Arrested	Every PO or other person making arrest forthwith give ITS information to his friends relatives or others disclosed or nominated by arrested person and entry in book SG prescribe. PO shall inform arrested person his rights as soon as brought to PS. Magistrate duty to satisfy before whom produced.
57	Not detained > 24 hrs	No PO detain in custody a person arrested without warrant for longer period than reasonable, and Magistrate u/s 167 special order absence, exceed 24 hrs, exclusive of journey time arrest place to Magistrate's Court.
60A	Arrest	No arrest, except under this Code or other law in force for arrest.
61	Summons Form 1 & 33	In writing, duplicate, signed by Presiding Officer of Court (or) other officer as HC by rule direct and Seal of Court.
62	Summons Service	PO to serve (or) subject to SG rules by Court officer issuing it (or) other Public Servant. If practicable personally serve, by delivering or tendering to him one of duplicates of it. If so required by Serving Officer, sign a receipt on other duplicate back side.
63	Corporates Summons	Service of a summons on a corporation may be effected by serving it on the secretary, local manager or other principal officer of the corporation, or by letter sent by registered post, addressed to the chief officer of the corporation in India, in which case the service shall be deemed to have been effected when the letter would arrive in ordinary course of post.
67	Summons outside limits	When a Court desires that a summons issued by it shall be served at any place outside its local jurisdiction, it shall ordinarily send such summons in duplicate to a Magistrate within whose local jurisdiction the person summoned resides, or is, to be there served.
70	Arrest Warrant Form 2	In writing, signed by Presiding Officer of such Court + Seal. Remain in force until cancelled by Court which issued (or) Executed.
71	Security	Any Court issuing Arrest Warrant in discretion, by endorsement on it, if such person executes Bond with sufficient Sureties for his attendance before Court at specified time + thereafter until otherwise directed by Court, the officer to whom the Warrant is directed shall take such Security + release from custody. Endorsement state number of Sureties + Amount for which bound + time to attend before Court. Officer to whom the warrant is directed shall forward the Bond to Court upon security issue.
81	Bail Bond Form 3	EM or DSP or CP shall, if person arrested appears to be person intended by Court which issued the Warrant, direct his removal in custody to such Court. If offence is bailable + ready and willing to give bail to Magistrate satisfaction, District Superintendent or Commissioner, or direction endorsed u/s 71 on Warrant + such person ready and willing to give Security, Magistrate, DSP or CP shall take such bail or security and forward Bond to the Court issuing it. If non-bailable offence, SJNM or SJ of District where arrested on information + documents consideration u/s 78(2), release. Nothing deemed to prevent PO from taking Security u/s 71.
82	Proclamation Form 4, Form 5	Reason to believe by Court (after Evidence or not) absconded or concealing himself so that such warrant cannot be executed, such Court may publish a written proclamation to appear at specified place + time not < 30 days from its publication. Publicly read in some conspicuous place of the town or village ordinarily resides; affixed to some conspicuous part of house or homestead ordinarily resides or conspicuous place of such town or village; copy affixed to some conspicuous part of Court-house; publish in a daily newspaper circulating ordinarily resides. Statement in writing by Court duly published on a specified day in the manner specified be conclusive Evidence that this section complied and date of its publication. Where proclamation published for offence punishable u/s 302, 304, 364, 367,

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		382, 392, 393, 394, 395, 396, 397, 398, 399, 400, 402, 436, 449, 459, 460 IPC + fails to appear at specified place + time after inquiry pronounce proclaimed offender + make Declaration to that effect.
83	Attachment Form 7 Form 8	<p>Court after issuing proclamation, in writing may order to attach property, movable or immovable, or both, belonging to proclaimed person. Affidavit or otherwise satisfied about to dispose of property or remove from Court jurisdiction, order attachment simultaneously with proclamation.</p> <p>a) If property attached is Debt or Movable property, then seizure or receiver appoint or order in writing prohibiting delivery or all or any two of such methods.</p> <p>b) If immovable attach, then by possession or receiver appoint or order prohibiting rent to proclaimed person or all or any two of such methods court thinks fit.</p> <p>c) If attach live-stock or perishable, Court order immediate sale and proceeds abide Court order.</p> <p>Receiver powers, duties, liabilities be same as under CPC.</p>
91	Summons to produce document or other thing	Whenever any Court or PS incharge considers for investigation, inquiry, trial or other proceeding any document or thing, such Court may issue summons or such officer a written order, to that person in possession produce at time + place. Deemed complied if causes such document or thing be produced instead of attending personally. Nothing deemed to affect Sections 123, 124 of Indian Evidence Act, 1872 or Bankers' Books Evidence Act, 1891 or apply to letter, postcard, telegram or other document in postal or telegraph authority custody.
93	Search Warrant	Court believe person ordered u/s 91 or 92 not produce the document or thing (or) not known to the Court in possession of any person or where Court considers for inquiry, trial issue search-warrant and person directed may search or inspect. Specify in Warrant particular place or part search extend and person charged do so. Nothing authorise any Magistrate other than a DM or CJM grant warrant to search postal or telegraph authority possession.
94	Search of stolen property, etc.	<p>DM, SDM or 1st class Magistrate upon information + inquiry deposit or sale of stolen property or objectionable article by warrant authorize any PO above constable rank to enter, with assistance; to search; take possession of any property or article suspects stolen or objectionable; convey such item/s before Magistrate or guard until offender is taken before Magistrate, or otherwise to dispose of it in some place of safety; take into custody and carry before a Magistrate every person found privy or suspect be stolen property or objectionable</p> <p>Objectionable articles are counterfeit coin; metal made in contravention of the Metal Tokens Act, 1889 or brought into India in contravention of Customs Act, 1962; counterfeit currency note; counterfeit stamps; forged documents; false seals; obscene objects u/s 292 IPC; instruments or materials used above all.</p>
102	Power of PO to seize certain property	<p>Any PO may seize any property which may be alleged or suspected to have been stolen, or which may be found under circumstances which create suspicion of the commission of any offence.</p> <p>(2) Such PO, if subordinate to the officer in charge of a PS, shall forthwith report the seizure to that officer.</p> <p>(3) Every PO acting under sub-S. (1) shall forthwith report the seizure to the Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court, or where there is difficulty in securing proper accommodation for the custody of such property, or where the continued retention of the property in police custody may not be considered necessary for the purpose of investigation, he may give custody thereof to any person on his executing a bond undertaking to produce the property before the Court as and when required and to give effect to the further orders of the Court as to the disposal of the same:</p> <p>Provided that where the property seized under sub-S. (1) is subject to speedy and natural decay and if the person entitled to the possession of such property is unknown or absent and the value of such property is less than five hundred rupees, it may forthwith be sold by auction under the orders of the Superintendent of Police and the provisions of S.s 457 and 458 shall, as nearly as may be practicable, apply to the net proceeds of such sale.</p>
103	Magistrate may direct search in his presence	Any Magistrate may direct a search to be made in his presence of any place for the search of which he is competent to issue a search-warrant

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104	impound document	Any Court may, if it thinks fit, impound any document or thing produced before it under this Code.
105	Process reciprocal arrangements	<p>Where a Court in the territories to which this Code extends (hereafter in this S. referred to as the said territories) desires that—</p> <p>(a) a summons to an accused person, or (b) a warrant for the arrest of an accused person, or (c) a summons to any person requiring him to attend and produce a document or other thing, or to produce it, or (d) a search-warrant,</p> <p>issued by it shall be served or executed at any place,—</p> <p>(i) within the local jurisdiction of a Court in any State or area in India outside the said territories, it may send such summons or warrant in duplicate by post or otherwise, to the presiding officer of that Court to be served or executed; and where any summons referred to in clause (a) or clause (c) has been so served, the provisions of S. 68 shall apply in relation to such summons as if the presiding officer of the Court to whom it is sent were a Magistrate in the said territories;</p> <p>(ii) in any country or place outside India in respect of which arrangements have been made by the Central Government with the Government of such country or place for service or execution of summons or warrant in relation to criminal matters (hereafter in this S. referred to as the contracting State), it may send such summons or warrant in duplicate in such form, directed to such Court, Judge or Magistrate, and send to such authority for transmission, as the Central Government may, by notification, specify in this behalf.]</p> <p>(2) Where a Court in the said territories has received for service or execution—</p> <p>(a) a summons to an accused person, or (b) a warrant for the arrest of an accused person, or (c) a summons to any person requiring him to attend and produce a document or other thing, or to produce it, or (d) a search-warrant,</p> <p>issued by—</p> <p>(I) a Court in any State or area in India outside the said territories;</p> <p>(II) a Court, Judge or Magistrate in a contracting State, it shall cause the same to be served or executed] as if it were a summons or warrant received by it from another Court in the said territories for service or execution within its local jurisdiction; and where—</p> <p>(i) a warrant of arrest has been executed, the person arrested shall, so far as possible, be dealt with in accordance with the procedure prescribed by S.s 80 and 81,</p> <p>(ii) a search-warrant has been executed, the things found in the search shall, so far as possible, be dealt with in accordance with the procedure prescribed by S. 101:</p> <p>Provided that in a case where a summons or search-warrant received from a contracting State has been executed, the documents or things produced or things found in the search shall be forwarded to the Court issuing the summons or search-warrant through such authority as the Central Government may, by notification, specify in this behalf.</p>
114	Copy of order to accompany summons or warrant	Every summons or warrant issued u/s 113 shall be accompanied by a copy of the order made u/s 111, and such copy shall be delivered by the officer serving or executing such summons or warrant to the person served with, or arrested under, the same.
115	Power to dispense with personal attendance	The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of any person called upon to show cause why he should not be ordered to execute a bond for keeping the peace or for good behavior and may permit him to appear by a pleader.
120	Bond	The bond to be executed by any such person shall bind him to keep the peace or to be of good behavior, as the case may be, and in the latter case the commission or attempt to

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		commit, or the abetment of, any offence punishable with Jail, wherever it may be committed, is a breach of the bond.
125	Wives etc. maintenance	<p>Any person neglects or refuses to maintain his wife, unable to maintain herself (or) minor child, married or not (or) father or mother, Magistrate of 1st Class upon proof at such monthly rate as such Magistrate thinks fit to pay. Magistrate may order Father of minor female child to make such allowance till majority, if her husband is not possessed of sufficient means. During proceeding pendency order interim maintenance considers reasonable, application be disposed of in 60 days of notice service of application to such person. Such Allowance is payable from order date (or) if so ordered, from application date.</p> <p>Fails to comply, issue Warrant for levying the amount due in the manner provided for levying fines, and may sentence such person, for the whole or any part of each month's allowance for the maintenance or the interim maintenance and expenses of proceeding, as the case may be, remaining unpaid after the execution of the warrant, to Jail for a term which may extend to one month or until payment if sooner made:</p> <p>Provided that no warrant shall be issued for the recovery of any amount due under this S. unless application be made to the Court to levy such amount within a period of one year from the date on which it became due:</p> <p>Provided further that if such person offers to maintain his wife on condition of her living with him, and she refuses to live with him, such Magistrate may consider any grounds of refusal stated by her, and may make an order under this S. notwithstanding such offer, if he is satisfied that there is just ground for so doing.</p> <p><i>Explanation.</i>—If a husband has contracted marriage with another woman or keeps a mistress, it shall be considered to be just ground for his wife's refusal to live with him.</p> <p>No wife shall be entitled to receive an 1[allowance for the maintenance or the interim maintenance and expenses of proceeding, as the case may be,] from her husband under this S. if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by mutual consent.</p> <p>On proof that any wife in whose favour an order has been made under this S. in living in adultery, or that without sufficient reason she refuses to live with her husband, or that they are living separately by mutual consent.</p>
154	cognizable cases information	<p>If given orally to officer in charge of PS, be in writing and read over be signed and substance thereof be entered in book kept, as SG prescribe. If information is given by woman against whom an offence u/s 326A, 326B, 354, 354A, 354B, 354C, 354D, 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB, 376E, 509 IPC be recorded, by a woman PO or any woman officer. In the event is temporarily or permanently mentally or physically disabled, be recorded at residence (or) convenient place of such person's choice, in the presence of interpreter or special educator, be video graphed. PO get statement of the person recorded by JM u/s 164 ASAP. Information copy, free of cost, to informant. Any person aggrieved by a refusal to record, send the substance post, to Superintendent of Police if feels cognizable offence investigate by any PO subordinate.</p>
155	Non-cognizable cases and its investigation	<p>1) When information is given to an officer in charge of a PS of the commission within the limits of such station of a non-cognizable offence, he shall enter or cause to be entered the substance of the information in a book to be kept by such officer in such form as the SG may prescribe in this behalf, and refer the informant to the Magistrate.</p> <p>(2) No PO shall investigate a non-cognizable case without the order of a Magistrate having power to try such case or commit the case for trial.</p> <p>(3) Any PO receiving such order may exercise the same powers in respect of the investigation (except the power to arrest without warrant) as an officer in charge of a PS may exercise in a cognizable case.</p> <p>(4) Where a case relates to two or more offences of which at least one is cognizable, the case shall be deemed to be a cognizable case, notwithstanding that the other offences are non-cognizable.</p>
156	Police Officer investigate cognizable case	<p>Any officer in charge of a PS may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII. No proceeding of a PO in any such case shall at any stage be called in question on the ground</p>

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		that the case was one which such officer was not empowered under this S. to investigate. Any Magistrate empowered u/s 190 may order such an investigation as above-mentioned.
157	Procedure for investigation	<p>If, from information received or otherwise, an officer in charge of a PS has reason to suspect the commission of an offence which he is empowered u/s 156 to investigate, he shall forthwith send a report of the same to a Magistrate empowered to take cognizance of such offence upon a PR and shall proceed in person, or shall depute one of his subordinate officers not being below such rank as the SG may, by general or special order, prescribe in this behalf, to proceed, to the spot, to investigate the facts and circumstances of the case, and, if necessary, to take measures for the discovery and arrest of the offender:</p> <p>Provided that—</p> <p>(a) when information as to the commission of any such offence is given against any person by name and the case is not of a serious nature, the officer in charge of a PS need not proceed in person or depute a subordinate officer to make an investigation on the spot;</p> <p>(b) if it appears to the officer in charge of a PS that there is no sufficient ground for entering on an investigation, he shall not investigate the case.</p> <p>Provided further that in relation to an offence of rape, the recording of statement of the victim shall be conducted at the residence of the victim or in the place of her choice and as far as practicable by a woman PO in the presence of her parents or guardian or near relatives or social worker of the locality.</p> <p>(2) In each of the cases mentioned in clauses (a) and (b) of the proviso to sub-S. (1), the officer in charge of the PS shall state in his report his reasons for not fully complying with the requirements of that subS., and, in the case mentioned in clause (b) of the said proviso, the officer shall also forthwith notify to the informant, if any, in such manner as may be prescribed by the SG, the fact that he will not investigate the case or cause it to be investigated.</p>
158	Report how submitted	<p>1) Every report sent to a Magistrate u/s 157 shall, if the SG so directs, be submitted through such superior officer of police as the SG, by general or special order, appoints in that behalf.</p> <p>(2) Such superior officer may give such instructions to the officer in charge of the PS as he thinks fit, and shall, after recording such instructions on such report, transmit the same without delay to the Magistrate.</p>
160	PO power to require attendance of witness	<p>1) Any PO making an investigation under this Chapter may, by order in writing, require the attendance before himself of any person being within the limits of his own or any adjoining station who, from the information given or otherwise, appears to be acquainted with the facts and circumstances of the case; and such person shall attend as so required:</p> <p>Provided that no male person 2[under the age of fifteen years or above the age of sixty-five years or a woman or a mentally or physically disabled person] shall be required to attend at any place other than the place in which such male person or woman resides.</p> <p>(2) The SG may, by rules made in this behalf, provide for the payment by the PO of the reasonable expenses of every person, attending under sub-S. (1) at any place other than his residence.</p>
166	When PO of PS may require another to issue search-warrant	<p>(1) An officer in charge of a PS or a PO not being below the rank of sub-inspector making an investigation may require an officer in charge of another PS, whether in the same or a different district, to cause a search to be made in any place, in any case in which the former officer might cause such search to be made, within the limits of his own station.</p> <p>(2) Such officer, on being so required, shall proceed according to the provisions of S. 165, and shall forward the thing found, if any, to the officer at whose request the search was made.</p> <p>(3) Whenever there is reason to believe that the delay occasioned by requiring an officer in charge of another PS to cause a search to be made under sub-S. (1) might result in evidence of the commission of an offence being concealed or destroyed, it shall be lawful for an officer in charge of a PS or a PO making any investigation under this Chapter to search, or cause to be searched, any place in the limits of another PS in accordance with the provisions of S. 165, as if such place were within the limits of his own PS.</p>

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		<p>(4) Any officer conducting a search under sub-S. (3) shall forthwith send notice of the search to the officer in charge of the PS within the limits of which such place is situate, and shall also send with such notice a copy of the list (if any) prepared u/s 100, and shall also send to the nearest Magistrate empowered to take cognizance of the offence, copies of the records referred to in sub-S.s (1) and (3) of S. 165.</p> <p>(5) The owner or occupier of the place searched shall, on application, be furnished free of cost with a copy of any record sent to the Magistrate under sub-S. (4).</p>
170	Cases to magistrate in sufficient evidence	In investigation if sufficient evidence or reasonable ground, PO forward accused under custody to Magistrate upon PR try or trial, or, if bailable offence + security able to give, on a day fixed + attendance. PO send any weapon or other article produce before him + complainant (if any) + persons acquainted execute Bond to appear before Magistrate. If CJM is mentioned in Bond, include any Court to which such Magistrate may refer for inquiry or trial, provided reasonable notice. Officer in whose presence the bond is executed shall deliver a copy to who executed it, and Magistrate the original + his report.
172	Diary of proceeding in investigation	Every PO making an investigation under this Chapter shall day by day enter his proceedings in the investigation in a diary, setting forth the time at which the information reached him, the time at which he began and closed his investigation, the place or places visited by him, and a statement of the circumstances ascertained through his investigation. Statements of witnesses recorded, duly paginated. Any Criminal Court may send for police diaries in such Court, not as evidence. Neither accused nor agents call for such diaries nor see them merely as referred to by Court.
173	PO on investigation completion	<p>Every investigation without unnecessary delay complete. Investigation of offence u/s 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB or 376E IPC be in 02 months of information recorded by PS in charge who shall forward to Magistrate empowered to take cognizance on PR format by SG on (a) parties (b) nature of information (c) persons acquainted (d) whether any offence committed, if so, by whom; whether arrested accused; on bond released, with or without sureties; forwarded in custody u/s 170; (h) medical examination report of woman of offences u/s 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB or 376E of IPC.</p> <p>Where superior officer of police appointed u/s 158, the report be submitted through that officer. When accused released on Bond, Magistrate make such order for discharge of such bond or otherwise.</p> <p>When report u/s 170 applies, also forward all documents or extracts. Statements recorded u/s 161 as witnesses. If PO is opinion statement is not relevant append note requesting Magistrate to exclude. He may furnish to the accused copies of all or any of the documents. Nothing preclude further investigation obtains further evidence, oral or documentary, he shall forward to Magistrate a further report.</p>
175	Power to summon persons	<p>A PO proceeding u/s 174 may, by order in writing, summon two or more persons as aforesaid for the purpose of the said investigation, and any other person who appears to be acquainted with the facts of the case and every person so summoned shall be bound to attend and to answer truly all questions other than questions the answers to which would have a tendency to expose him to a criminal charge or to a penalty or forfeiture.</p> <p>(2) If the facts do not disclose a cognizable offence to which S. 170 applies, such persons shall not be required by the PO to attend a Magistrate's Court.</p>
177	Ordinary place of inquiry or trial	Every offence shall ordinarily be inquired into and tried by a Court within whose local jurisdiction it was committed.
178	Place of inquiry or trial	When it is uncertain in which of several local areas an offence was committed or committed partly in one local area and partly in another (or) continuing one (or) several acts done in different local areas, be inquired by Court having jurisdiction over any of such local areas.
184	Place of trial for offences triable together	Offences committed by any person are such that he may be charged with, and tried at one trial for, each such offence u/s 219-221 (or) offence(s) committed by several persons are to be charged with and tried together u/s 223, offences may be inquired into or tried by any Court competent to inquire into or try any of the offences.
185	Trial in different	SG may direct any cases or class for trial in any district may be tried in any session's

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	sessions divisions	division. Provided that such direction is not repugnant to any direction previously issued by HC or SC or this Code or other law.
186	Where Inquiry or Trial ??	Where two or more Courts taken Cognizance of same offence, be decided by HC if Courts sub-ordinate to it. If not, HC local limits whose appellate criminal jurisdiction proceedings 1 st started.
190	Cognizance of offences by magistrates	Any 1 st Class and 2 nd Class Magistrate of specially empowered in this S. may take cognizance upon Complaint; PR; Information received from other than PO or upon his own Knowledge. CJM may empower any Magistrate of 2 nd Class to take cognizance, within his competence.
191	Transfer on application of the accused	When Magistrate takes cognizance u/s 190(1)(c), accused shall before evidence taken, be informed entitled to tried by another Magistrate, and if more than one accused, objects to further proceedings before Magistrate be transferred to such other Magistrate as may be specified by CJM. Any CJM may, after taking cognizance of an offence, make over the case for inquiry or trial to any competent Magistrate subordinate to him. Any Magistrate of 1 st Class empowered in this behalf by CJM may after taking cognizance make over case for inquiry or trial to such other competent Magistrate.
193	Cognizance by courts of session	Except under this Code (or) other law, no CoS take cognizance of any offence as court of original jurisdiction unless case committed to it by Magistrate.
194	Addl.SJ, ASJ to try cases made over	Additional Sessions Judge ('Addl.SJ') or Assistant Sessions Judge ('ASJ') shall try such cases as SJ of Division make over for trial (or) as HC direct.
195	Prosecution for contempt of public servants authority	No Court shall take cognizance of any offence punishable u/s 172 to 188 IPC or abetment or criminal conspiracy, except on complaint in writing of public servant. Any offence punishable under Indian Penal Code ('IPC'), namely, 193 to 196, 199, 200, 205 to 211 and 228 or 463 or 471, 475 or 476 or criminal conspiracy to commit offence.
198B	Cognizance of offence	No Court shall take cognizance of offence u/s 376B IPC in marital relationship, except compliant filed by wife against husband.
200	Examination of Compliant by Magistrate	Cognizance of Offence on Complaint on Oath, Complainant + Witness, if any, signed by all including Magistrate. If in writing, need not examine (a) if public servant in official duties or by Court (or) (b) if Magistrate makes over inquiry or trial to another u/s 192, and latter need not re-examine.
201	Procedure by Magistrate not competent to cognizance	If Complaint in writing, return to present in proper Court with an endorsement and if complaint is not in writing, direct Complainant to proper Court.
202	Postponement of issue of process	Any Magistrate on complaint receipt authorized to take cognizance (or) made over u/s 192, may postpone process against accused + inquire himself (or) direct PO investigate (or) by other person for sufficient ground for proceeding. No such direction if offence is CoS triable exclusively (or) complaint not by Court, unless complainant + witnesses (if any) examined on oath u/s 200(2). He shall call upon Complainant to produce all his Witnesses and examine them on Oath. If Investigation by other than PO, he shall have all powers conferred by this Code as PO, except Arrest without Warrant.
203	Dismissal of complaint	If after statements on oath, if any of Complainant + Witnesses + Inquiry (or) investigation (if any) u/s 202, Magistrate opinion no sufficient ground dismiss, record his reasons. No bar for 2 nd complaint on same facts, in exceptional circumstances.
204	Process	If Magistrate opine taking cognizance on sufficient ground in summons-case, he shall issue his summons to attend (or) warrant-case, issue warrant or thinks fit, a summons, for causing the accused to be brought or to appear before him or if no jurisdiction Magistrate having jurisdiction. No summons or warrant, accompanied by complaint copy, until list of prosecution witnesses filed. Any process or other fees payable under any law, no process until fees paid and not paid in time, Magistrate may dismiss complaint. Summoning order passed cannot necessarily be treated an interlocutory order thereby completely barring revision. Test to examine interlocutory order is decision terminates criminal proceedings, not be interlocutory order. Accused can plead absence of triable case and Magistrate has power to drop proceedings.

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205	Magistrate may dispense with personal attendance of accused	<p>Magistrate may dispense with personal attendance of accused -</p> <p>(1) Whenever a Magistrate issues a summons, he may, if he sees reason so to do, dispense with the personal attendance of the accused and permit him to appear by his pleader</p> <p>(2) But the Magistrate inquiring into or trying the case may, in his discretion, at any stage of the proceedings, direct the personal attendance of the accused, and, if necessary, enforce such attendance in the manner hereinbefore provided.</p>
206		<p>Special summons in cases of petty offence –</p> <p>(1) If, in the opinion of a Magistrate taking cognizance of a petty offence, the case may be summarily disposed of u/s 260, the Magistrate shall, except where he is, for reasons to be recorded in writing of a contrary opinion, issue summons to the accused requiring him either to appear in person or by pleader before the Magistrate on a specified date, or if he desires to plead guilty to the charge without appearing before the Magistrate, to transmit before the specified date, by post or by messenger to the Magistrate, the said plea in writing and the amount of fine specified in the summons or if he desires to appear by pleader and to plead guilty to the charge through such pleader, to authorize, in writing, the pleader to plead guilty to the charge on his behalf and to pay the fine through such pleader:</p> <p>Provided that the amount of the fine specified in such summons shall not exceed one hundred rupees</p> <p>(2) For the purposes of this S., "petty offence" means any offence punishable only with fine not exceeding one thousand rupees, but does not include any offence so punishable under the Motor Vehicles Act, 1931, or under any other law which provides for convicting the accused person in his absence on a plea of guilty</p> <p>(3) The SG may, by notification, specially empower any Magistrate to exercise the powers conferred by sub-S. (1) in relation to any offence which is compoundable u/s 320 or any offence punishable with Jail for a term not exceeding three months, or with fine or with both where the Magistrate is of opinion that, having regard to the facts and circumstances of the case, the imposition of fine only would meet the ends of justice.</p>
207		<p>Supply to the accused of copy of PR and other documents</p> <p>In any case where the proceeding has been instituted on a PR, the Magistrate shall without delay furnish to the accused, free of cost, a copy of each of the following:—</p> <p>(i) the PR;</p> <p>(ii) the first information report recorded u/s 154;</p> <p>(iii) the statements recorded under sub-S. (3) of S. 161 of all persons whom the prosecution proposes to examine as its witnesses, excluding therefrom any part in regard to which a request for such exclusion has been made by the PO under subS. (6) of S. 173;</p> <p>(iv) the confessions and statements, if any, recorded u/s 164;</p> <p>(v) any other document or relevant extract thereof forwarded to the Magistrate with PR u/s 173(5)</p> <p>Provided that the Magistrate may, after perusing any such part of a statement as is referred to in clause (iii) and considering the reasons given by the PO for the request, direct that a copy of that part of the statement or of such portion thereof as the Magistrate thinks proper, shall be furnished to the accused:</p> <p>Provided further that if the Magistrate is satisfied that any document referred to in clause (v) is voluminous, he shall, instead of furnishing the accused with a copy thereof, direct that he will only be allowed to inspect it either personally or through pleader in Court.</p>
211	Contents of charge Form 32	<p>Every charge state the offence by name, if prescribed, if no name then so much of definition of offence must be stated. The law and S. of law. Every legal condition required by law to constitute the offence charged was fulfilled. Written in Court language. If accused, previously convicted, liable to enhanced punishment or different kind, the fact date and place of the previous, conviction shall be stated and, if statement omitted, Court may add it at any time before sentence.</p>

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225	PP trial	In every trial before CoS, the prosecution shall be conducted by a PP.
227	Discharge	If, upon consideration of the record of the case and the documents submitted therewith, and after hearing the submissions of the accused and the prosecution in this behalf, the Judge considers that there is not sufficient ground for proceeding against the accused, he shall discharge the accused and record his reasons for so doing.
228	Framing of charge - CoS	If after such consideration and hearing Judge is opinion accused has committed an offence not exclusively triable by CoS frame charge by order, transfer to CJM. Is exclusively triable by Court, frame Charge read and explained to accused and be asked whether he pleads guilty of offence charged or claims to be tried.
232	Entering upon defence	If after taking the evidence for the prosecution, examining the accused and hearing the prosecution and the defence on the point, the Judge considers that there is no evidence that the accused committed the offence, the judge shall record an order of acquittal.
235	Judgment of acquittal or conviction	(1) After hearing arguments and points of law (if any), the Judge shall give a judgment in the case. (2) If the accused is convicted, the Judge shall, unless he proceeds in accordance with the provisions of S. 360 hear the accused on the question of sentence, and then pass sentence on him according to law.
240	Charge - Warrant Case trial	If after examination, if any + hearing, Magistrate opinion presuming accused triable be adequately punished, frame in writing a charge against him, read + explained + asked pleads guilty (OR) be tried.
246	Accused not discharged	If when such Evidence taken (or) previous stage, Magistrate opinion offence triable, such Magistrate is competent to try + punish, he shall frame in writing a charge. Charge be read + explained + asked pleads guilty (or) defence to make. If peads guilty, record + in discretion, convict. If refuses or claims to be tried or not convicted under sub-S. (3), commencement of next hearing, reasons recorded in writing whether cross-examine any, and if so, which Witnesses Evidence taken. If he says he does so wish, Witnesses be recalled + cross-examination + re-examination (if any), be discharged. Evidence of any remaining Witnesses for the prosecution shall next be taken + after cross-examination + re-examination (if any), also be discharged.
250		<p>(1) If, in any case instituted upon complaint or upon information given to a PO or to a Magistrate, one or more persons is or are accused before a Magistrate of any offence triable by a Magistrate, and the Magistrate by whom the case is heard discharges or acquits all or any of the accused, and is of opinion that there was no reasonable ground for making the accusation against them or any of them, the Magistrate may, by his order of discharge or acquittal, if the person upon whose complaint or information the accusation was made is present, call upon him forthwith to show cause why he should not pay compensation to such accused or to each or any of such accused when there are more than one or, if such person is not present direct the issue of a summons to him to appear and show cause as aforesaid.</p> <p>(2) The Magistrate shall record and consider any cause which such complainant or informant may show, and if he is satisfied that there was no reasonable ground for making the accusation, may, for reasons to be recorded, make an order that compensation to such amount not exceeding the amount of fine he is empowered to impose, as he may determine, be paid by such complainant or informant to the accused or to each or any of them.</p> <p>(3) The Magistrate may, by the order directing payment of the compensation under sub-S. (2) further order that, in default of payment, the person ordered to pay such compensation shall undergo simple Jail for a period not exceeding thirty days.</p> <p>(4) When any person is imprisoned under sub-S. (3), the provisions of S.s 68 and 69 of the IPC (45 of 1860) shall, so far as may be, apply.</p> <p>(5) No person who has been directed to pay compensation under this S. shall, by reason of such order, be exempted from any civil or criminal liability in respect of the complaint made or information given by him:</p> <p>Provided that any amount paid to an accused person under this S. shall be taken into account in awarding compensation to such person in any subsequent civil suit relating to the same matter.</p> <p>(6) A complainant or informant who has been ordered under sub-S. (2) by a Magistrate of the second class to pay compensation exceeding one hundred rupees, may appeal from the</p>

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		<p>order as if such complainant or informant had been convicted on a trial held by such Magistrate.</p> <p>(7) When an order for payment of compensation to an accused person is made in a case which is subject to appeal under sub-S. (6), the compensation shall not be paid to him before the period allowed for the presentation of the appeal has elapsed, or, if an appeal is presented, before the appeal has been decided; and where such order is made in a case which is not so subject to appeal the compensation shall not be paid before the expiration of one month from the date of the order.</p>
251		<p>When in a summons-case the accused appears or is brought before the Magistrate, the particulars of the offence of which he is accused shall be stated to him, and he shall be asked whether he pleads guilty or has any defence to make, but it shall not be necessary to frame a formal charge.</p>
254	Procedure when not convicted	<p>(1) If the Magistrate does not convict the accused u/s 252 (or) 253, the Magistrate shall proceed to hear the prosecution and take all such evidence as may be produced in support of the prosecution, and also to hear the accused and take all such evidence as he produces in his defence.</p> <p>(2) The Magistrate may, if he thinks fit, on the application of the prosecution or the accused, issue a summons to any witness directing him to attend or to produce any document or other thing.</p> <p>(3) A Magistrate may, before summoning any witness on such application, require that the reasonable expenses of the witness incurred in attending for the purposes of the trial be deposited in Court.</p>
259	Convert summons to warrant case	<p>When in the course of the trial of a summons-case relating to an offence punishable with Jail for a term exceeding six months, it appears to the Magistrate that in the interests of justice, the offence should be tried in accordance with the procedure for the trial of warrant cases, such Magistrate may proceed to re-hear the case in the manner provided by this Code for the trial of warrant-cases and may recall any witness who may have been examined.</p>
264	Judgment in cases tried summarily	<p>In every case tried summarily in which the accused does not plead guilty, the Magistrate shall record the substance of the evidence and a judgment containing a brief statement of the reasons for the finding.</p>
265A	Application of the Chapter	<p>(1) This Chapter shall apply in respect of an accused against whom—</p> <p>(a) the report has been forwarded by the officer in charge of the PS u/s 173 alleging therein that an offence appears to have been committed by him other than an offence for which the punishment of death or of Jail for life or of Jail for a term exceeding seven years has been provided under the law for the time being in force; or</p> <p>(b) a Magistrate has taken cognizance of an offence on complaint, other than an offence for which the punishment of death or of Jail for life or of Jail for a term exceeding seven years, has been provided under the law for the time being in force, and after examining complainant and witnesses u/s 200, issued the process u/s 204, but does not apply where such offence affects the socio-economic condition of the country or has been committed against a woman, or a child below the age of fourteen years.</p> <p>(2) For the purposes of sub-S. (1), the Central Government shall, by notification, determine the offences under the law for the time being in force which shall be the offences affecting the socio-economic condition of the country.</p>
265E	Disposal of the case	<p>Where a satisfactory disposition of the case has been worked out u/s 265D, the Court shall dispose of the case in the following manner, namely:</p> <p>(a) the Court shall award the compensation to the victim in accordance with the disposition u/s 265D and hear the parties on the quantum of the punishment, releasing of the accused on probation of good conduct or after admonition u/s 360 or for dealing with the accused under the provisions of the Probation of Offenders Act, 1958 or any other law for the time being in force and follow the procedure specified in the succeeding clauses for imposing the punishment on the accused;</p> <p>(b) after hearing the parties under clause (a), if the Court is of the view that S. 360 or the provisions of the Probation of Offenders Act, 1958 or any other law for the time being in</p>

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		<p>force are attracted in the case of the accused, it may release the accused on probation or provide the benefit of any such law, as the case may be;</p> <p>(c)after hearing the parties under clause (b), if the Court finds that minimum punishment has been provided under the law for the offence committed by the accused, it may sentence the accused to half of such minimum punishment;</p> <p>(d)in case after hearing the parties under clause (b), the Court finds that the offence committed by the accused is not covered under clause (b) or clause (c), then, it may sentence the accused to one-fourth of the punishment provided or extendable, as the case may be, for such offence.</p>
265F	Judgment of Court	The Court shall deliver its judgment in terms of S. 265E in the open Court and the same shall be signed by the presiding officer of the Court.
265G	Finality of the judgment	The judgment delivered by the Court u/s 265G shall be final and no appeal (except the special leave petition under article 136 and writ petition under articles 226 and 227 of the Constitution) shall lie in any Court against such judgment.
320	Compounding	<p>(1) The offences punishable under the S.s of IPC specified in the first two columns of the Table next following may be compounded by the persons mentioned in the third column of that Table.</p> <p>(2) The offences punishable under the S.s of IPC specified in the first two columns of the table next following may, with the permission of the Court before which any prosecution for such offence is pending, be compounded by the persons mentioned in the third column of that table:—</p> <p>(3) When any offence is compoundable under this S., the abetment of such offence or an attempt to commit such offence (when such attempt is itself an offence) may be compounded in like manner.</p> <p>(4)(a) When the person who would otherwise be competent to compound an offence under this S. is under the age of eighteen years or is an idiot or a lunatic, any person competent to contract on his behalf, may, with the permission of the Court compound such offence.</p> <p>(b) When the person who would otherwise be competent to compound an offence under this S. is dead, the legal representative, as defined in the Code of Civil Procedure, 1908 (5 of 1908) of such person may, with the consent of the Court compound such offence.</p> <p>(5) When the accused has been committed for trial or when he has been convicted and an appeal is pending no composition for the offence shall be allowed without the leave of the Court to which he is committed, or, as the case may be, before which the appeal is to be heard.</p> <p>(6) HC or CoS acting in the exercise of its powers of revision u/s 401 may allow any person to compound any offence which such person is competent to compound under this S..</p> <p>(7) No offence shall be compounded if the accused is, by reason of a previous conviction, liable either to enhanced punishment or to a punishment of a different kind for such offence.</p> <p>(8) The composition of an offence under this S. shall have the effect of an acquittal of the accused with whom the offence has been compounded.</p> <p>(9) No offence shall be compounded except as provided by this S..</p>
340	Procedure in cases mentioned in S. 195	<p>(1) When upon an application made to it in this behalf or otherwise any Court is of opinion that it is expedient in the interest of justice that an inquiry should be made into any offence referred to in S. 195(1)(b), which appears to have been committed in or in relation to a proceeding in that Court or, as the case may be, in respect of a document produced or given in evidence in a proceeding in that Court, such Court may, after such preliminary inquiry, if any, as it thinks necessary,—</p> <p>(a) record a finding to that effect;</p> <p>(b) make a complaint thereof in writing;</p> <p>(c) send it to a Magistrate of the first class having jurisdiction;</p>

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		<p>(d) take sufficient security for the appearance for the accused before such Magistrate, or if the alleged offence is non-bailable and the Court thinks it necessary so to do send the accused in custody to such Magistrate; and</p> <p>(e) bind over any person to appear and give evidence before such Magistrate.</p> <p>(2) The power conferred on a Court by sub-S. (1) in respect of an offence may, in any case where that Court has neither made a complaint under sub-S. (1) in respect of that offence nor rejected an application for the making of such complaint, be exercised by the Court to which such former Court is subordinate within the meaning of sub-S. (4) of S. 195.</p> <p>(3) A complaint made under this S. shall be signed,—</p> <p>(a) where the Court making the complaint is a HC, by such officer of the Court as the Court may appoint;</p> <p>(b) in any other case, by the presiding officer of the Court.</p> <p>(4) In this S., "Court" has the same meaning as in S. 195.</p>
382	Petition of appeal	Every appeal shall be made in the form of a petition in writing presented by the appellant of his pleader, and every such petition shall (unless the Court to which it is presented otherwise directs) be accompanied by a copy of the judgment or order appealed against.
401	High court power of revision	<p>(1) In the case of any proceeding the record of which has been called for by itself or which otherwise comes to its knowledge, the HC may, in its discretion, exercise any of the powers conferred on a Court of Appeal by S.s 386, 389, 390 and 391 or on CoS by S. 307 and, when the Judges composing the Court of revision are equally divided in opinion, the case shall be disposed of in the manner provided by S. 392.</p> <p>(2) No order under this S. shall be made to the prejudice of the accused or other person unless he has had an opportunity of being heard either personally or by pleader in his own defence.</p> <p>(3) Nothing in this S. shall be deemed to authorise a HC to convert a finding of acquittal into one of conviction.</p> <p>(4) Where under this Code an appeal lies and no appeal is brought, no proceeding by way of revision shall be entertained at the instance of the party who could have appealed.</p> <p>(5) Where under this Code an appeal lies but an application for revision has been made to the HC by any person and the HC is satisfied that such application was made under the erroneous belief that no appeal lies thereto and that it is necessary in the interests of justice so to do, the HC may treat the application for revision as a petition of appeal and deal with the same accordingly.</p>
406	Power of SC to transfer cases and appeals	<p>(1) Whenever it is made to appear to the SC that an order under this S. is expedient for the ends of justice, it may direct that any particular case or appeal be transferred from one HC to another HC or from a Criminal Court subordinate to one HC to another Criminal Court of equal or superior jurisdiction subordinate to another HC.</p> <p>(2) The SC may act under this S. only on the application of the Attorney- General of India or of a partly interested, and every such application shall be made by motion, which shall, except when the applicant is the Attorney-General of India or the Advocate-General of the State, be supported by affidavit or affirmation.</p> <p>(3) Where any application for the exercise of the powers conferred by this S. is dismissed, the SC may, if it is of opinion that the application was frivolous or vexatious, order the applicant to pay by way of compensation to any person who has opposed the application such sum not exceeding one thousand rupees as it may consider appropriate in the circumstances of the case.</p>
436	In what cases bail can be taken Form 45	<p>(1) When any person other than a person accused of a non-bailable offence is arrested or detained without warrant by an officer in charge of a PS, or appears or is brought before a Court, and is prepared at any time while in the custody of such officer or at any stage of the proceeding before such Court to give bail, such person shall be released on bail:</p> <p>Provided that such officer or Court, if he or it thinks fit, may, instead of taking bail from such</p>

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		<p>person, discharge him on his executing a bond without sureties for his appearance as hereinafter provided:</p> <p>Provided further that nothing in this S. shall be deemed to affect the provisions of sub-S. (3) of S. 116 or S. 446A.</p> <p>(2) Notwithstanding anything contained in sub-S. (1), where a person has failed to comply with the conditions of the bail-bond as regards the time and place of attendance, the Court may refuse to release him on bail, when on a subsequent occasion in the same case he appears before the Court or is brought in custody and any such refusal shall be without prejudice to the powers of the Court to call upon any person bound by such bond to pay the penalty thereof u/s 446.</p>
436A	Maximum period for which under-trial prisoner can be detained	<p>Where a person has, during the period of investigation, inquiry or trial under this Code of an offence under any law (not being an offence for which the punishment of death has been specified as one of the punishments under that law) undergone detention for a period extending up to one-half of the maximum period of Jail specified for that offence under that law, he shall be released by the Court on his personal bond with or without sureties:</p> <p>Provided that the Court may, after hearing the PP and for reasons to be recorded by it in writing, order the continued detention of such person for a period longer than one-half of the said period or release him on bail instead of the personal bond with or without sureties:</p> <p>Provided further that no such person shall in any case be detained during the period of investigation inquiry or trial for more than the maximum period of Jail provided for the said offence under that law.</p>
437	When bail may be taken in case of non-bailable offence	<p>(1) When any person accused of, or suspected of, the commission of any non-bailable offence is arrested or detained without warrant by an officer in charge of a PS or appears or is brought before a Court other than the HC or CoS, he may be released on bail, but—</p> <p>(i) such person shall not be so released if there appear reasonable grounds for believing that he has been guilty of an offence punishable with death or Jail for life;</p> <p>(ii) such person shall not be so released if such offence is a cognizable offence and he had been previously convicted of an offence punishable with death, Jail for life or Jail for seven years or more, or he had been previously convicted on two or more occasions of a non-bailable and cognizable offence:</p> <p>Provided that the Court may direct that a person referred to in clause (i) or clause (ii) be released on bail if such person is under the age of sixteen years or is a woman or is sick or infirm:</p> <p>Provided further that the Court may also direct that a person referred to in clause (ii) be released on bail if it is satisfied that it is just and proper so to do for any other special reason:</p> <p>Provided also that the mere fact that an accused person may be required for being identified by witnesses during investigation shall not be sufficient ground for refusing to grant bail if he is otherwise entitled to be released on bail and gives an undertaking that he shall comply with such directions as may be given by the Court.</p> <p>(2) If it appears to such officer or Court at any stage of the investigation, inquiry or trial as the case may be, that there are not reasonable grounds for believing that the accused has committed a non-bailable offence, but that there are sufficient grounds for further inquiry into his guilt, the accused shall, subject to the provisions of S. 446A and pending such inquiry, be released on bail, or, at the discretion of such officer or Court on the execution by him of a bond without sureties for his appearance as hereinafter provided.</p> <p>(3) When a person accused or suspected of the commission of an offence punishable with Jail which may extend to seven years or more or of an offence under IPC or abetment of, or conspiracy or attempt to commit, any such offence, is released on bail under sub-S. (1) the Court may impose any condition which the Court considers necessary—</p> <p>(a) in order to ensure that such person shall attend in accordance with the conditions of the bond executed under this Chapter, or</p> <p>(b) in order to ensure that such person shall not commit an offence similar to the offence of which he is accused or of the commission of which he is suspected, or</p>

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		<p>(c) otherwise in the interests of justice.</p> <p>(4) An officer or a Court releasing any person on bail under sub-S. (1), or sub-S. (2), shall record in writing his or its reasons or special reasons for so doing.</p> <p>(5) Any Court which has released a person on bail under sub-S. (1), or sub-S. (2), may, if it considers it necessary so to do, direct that such person be arrested and commit him to custody.</p> <p>(6) If, in any case triable by a Magistrate, the trial of a person accused of any non-bailable offence is not concluded within a period of sixty days from the first date fixed for taking evidence in the case, such person shall, if he is in custody during the whole of the said period, be released on bail to the satisfaction of the Magistrate, unless for reasons to be recorded in writing, the Magistrate otherwise directs.</p> <p>(7) If, at any time after the conclusion of the trial of a person accused of a non-bailable offence and before judgment is delivered the Court is of opinion that there are reasonable grounds for believing that the accused is not guilty of any such offence, it shall release the accused, if he is in custody, on the execution by him of a bond without sureties for his appearance to hear judgment delivered.</p>					
437A	Bail - Accused appear in next appellate court	<p>(1) Before conclusion of the trial and before disposal of the appeal, the Court trying the offence or the Appellate Court, as the case may be, shall require the accused to execute bail bonds with sureties, to appear before the higher Court as and when such Court issues notice in respect of any appeal or petition filed against the judgment of the respective Court and such bail bonds shall be in force for six months. (2) If such accused fails to appear, the bond stand forfeited and the procedure u/s 446 shall apply.</p>					
438	Bail	<p>Apply to HC or Sessions Court to be released on bail, if arrested. Court may include such conditions to make himself available for interrogation by a PO as and when required; not any inducement, threat or promise to any person acquainted with facts or to any PO; not leave India without Court previous permission; such other conditions. If such person is thereafter arrested without warrant + prepared to give bail, be released on bail; and if Magistrate taking cognizance of such offence decides, issue bailable warrant, as per this S..Nothing apply to arrest on accusation of S.s 376(3) or 376AB or 376DA or 376DB of IPC.</p>					
457	Upon property seizure	<p>Such property is not produced before a Criminal Court during an inquiry or trial, the Magistrate may make such order for disposal (or) delivery to person entitled (or) custody, if person not ascertained. If person entitled is known, Magistrate may order delivery, if unknown, detain + proclamation to appear before him + claim in 6 months establish.</p>					
468	Bar on cognizance after limitation	<p>No court take cognizance of offences after six months, in punishment of fine only; 1 yr in punishment up to 1 yr jail and 3 yrs in offence punishable up to 3 yrs jail. Limitation in offences tried together, be on more severe or most severe punishable.</p>					
471	Court closed	<p>Cognizance when court re-opens.</p>					
472	Continuing offence	<p>In continuing offence, fresh limitation runs.</p>					
473	Limitation extension	<p>Any Court may take cognizance of an offence after limitation, satisfied on facts and circumstances, delay properly explained (or) in interests of justice.</p>					
482	HC inherent powers	<p>Nothing limit HC to make such orders under this Code (or) prevent abuse of Court process (or) secure ends of justice.</p>					
	FIRST SCHEDULE CLASSIFICATION OF OFFENCES	OFFENCES UNDER THE IPC					
		S.	Offence	Punishment	Cognizable or noncognizable	Bailable or Non-bailable	By what Court triable
				CHAPTER VA.– CRIMINAL CONSPIRACY			
		120B	Criminal	Same as for abetment of	According	According	Court by

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		conspiracy to commit an offence punishable with death, Jail for life or rigorous Jail for a term of 2 years or upwards.	the offence which is the object of the conspiracy.	as the offence which is the object of conspiracy is cognizable or non-cognizable.	as offence which is object of conspiracy is bailable or non-bailable.	which abetment of the offence which is the object of conspiracy is triable.
			CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE			
	192	Giving or fabricating false evidence in a judicial proceeding .	Jail for 7 years and fine.	Non-cognizable	Bailable	1 st Class Magistrate
			CHAPTER XIII.— OFFENCES RELATING TO WEIGHTS AND MEASURES			
	264	Fraudulent use of false instrument for weighing.	Jail for 1 year, or fine, or both.	Non-cognizable	Bailable	any Magistrate
			CHAPTER XIV.— OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS			
	270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life	Jail for 2 years, or fine, or both.	Non-cognizable	Bailable	any Magistrate
			CHAPTER XVII.— OFFENCES AGAINST PROPERTY			
	406	Criminal breach of trust	Jail for 3 years, or fine, or both.	Cognizable	Non-bailable	1 st Class Magistrate

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				CHAPTER XVIII.— OFFENCES RELATING TO DOCUMENTS AND TO PROPERTY MARKS			
		468	Forgery for the purpose of cheating	Jail for 7 years and fine	Cognizable	Non-bailable	1 st Class Magistrate