

CrPC - One Liners

1. Crpc came into force on 1st April 1974.
2. Crpc is divided into 37 chapters and 484 sections.
3. Crpc extends to the whole of India except the state of Jammu and Kashmir. Also, the provisions of chapter 8, 10 and 11 under Crpc shall not apply to the state of Nagaland and to the tribal areas, except in cases where the state government by notification applies such provisions to them.
4. Reasons for non-applicability of some of the provisions of Crpc to the state of Nagaland have been stated by the SC in State of Nagaland vs. Rattan Singh.
5. The subject of Crpc falls within the concurrent list; therefore, it can be amended by Parliament or any state legislature.
6. The unique feature of Crpc is separation of Executive from Judiciary.
7. The Code of Criminal Procedure (Amendment) Bill, 1994 was passed by Lok Sabha on 5.5.2005.
8. The Code of Criminal Procedure (Amendment) Act, 2005 came into force on 23.6.2006.
9. Criminal Law (Amendment) Act, 2013 came into effect on 3.2.2013.
10. The classification of offences has been given under 1st schedule of Crpc.
11. Bailable offence (S. 2(a)) means an offence which is shown as bailable in the 1st schedule under Crpc, or which is made bailable by any other law for the time being in force.
12. Non-Bailable offence (S. 2(a)) means any other offence. Here, grant of bail is a matter of discretion of the court.
13. In a cognizable offence (sec. 2(c)) a police officer may arrest an accused without a warrant. And can investigate without seeking permission from magistrate.
14. In a non-cognizable offence (sec 2(l)) the police officer has no authority to investigate without the order of magistrate and he can't arrest a person without a warrant.
15. In Crpc the nature of non-cognizable offence is bailable and simple.
16. Complaint as provided under section 2(d) is an allegation made either in writing or oral.

17. Complaint can be made for both cognizable and non-cognizable offences.
18. Complaint doesn't include a police report.
19. Complaint is made to a magistrate.
20. The term Inquiry has been defined under sec 2(g) of Crpc.
21. Inquiry means every inquiry other than a trial conducted under Crpc by magistrate or court.
22. Inquiry is conducted prior to framing of charges.
23. The term Investigation has been defined under sec 2(h) of Crpc.
24. Investigation is conducted with an object to collect evidence and a magistrate can't interfere in it.
25. Investigation can be conducted by a police officer and a person who is authorized by magistrate.
26. The foundation of investigation is complaint and FIR.
27. The term offence has been defined under sec 2(n) of Crpc.
28. The term Police report has been defined under sec 2(r) of Crpc.
29. The term Public Prosecutor as defined under sec 2(u) of Crpc means and include, any person appointed under section 24 and any person acting under the direction of public prosecutor.
30. Warrant case {section 2(x)} means a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding 2 years.
31. Summons case {section 2(w)} means a case which is not a warrant case, i.e., a case relating to an offence punishable with imprisonment for a term not exceeding 2 years.
32. Victim is defined under sec 2(wa) of Crpc, as a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged.
33. Victim includes victim's guarding or legal heir.
34. Judicial proceeding includes Inquiry and trial.
35. State government may by notification declare any area to be a metropolitan area for

the purpose of Crpc whose population exceeds 1 million.

36. Children's court under Juvenile Justice Act, 2000 and Panchayats Adalats are not criminal courts.
37. Court of Sessions shall be established by State government. (Sec. 9)
38. An Assistant Sessions Judge is appointed by the high court of the concerned state (Sec. 10)
39. High court may upon the request of central or state government, confer upon any person who holds or has held any post under government, all the powers of a Judicial Magistrate. Such a magistrate will be called Special Judicial Magistrate. (Section 13)
40. Special Judicial Magistrate shall be appointed for a term not exceeding 1 year at a time, as may be directed by high court.
41. The local jurisdiction of a judicial magistrate is under the control of Chief Judicial Magistrate, subject to high courts control. (Section 14)
42. The Chief Judicial Magistrate may make rules or give special orders from time to time consistent with Crpc as to distribution of business among the subordinate Judicial Magistrates (section 15)
43. The number of the courts of Judicial Magistrate in a district is decided by state government. (Section 16)
44. A person is eligible to be appointed as a public prosecutor only if he has been in practice as an advocate for not less than 7 yrs (sec 24)
45. A person can be appointed (by central or state government) as a special public prosecutor only if he has been in practice as an advocate for not less than 10 yrs (sec 24)
46. State government is authorised to appoint a public prosecutor for a district.
47. Assistant public prosecutor can be appointed under section 25 of Crpc.
48. District magistrate can appoint a Police Officer as an assistant public prosecutor for the courts of magistrate.
49. Public prosecutor and assistant public prosecutor represent the government.
50. Directorate of Prosecution as appointed under section 25A of Crpc shall function under the administrative control of Head of the Home Department of State.
51. Section 25A was inserted in Crpc by Crpc Amendment Act, 2005.
52. Any offence under IPC may be tried by High court, or the Court of Sessions, or any other court by which such offence is shown in the schedule to be triable. (Sec 26 (a))
53. Any offence under any other law shall, when a court is mention in such law, be tried by such court and when no court is so mentioned, may be tried by the High court or any other court by which such offence is triable under 1st schedule. (sec 26 (b))
54. Any offence not punishable with death or imprisonment for life, committed by any person under the age of 16 yrs when brought before the court, may be tried by Chief Judicial Magistrate or by any court specially empowered under the Children Act, 1960. (Section 27)
55. High court may pass any sentence authorized by law. (Sec 28)
56. A Sessions judge and Additional Sessions Judge may pass any sentence authorized by law but death sentence passed by any such judge shall be subject to confirmation by the High court. (Sec 28)
57. An Assistant Sessions Judge may pass a sentence upto 10 years. (sec 28)

58. A Chief Judicial Magistrate may pass a sentence upto 7 years and/ or any fine. (Section 29)
59. A Judicial Magistrate 1st class may pass a sentence upto 3 years and/or a fine upto 10,000₹. (Section 29)
60. A Judicial Magistrate 2nd class may pass a sentence upto 1 years and/or a fine upto 5,000₹. (Section 29)
61. Sentence of imprisonment in default of fine is provided under section 30(1). According to which a magistrate shall not exceed 1/4th of the term of imprisonment which the magistrate is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.
62. The imprisonment awarded in default of fine may be in addition to a substantive sentence awarded by magistrate for the offence. (Section 30(2))
63. When a person is convicted at a trial of 2 or more offences, the court may, subject to section 71, IPC, sentence him for such offences and such punishments may run either concurrently or consecutively. (Sec 31(1))
64. In case of consecutive sentences the person shall not be sentenced to imprisonment for a period longer than 14 years and also that the aggregate punishment shall not exceed twice the amount of punishment which the court is competent to inflict for a single offence. (Sec 31(2))
65. Police officers superior in rank to IO may exercise the same powers throughout the local area to which they are appointed as may be exercised by such officer. (Sec 36)
66. Public is bound to assist a magistrate or police officer reasonably demanding his aid. (Sec 37)
67. Section 39 provides public to give information of certain offences to be given to police officers.
68. Under section 41 a police officer can arrest a person without an order of the magistrate and without warrant.
69. Under sec 41A a PO shall, issue a notice directing a person against whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists that he has committed a cognizable offence, to appear before him or at such place as specified in notice.
70. If the person to whom a notice is issued under sec 41A fails to comply with the terms of notice, the police officer may arrest him for the offence mentioned in the notice.
71. Every PO while making the arrest shall inform the person arrested that he has a right to have a relative or friend named by him to be informed of his arrest. (Sec 41B)
72. The state government shall establish a police control room in every district and at state level. (Sec 41C)
73. When a person is arrested and interrogated by the police, he shall be entitled to meet an advocate of his choice during interrogation, though not throughout interrogation. (Sec 41D)
74. Any person, in the presence of a PO, has committed or has been accused of committing a non-cognizable offence refused to give his name and residence; he may be arrested by the PO.
75. A private person may arrest any person who in his presence commits a cognizable and non-bailable offence. (sec 43)

76. A magistrate, executive or judicial, may himself arrest or order any person to arrest a person who committed an offence in his presence. (Sec 44)
77. No member of the armed forces of the union shall be arrested for anything done in the discharge of his official duties except after attaining the consent of the central government. (Sec 45)
78. In the case of Joginder Singh vs. state of U.P., it was held that even a man if necessary due to circumstances may arrest a woman during day light.
79. No woman shall be arrested after sunset and before sunrise as added in section 46(4) of Crpc by 2005 amendment. However, she can be arrested in exceptional circumstances with the prior permission of Judicial Magistrate 1st class.
80. Sec 50 provides that every person arrested without warrant shall be informed of grounds of arrest and if right to bail, if the arrest is made for bailable offence. However, if there is non-compliance of these provisions, then, it shall render the arrest and detention of the person concerned illegal and shall enable the person arrested move for habeas-corpus to obtain his relief.
81. Sec 53, Crpc provides for the examination of accused by medical practitioner at the request of PO. Here, there are reasonable grounds for believing that an examination of his person will afford evidence as to the commission of the offence.
82. Sec 53A talks about examination of person accused of rape by medical practitioner at the request of PO.
83. When any person is arrested he shall be examined by a medical officer in the service of central or state governments. (Section 54)
84. Under Section 54A, the magistrate may direct the person so arrested to subject himself to identification by any person.
85. It is mandatory to produce the person arrested before the magistrate within 24 hrs of arrest. (Sec 57)
86. If a person in lawful custody escapes, the person from whose custody he escaped may, immediately pursue and arrest him in any place in India. (Sec 60)
87. Every summon issued by a court shall be in writing, duplicate, signed by presiding officer or any other officer authorized and shall bear the seal of the court. (Sec 61)
88. Summons may be served by a police officer, or an officer of the court, or by an authorized public servant. (Sec 62)
89. Service of summons on corporate bodies and societies may be effected by serving it on the secretary, local manager or other principal officer of corporation or by letter sent by registered post addresses to the Chief Officer of the corporation in India. (Sec 63)
90. Where the person summoned can't, by exercise of due diligence, be found, the summons may be served by giving it to some adult male member of the family residing with him, in duplicate. (Sec 64)
91. A servant is not a member of the family within the meaning of section 64.
92. Where summon can't be served as provided in sec 62, 63 or 64, the serving officer shall affix the summon in duplicate to some conspicuous part of the house. (Sec 65)
93. Where the person to whom a summon is to be served, in active service of the government, then summon shall be sent to the head of the office. (Sec 66)
94. Every warrant of arrest issued by a court shall be in writing, shall be signed by presiding officer of the court and it shall bear the seal of the court. (Sec 70)

95. The police officer or other person executing a warrant of arrest shall notify the substance thereof to the person to be arrested and if required, shall show him the warrant. (Sec 75)
96. Under sec 77, a warrant of arrest may be executed at any place in India.
97. A person who is avoiding execution of a warrant may be proclaimed absconded under section 82.
98. A proclamation under section 82(1) requiring a person to appear must be published giving not less than 30 days' time to the person concerned, to appear at a specified place and at specified time.
99. In order to compel appearance of a person who is absconding in spite of a warrant of arrest being issued against him, his property may be ordered to be attached simultaneously with issuance of a proclamation under section 82, provided that the court is satisfied that such person is about to dispose of the whole or any part of his property, or is about to remove the whole or any part of his property from the local jurisdiction of the court. (Sec 83)
100. Attachment of land paying revenue to the state government of a person absconding shall be made through collector of the district where land is situated. (Sec 83(4))
101. Under sec 83(1) (a), the court may order proclamation and attachment simultaneously.
102. A person, other than the proclaimed person, can object within 6 months from the date of attachment on the ground that such claimant or objector has an interest in such property. And if the claim or objection has been disallowed then such claimant may within 1 year from such order institute a suit to establish the right which he claims. (Sec 84)
103. A proclaimed person whose property has been attached can claim the property or the sale proceeds on appearance within 2 years from the date of attachment.
104. A court empowered to issue summons for the appearance of a person, may issue after recording its reasons in writing, a warrant for his arrest if either before issuing summons or after issuing the same but before the time fixed for his appearance, the court sees reason to believe that he has absconded or will not obey the summons or if at such time he fails to appear and the summons is proved to have been duly served in time to admit of his appearing in accordance therewith and no reasonable excuse is offered for such delay. (Sec 87)
105. Under section 91, summons to produce documents may be issued to the person in whose possession they are.
106. Section 91 doesn't apply to accused.
107. Any criminal court can impound any document produced before it.
108. A person, who is required merely to produce a document or thing under section 91 can either attend personally or cause the document or thing produced in court.
109. Section 92 of Crpc lays down the procedure for the production of documents in the custody of postal or telegraph authority.
110. Any court may issue a search warrant for document or thing but only District magistrate or Chief Judicial Magistrate can grant a warrant to search for a document, parcel or other thing in the custody of the postal or telegraph authority. (Sec 93)

111. Under section 93 a search warrant is issued.
112. Search warrant under section 93 can also be issued in cases where the court has no knowledge about the document or thing to be in the possession of a person.
113. A declaration of forfeiture under section 95 can be set aside by High court.
114. An application to High Court to set aside declaration of forfeiture must be made within 2 months from the date of publication of such declaration in the official gazette. (Sec 96)
115. Section 97, Crpc resembles with the writ of Habeas corpus.
116. A district magistrate, sub-divisional magistrate or judicial magistrate of the 1st class may make an order to compel restoration of abducted females. (Sec 98)
117. For a search under section 100, 2 independent and respectable inhabitants of the locality to witness the search must be called, search memo must be signed by witnesses to search and the attendance of occupant of the place during search is also necessary.
118. Power of police officer to seize certain property is by virtue of section 102.
119. 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. (Sec 103)
120. The term "contracting state" is defined under section 105A
121. Under section 106 Crpc, provision for security for keeping the peace on conviction exists. The power to release the offender on such security is with Sessions court, Judicial Magistrate 1st class and Appellate or Revisional Court.
122. The time period for which security is taken from such person for keeping the peace does not exceed 3 years. (Sec 106)
123. An Executive Magistrate is empowered under section 107 to take security from a person for keeping peace in other cases, and this time period for which security is taken shall not exceed 1 year.
124. Under section 108 Crpc, an Executive Magistrate upon receiving information that a person might disseminate seditious matter, then such Magistrate may take security for good behaviour from such suspected person. The time period for this security is taken shall not exceed 1 year.
125. Under section 109 Crpc, an Executive Magistrate upon receiving information that a person might commit a cognizable offence, then such Magistrate may take security for good behaviour from such suspected person. The time period for this security is taken shall not exceed 1 year.
126. When an Executive Magistrate receives information that a habitual offender is within his local jurisdiction, then such Magistrate may take security for good behaviour from such habitual offender. The time period for which this security is taken shall not exceed 3 years.
127. If a person in respect of whom an order requiring security is made under section 106 or 117 of Crpc is, at the time such order is made, undergoing a sentence of imprisonment, the period for which such security is required shall commence on the expiration of such sentence.
128. Penalty under security bond can't be remitted.
129. An order for maintenance of wives, children and parents under Crpc can be filed by Judicial Magistrate of the 1st class.
130. An order passed under section 125 Crpc can be challenged by the unsuccessful

party by filing a revision either before the Sessions Judge or High Court.

131. No wife shall be entitled to receive maintenance from her husband under section 125 Crpc, if she is living in adultery or living separately by mutual consent or a wife without sufficient reasons refuses to live with her husband.
132. Wife under section 125 Crpc includes divorced wife who is not remarried.
133. In Khemchand Om Prakash vs. State of Gujarat, it was held that Second wife of a person, whose 1st wife is alive can't claim maintenance under section 125 Crpc.
134. In Savitaben Somabhai Bhatia vs State of Gujarat, it was held that only a legally wedded wife can claim maintenance under section 125 Crpc.
135. Both sons and daughters are liable under section 125(1)(d) Crpc for payment of maintenance to their parents, who are unable to maintain themselves.
136. Supreme Court in Vijaya Manohar Arbat vs. Kashi Rao Rajaram Sawai held that married daughters with independent sufficient means of her own are liable to maintain her parents under section 125 Crpc.
137. There is no maximum amount of maintenance provided under section 125 Crpc. The magistrate can order a monthly allowance of maintenance as he deems fit and proper in the case.
138. The maximum limit of 500₹ that could be paid to the wife in maintenance under section 125 Crpc was removed in 2001.
139. A divorced wife who remarried is not entitled to maintenance under section 125 Crpc.
140. In Mohd Ahmad Khan vs. Shah Bano Begum case, the Supreme Court held that section 125 Crpc is applicable to all irrespective of their religion.
141. Under section 125 Crpc, a magistrate has the power to grant interim maintenance and the expenses of the proceedings.
142. Illegitimate minor child is not entitled to claim maintenance under section 125 Crpc.
143. An order for maintenance or interim allowance can be cancelled under the circumstances stated under section 125(5) of Crpc.
144. Period of limitation for execution of the order of maintenance under section 125 Crpc is one year from the date on which it becomes due.
145. Alteration of maintenance can be done under section 127 Crpc
146. Any judicial Magistrate is not competent to use the civil forces for dispersal of assembly under section 129 of Crpc.
147. Under section 130 Crpc, armed forces can be used to disperse assembly for maintaining of public security.
148. Under section 133 Crpc, a District Magistrate or Sub-Divisional Magistrate may prevent environmental pollution.
149. A conditional order for removal of public nuisance under section 133 Crpc may be passed by District Magistrate, Sub-Divisional Magistrate or Executive Magistrate.
150. If a person against whom an order under section 133 Crpc is made, appears and show cause against the order, the magistrate shall take evidence in the matter as in a summon case.
151. The conditional order made under section 133 Crpc can't be challenged in Civil Courts.
152. In Madhu Limaye vs. S D M Monghyr, it was held that provisions of chapter 8 of

- Crpc being in public interest are not violative of Article 19 of the Constitution of India.
153. The procedure where existence of public right is denied is provided in section 137 Crpc.
 154. A Magistrate has power to deal with urgent cases of apprehended danger or nuisance under section 144 Crpc.
 155. In Gulam Abbas vs. State of UP, it was held that order under section 144 Crpc is amenable to writ jurisdiction in violation of any Fundamental Rights.
 156. In Madhu Limaye Vs. S D M Monghyr, section 144 Crpc was held to be constitutionally valid.
 157. Any public notice issued or an order made which prohibits carrying arms in procession or mass drill or mass training with arms shall remain in force for not more than 3 months.
 158. A District Magistrate may, prohibit a group of militants of certain communal organisation from conducting training if members with arms in public place, for preservation of public peace and safety by public notice or order.
 159. In Nandi Ram vs. Chandi Ram, it was held that the object of proceedings under section 145 Crpc is to ward off danger of breach of peace and not to determine the title.
 160. Under section 145 Crpc in connection with a dispute in immovable property, the Executive Magistrate prior to passing his orders as regards to possession over such property takes into consideration a period of 2 months.
 161. Under section 145 Crpc in disputes as to immovable property, the executive magistrate can decide the question of actual possession.
 162. A revision can be filed against an order passed by Sub-Divisional Magistrate under section 145(6) Crpc in the court of Sessions Judge.
 163. Section 147 Crpc deals with disputes concerning right of use of land or water.
 164. Police shall try to prevent cognizable offences. (Sec 149)
 165. Power to arrest in order to prevent commission of Cognizable offences is provided under section 151.
 166. In Lalita kumari vs State of U P, it was held that a police officer is bound to register an FIR upon receiving any information relating to commission of a cognizable offence under section 154 of Crpc.
 167. FIR (First Information Report) is only a report about the commission of a crime. It in itself is not a substantial piece of evidence.
 168. In order to qualify to be an FIR, the information need not contain all the possible details of the incident but it must contain as much of details as are sufficient for the police officer to believe that a cognizable offence has been committed and the intention of the informant is to make a request to the police officer to make a case.
 169. FIR is not a privileged document.
 170. FIR is not a private document, it's a public document.
 171. FIR is not a presumed document.
 172. A child can lodge an FIR.
 173. A lunatic can lodge an FIR during his lucid period.
 174. A case regarding the commission of a cognizable offence is registered under sec 154 of Crpc by the police.
 175. In the case of Madhu Bala vs. Suresh Kumar, the SC held that whenever a

Magistrate directs an investigation on a complaint, the police has to register a cognizable case on that complaint treating the same as the FIR and investigate into the same.

176. The foundation of investigation under Crpc is FIR and it shall be signed by the person giving information about the commission of cognizable offence.
177. *Zahira Habibullah Sheikh vs State of Gujarat* case is related to defective investigation.
178. In *Priyadarshini Mattoo* case the prosecution witness was prosecuted for perjury.
179. When 2 FIRs relating to the same offence have been lodged, it can be investigated by the same investigation agency.
180. Under section 154(3) Crpc, any person aggrieved by refusal on the part of officer in charge of police station to record the information in cognizable offence may send the information in writing and by post to Superintendent of Police.
181. In *Sakha Rao vs State*, it was held that an FIR may be lodged by way of telephone also.
182. If in an FIR, 1st information is about a cognizable offence and the other is non cognizable offence then the whole case shall be deemed to be Cognizable.
183. Under section 154 no period is prescribed as to what should be the duration of investigation.
184. Irregularity under section 156(2) means a case where the PO investigated the case which his area Magistrate was not competent to try.
185. Irregularity under section 156(2) is a per se curable Irregularity.
186. In *A R Antulay vs R S Nayak*, the SC held that once order of investigation is made by Magistrate under section 156(3), he can't interfere into investigation even if PO is malafidely conducting the investigation. Order of fair investigation can be made under section 482 by the High Court.
187. In *Sakiri Vasu vs State of UP*, it was held that in case of unfair investigation the Magistrate may make an order of fair investigation by exercising its ancillary powers.
188. In *Dharmesh bhai Vasudev bhai vs State of Gujarat*, it was held that a Magistrate cannot pass an order to quash the FIR as it would amount to withdrawal of its earlier order.
189. The distinction between a police investigation ordered under section 156(3) and the one directed under section 202, Crpc was laid down by SC in *Devarapalli Lakshminarayana Reddy vs N Narayana Reddy*.
190. A complaint becomes a FIR when it is sent to police for investigation under sec 156(3) of Crpc.
191. A police officer, without an order from a Magistrate and without a warrant can't arrest a person who is suspected of committing a non-cognizable offence.
192. In non-cognizable case, the investigation starts after obtaining orders from concerned Magistrate.
193. When the information given to a PO is regarding commission of a non-Cognizable offence then the PO will reduce that information into NCR.(section 155)
194. Permission to investigate into a non-cognizable offence can be granted by a magistrate having jurisdiction to try the case. (Sec 155(2))
195. If the PO refuses to record the info in NCR diary then the complainant can file an application before the magistrate under section 155(2).

196. Order to investigate as passed by magistrate under section 155(2) is a pre-cognizance order.
197. If the PO investigated a non-cognizable case without the permission of the area magistrate then it will amount to an incurable irregularity which will vitiate the whole proceeding. Such irregularity is to be dealt with as per section 465 and it will be seen whether there is failure of justice or not.
198. In Keshav Lal vs State of Bihar, it was investigation of a non-cognizable case without magisterial order will be an irregularity and the accused may raise an objection and the proceeding quashed by High court under section 482 Crpc.
199. Under section 465 of Crpc there is a powder to quash the whole proceeding if there is an irregularity and because of that irregularity there is a consequent failure of justice.
200. If an FIR is lodged and after investigation the police report filed says that it was a non-cognizable case then sec 2(d) explanation says that this police report will be considered as a complaint and its cognizance will be taken under section 190(1)(a).
201. The police report of a cognizable case and non-cognizable case will be filed under section 173(2) Crpc.
202. On receipt of FIR for commission of an offence the officer in charge of the police station will send the copy to concern Magistrate under section 157 Crpc.
203. The information received by police officer must not be mere cryptic information; this is, where the only intention of the informant is to inform the police officer of the occurrence of an offence and not of his taking any action on it.
204. Occurrence Report is a copy of FIR along with an endorsement by the Investigating officer that he is investigating the case of not. (section 157)
205. Upon receiving a negative occurrence report the magistrate may order a preliminary inquiry under section 159 to check if there is a need for investigation in the case or not.
206. Order passed under sec 159 for preliminary inquiry is a Suo Moto order.
207. If no occurrence report is filed by the PO, then no order under section 159 can be made rather order under section 156(3) will have to be passed for investigation.
208. Occurrence report can also be filed by the Superintendent of Police under section 158, Crpc.
209. An inquest report must contain the apparent cause of death.
210. The power of a PO to require attendance of a woman witness in a cognizable offence extends to not calling that woman to police station, but going personally to the place where such woman resides. (Sec 160)
211. In Kamal Nath vs State of Tamil Nadu, it was held that under section 160, Crpc a woman witness may be called to give information of commission of a crime at other place than her residence also if it is necessary in the interest of justice and prior permission from Magistrate has to be taken in this regard.
212. In State of UP vs Satish, it was held that Delay in examining witnesses by investigating officer does not ipso facto make prosecution version suspect, investigating officer should be categorically questioned in aspect of delayed examination.
213. A person can be summoned as a witness under section 160, Crpc by the police officer investigating the case.

214. Under section 160(1) it is provided that a male child below the age of 15 years or a man above the age of 65 years or a woman or a mentally or physically disabled person can't be called at police station.
215. The investigating officer is not bound to reduce in writing any statement made to him in the course of examination under section 161 of Crpc.
216. Statements under section 161, Crpc are recorded by police during investigation.
217. Statements recorded during investigation under section 161, Crpc can't be used at a criminal trial except to contradict the witness.
218. In Nandini Satpathy vs P L Dani, it was held that a person has a right to protection under section 161(2), Crpc against questions, the answers of which would have a tendency to a criminal charge against them.
219. The prohibition applies only in the inquiry and trial of that particular case during the investigation of which the statement were made. Thus, is that statement has any other evidentiary use for some other case then it will not be prohibited under section 162(1).
220. Section 162 provides that no statement made by any person to a PO in the course of investigation shall, if reduced in writing, be signed by the person making it.
221. It is the duty of the police officer to inform that the person is not to sign such statements reduced into writing. (sec 162)
222. Not only the written statements but the omissions can also be used for contradiction. (Sec 162(1) proviso)
223. Statements made under sec 161 are in the course of examination and statements made under sec 162 are in the course of investigation. So, scope of section 162 is broader than section 161 of Crpc.
224. Section 162(2) provides that statements made by any person to a PO in the course to an investigation can be used as Dying Declaration under sec 32(1) or as a discovery statement under sec 27 of the Indian Evidence Act, 1872.
225. As per section 163 no police officer or other person in authority shall offer any Inducement, threat or promise as mentioned in sec 24 of Indian Evidence Act.
226. The police officer should not prohibit any person from making any statements if they are made voluntarily. (Sec 163)
227. Under Sec 164 a special procedure is provided for recording confessions as well as statements made during the course of investigation.
228. Confession should be recorder as per section 281 of Crpc.
229. The document of confession as recorded under sec 164 Crpc is a presumed document under section 80 of Indian Evidence Act.
230. The magistrate will record the confession of an accused when he is forwarded/ sponsored by the police officer.
231. Recording of statements by a Magistrate under sec 164(5) shall be of sponsored witnesses only.
232. Confession can be recorded by any magistrate with or without jurisdiction. (Sec 164(1))
233. If a Confession is recorded by Judicial Magistrate outside India then Sec 164 will not apply to such confession and it will be considered to be extra judicial confession.
234. Before an accused makes a confession under sec 164, he will be given a warning that he is not bound to make it by the Magistrate, also, magistrate will make sure

that the confession is made voluntarily and a memorandum must be made at the foot of confession by Magistrate.

235. An Executive Magistrate is not authorized to record a confessional statement under section 164 of Crpc.
236. If a Magistrate administers oath before recording the confession of an accused, the confessional statement is bad in law and inadmissible in evidence.
237. In State of UP vs. Singhara Singh, it was held that when the confession of the accused person is not recorded in the manner provided in sec 164 of Crpc, oral evidence of the Magistrate is not admissible to prove that the confession was so made.
238. Under section 164 of Crpc it is not the duty of the Magistrate to record the confessional statement in the form of questions and answers.
239. Statements, other than a confession, of a person can be recorded even at the stage of investigation by administering oath of such person by the Magistrate under section 164(5).
240. A non-confessional statement recorded under section 164 of Crpc is not a substantive piece of evidence.
241. Under section 164A of Crpc, the medical examination of a rape victim shall be conducted by any registered medical practitioner with the consent of the victim or of any person competent to give such consent in her behalf.
242. When a search is required to be conducted outside India, a criminal court may under sec 166-A of Crpc issue a Letter of Request.
243. A police remand is possible for a person already sent to judicial custody.
244. On the non-completion of investigation i.e., failure of the prosecution to file chargesheet within the prescribed period of 90 or 60 days, as given in section 167 of Crpc, the accused shall be released in Default Bail if he is prepared to and does furnish bail.
245. The concept of Default bail is to be examined in light of article 22 read with article 21 i.e., the fundamental right against unlawful detention.
246. The default bail can be cancelled under section 439(2) by Court of Sessions or High Court. The same Magistrate who granted the bail under section 167 cannot cancel the bail.
247. The investigating officer shall within 24 hours of arrest of a person transmit to the nearest Judicial Magistrate a copy of the entries in the diary relating to that case along with accused, if the investigation is not completed within 24 hours.
248. When investigation not completed within 24 hours, the largest period for which an accused can be remanded to police custody is 15 days. (Sec 167(2))
249. In CBI Special Investigation Cell, New Delhi vs Anupam J Kulkarni, it was held that the burden of proving the necessity of police remand lies on the prosecution and the court will normally be reluctant or disinclined to grant police custody unless it finds compelling reasons for the same.
250. The court will count 15 days' time from the date of production of accused before him. That is even in case of surrender the counting of initial 15 days will start when the accused is formally arrested and produced before the Magistrate under section 167 Crpc.
251. Under section 167(2A) of Crpc an Executive Magistrate is empowered to grant

remand for a maximum period of 7 days.

252. Under section 167 of Crpc for offences other than those punishable with Death, imprisonment for life or imprisonment for a period not less than 10 years, the detention during investigation can be authorised for a total period of 60 days.
253. Under section 167 of Crpc, for offences punishable with Death, imprisonment for life or imprisonment for a period not less than 10 years, the detention during investigation can be authorised for a total period of 90 days.
254. Where upon an investigation it appears to the PO that there is not sufficient evidence or reasonable ground of suspicion to justify the forwarding of the accused to a Magistrate, such officer shall, if such person is in custody, release him on a bond. (Sec 169)
255. Concept of Closure Report or final report is provided under section 169 Crpc.
256. Cognizance is taken of the offence and not of the accused, therefore if an accused has absconded even in that case the cognizance can be taken in his absence.
257. If, upon an investigation, it appears to the PO that there is sufficient evidence or reasonable ground of suspicion to justify the forwarding of accused to a Magistrate, such officer shall forward the accused under custody to a Magistrate empowered to take cognizance of the offence upon a police report and to try the accused or commit him for trial. (Sec 170)
258. Concept of challan is provided under section 170 Crpc.
259. When Closure report is filed by the police officer, ie., that there seems to be no offence committed if which the information received by him, and the Magistrate agrees with him. Then in such a case Protest Petition can be filed.
260. Upon Protest Petition there may be a hearing or further investigation but despite all this if the magistrate still denies to take cognizance then the only remedy available with the informant is to file an application under section 482 before High Court.
261. In Vasanti Dubey vs State of MP, it was held that if there is a closure report filed by the PO then the Magistrate can't compel the PO to convert the Closure report into a chargesheet.
262. Section 172 of Crpc makes it mandatory for an investigating officer to maintain a Case Diary.
263. The case diary under section 172 of Crpc is used for aid in inquiry or trial to the court.
264. If the police officer is contradicted by court on the basis of case diary then accused can also further contradict him under section 145 of Indian Evidence Act.
265. In Pulukuri Kottaya vs Emperor, it was held that if the PO has not recorded the case diary then it in itself will not be fatal to the prosecution case rather, the court will seek an explanation from the investigating officer.
266. In Shamshool Kanwar vs State of UP, it was held that the accused does not have the right to obtain the copy of case diary. However, if the investigating officer uses it for refreshing his memory or the court uses it for contradicting the Investigating Officer then the accused may obtain the case diary for contradicting the investigating officer under section 145 or 161 of Indian Evidence Act.
267. A police report on the completion of investigation is to be forwarded to a

- Magistrate empowered to take cognizance of the offence. (Sec 173(2))
268. In *Dinesh Dalmia vs CBI*, it was held that the chargesheet has to be filed under section 173(2) when the police officer is satisfied that sufficient material has been gathered for taking further proceeding i.e., taking cognizance against the accused.
269. In *State of Kerala Vs Babu*, it was held that section 173(2) prohibits the use of case diary at the inquiry or trial of the same case. It nowhere prohibits its use in some other case.
270. In *MC Mehta vs Union of India*, it was held that the report under section 173(2) is only an opinion of the PO and it is not binding upon the magistrate.
271. Police report is not a piece of Evidence.
272. After the filing of charge sheet, post cognizance stage commenced and at such stage order can be passed for Judicial Custody under section 309(2).
273. The investigation in relation to rape of a child may be completed within 3 months from the date on which the information was recorded by the officer in charge of the police station. (Sec 173(1A))
274. In every case of Police report, the magistrate is bound to give copy of documents to the accused. (Sec 207)
275. Supply of copies to accused where the magistrate thinks that the case is exclusively triable by the court of Sessions. (Sec 208)
276. Subsequent/further Investigation is provided under sec 173(8) of Crpc.
277. Additional challan in a case is allowed on the evidence found in additional investigation.
278. After investigation pertaining to an offence of murder, then police files a cancellation report. Such report can be accepted by a Magistrate.
279. When the court finds that there is gross irregularity then only an order of Re-investigation can be made by High Court under section 482 Crpc or under article 226 of the Constitution of India.
280. Inquest Report is governed by provisions under section 174-176 of Crpc.
281. Whenever there is an unnatural death and the PO has a suspicion that it is caused by someone then this inquest report has to be prepared to find out the apparent cause of Death.
282. When the officer in charge of a police station receives information that a person has committed suicide then he shall immediately give intimation thereof to the nearest Executive Magistrate empowered to hold Inquests. (Sec 174)
283. Inquest report shall be signed by such police officer and other persons and shall be forwarded to the District Magistrate. (Sec 174(2))
284. District Magistrate, Sub-Divisional Magistrate, Executive Magistrate and police officer have the power to hold Inquests.
285. When the case is of the nature referred to in sec 174(3) clause(i) or (ii), the nearest Magistrate empowered to hold inquests shall, and in any other case mentioned in sec 174(1), may hold an inquiry into the cause of death instead of or in addition to the investigation held by the police officer. (Sec 176)
286. Under section 176(1), it is mandatory for Executive Magistrate to conduct Inquest proceedings.
287. Under section 176(1A) it is mandatory for Judicial Magistrate to conduct Inquest Proceedings.

288. In case of custodial death, the inquest proceedings will be conducted by Judicial Magistrate under section 176(1A).
289. Section 177 provides that wherever the consequence of the offence was committed, it must be tried by the court having jurisdiction over that area.
290. Sec 178 provides that where it is uncertain in which of several places an offences was committed or where it was partly committed in one and partly in another or where the offence is a continuing one and continues to be committed in more local areas than one or it consists of several acts done in different local areas then it may be inquired into or tried by a court having jurisdiction over any of such areas.
291. According to sec 179 offence may be triable at the place where the offence had been done or where its consequence ensued.
292. Section 180 provides that place of trial where act is an offence by reason of relation to other offence.
293. Section 181(1) provides that any offence of being a thug, or murder committed by a thug, of Dacoity, of Dacoity with murder, of belonging to a gang of dacoits, or of escaping from custody, may be inquired into or tried by a court within whose jurisdiction the offence was committed or the accused person is found.
294. Any offence of kidnapping or abduction of a person may be tried by a court in whose jurisdiction the person was kidnapped or abducted or was conveyed or concealed or detained. (Sec 181(2))
295. Any offence of theft, extortion or robbery may be tried by a court within whose jurisdiction the offence was committed or where the stolen property was possessed by any person or it was received by any person or retained. (Sec 181(3))
296. Any offence of criminal misappropriation or of criminal breach of trust may be tried by a court within whose jurisdiction offence was committed or any part of the property was received or retained by the accused person. (Sec 181(4))
297. Offences committed by letters may be tried by a court where such letters were sent or received. (Sec 182(1))
298. Offences related to Bigamy may be tried by a court where the offence was committed or where the offender last resided with his or her spouse by the 1st marriage. (Sec 182(2))
299. Where the offence is committed on journey or voyage it can be tried by a court through or into whose local jurisdiction that person or thing passed in the course of that journey or voyage. (Sec 183)
300. Section 184 of Crpc talks about the place of trial for offences which are committed by any person which may be charged with or tried together or where the offence is such that it is committed by several persons and they may be charged with or tried together as per section 223 of Crpc.
301. Section 186 of Crpc gives power to the High Court to decide in whose jurisdiction the case would fall. Here the 2 or more courts have taken cognizance of the offence.
302. In *Om Hemrajani vs State of UP*, it was held that when an offence has been committed by an Indian outside India then he can be tried anywhere wherever he is found and not ordinarily at his place of residence. (Section 188)
303. The cognizance of an offence can be taken by Judicial Magistrate under section 190 of Crpc.
304. Section 190 of Crpc provides for taking cognizance by the Magistrate upon

receiving a complaint of facts which constitutes such offence or upon police report filed under section 173 or suo moto in case the magistrate received some information regarding commission of an offence.

305. When a case has been instituted against an accused under sec 190(1)(c) ie., suo moto upon information received by Magistrate, the accused shall be entitled to have his case tried by another magistrate. (Sec 191)
306. Non-compliance with the proceeding is sec 191 is an incurable irregularity.
307. Making over of the cases by Chief Judicial Magistrate to other competent Magistrates under him. (Sec 192)
308. Section 193 of Crpc puts a bar on Court of Session from taking cognizance of any offence unless the case has been committed to it by Magistrate.
309. Exception to Sec 193 of Crpc are sections 199(2) and sec 319, ie., in these 2 cases the Court of Session can take cognizance of the offence.
310. If a conspiracy is made against state then the cognizance will not be taken unless and until the state government or the central government or the District Magistrate gives the permission for institution of the suit. (Sec 196)
311. Provision relating to the prosecution of public servants and judges is prescribed under section 197 of Crpc.
312. Section 198 deals with prosecution for offences against marriage.
313. Court can take cognizance of an offence punishable under chapter 20, IPC only upon a complaint made by aggrieved person. (Sec 198(1))
314. If a person is due to his being under 18 yrs of age or being idiot or lunatic or due to his sickness or a woman who because of her local customs ought not to spore in public, then with the leave of the court some other person can make a complaint on his or her behalf. (Sec 198(1)(a))
315. If the husband of the woman is serving in armed forces and the commanding officer issues a certificate precluding him from obtaining leave of absence to enable him to make a complaint than any other person as authorized by the husband may make a complaint on his behalf. (Sec 198(1)(b))
316. Where an offence has been committed against a woman which is punishable under section 494 or 495 of IPC, then a complaint may be made by her father, mother, brother, sister, daughter or father or mother's brother/ sister without the permission of the court. But if any other person who is related to the aggrieved by blood, marriage or adoption then leave of the court is required. (Sec 198(1)(c))
317. Under section 198(2), No person other than the husband of the woman shall be deemed to be aggrieved by any offence punishable under section 497 or 498 of IPC.
318. No court shall take cognizance of an offence under section 376 of IPC, where such offence consists of sexual intercourse by a man with his own wife, wife being under 15 years of age, if more than 1 year has elapsed from the date of commission of the offence. (Sec 198(6))
319. Section 199 of Crpc deals with prosecution of defamation. Here the defamation is of some high dignitary regarding his conduct in discharge of his public duty.
320. For the case to be tried by Court of Session directly, the Complaint under sec 199 must be made by public prosecutor within 6 months and with sanction from the appropriate government.
321. Under section 199, for the first 6 months Judicial Magistrate and Court of

Session both have concurrent jurisdiction to take cognizance of the offence. But after the expiry of 6 months Judicial Magistrate has the exclusive jurisdiction to take the cognizance of the offence.

- 322. A complaint is an allegation made in writing or orally to a magistrate by any person other than a police officer that the offence is committed by known or unknown. (Sec 2(d))
- 323. Upon a complaint to a Magistrate, he will examine the complainant. The purpose of this examination is to find out either to dismiss the complaint or issue the processes. (Sec 200)
- 324. Under the examination of sec 200 only those witnesses will be examined as are present. Here, Magistrate doesn't issue summon or warrant to call the witnesses for examination.
- 325. A Magistrate can't dismiss the complaint without examining the complainant and witnesses otherwise it will be incurable irregularity. (Sec 200)
- 326. Where the complaint has been filed by public servant or court in its official duty then the Magistrate need not examine the complainant and the witnesses. (Sec 200 proviso)
- 327. The examination under sec 200 shall be signed by complainant, witnesses and the Magistrate as non-signing will be incurable irregularity.
- 328. A Sarpanch is considered to be a Public Servant for the purpose of sec 200.
- 329. Under section 201, a procedure is prescribed for cases where the Magistrates is not competent to take the cognizance of the case. Here, Magistrate will direct the complainant to the proper court.
- 330. Any magistrate on a receipt of complaint of an offence shall, where accused resides outside the jurisdiction of that Magistrate, or may postpone the issue of process. (Sec 202)
- 331. The purpose of sec 202 is to check whether or not there are sufficient grounds for proceeding.
- 332. No such direction of investigation or inquiry shall be made under sec 202 of Crpc if the offence complained of is triable exclusively by Court of Sessions or in a case where complainant and witnesses have not been examined except in the case where the complaint is made by a court.
- 333. In Rosie and another vs. State of Kerala, it was held that section 202(2) proviso it is mandatory to examine all the witnesses and if the accused finds that all the witnesses have not been examined then he may as soon as possible raise an objection before the Court of Session and the Court of Session may remand the case back to the Magistrate to examine the witness.
- 334. Investigation under sec 202 is a post cognizance investigation.
- 335. Investigation under sec 202 is under the complete supervision of the magistrate. It's report is also to be filed under section 202 only.
- 336. The purpose of investigation under sec 202 is to find out whether to issue processes or not.
- 337. For the proceeding of sec 202 it's required that after conducting the examination of sec 200 the Magistrate has decided to issue the process but he has some uncertainty in his mind and hence to provide extra assurance to himself he conducted the proceeding of either investigation or inquiry after having postponed

the issue of process.

338. Magistrate under section 202 examine the witnesses on oath. These witnesses are additional witnesses who were not examined in sec 200
339. Statement of sec 202 is previous statement and can be used for contradiction or corroboration.
340. Statements under section 202 are not substantive piece of evidence.
341. Section 203 talks about dismissal of complaint.
342. A complaint may be dismissed under sec 203, if, after considering the statements on oath of the complainant and the witnesses and the result of the inquiry or investigation under sec 202 is such that the Magistrate is not of the opinion that there is any sufficient ground for proceeding, he shall dismiss the complaint.
343. If first complaint is dismissed upon merits then there will be no Second complaint.
344. In Poonam Chand Jain vs Fazru, it was held that if there are new facts which the complainant have proved that he could not have known earlier even with due diligence then second complaint will be allowed.
345. In a complaint case processes are issued under sec 204
346. In Subramaniam Sethu Raman vs State of Maharashtra, it was held that Issue of process is an interlocutory order and revision will not lie in case of interlocutory order.
347. Filing of list of witnesses by the complainant before issuance of summons or warrant to the accused under section 204 is mandatory.
348. Sec 205 of Crpc empowers the presiding officer to dispense with the personal attendance of the accused at the time of recording of statements of witnesses.
349. If, in the opinion of the Magistrate taking cognizance of a petty offence, the case may be summarily disposed of under section 260 of Crpc, the Magistrate shall issue summons to the accused requiring him either to appear in person or by pleader before the magistrate on a particular date, or if he desires to plead guilty transmit before the specified date, by post, the said plea in writing and the amount of fine specified. (Sec 206)
350. Under section 206 petty offences mean any offence punishable only with fine not exceeding 1000₹.
351. Under section 207 of Crpc, the accused shall be supplied with the copy of Police report and other documents by the Magistrate.
352. Under section 209 of Crpc, when a case is instituted on a police report or otherwise than in a police report, and it appears to the Magistrate that the offence is triable exclusively by the Court of Sessions, he shall commit the case to Court of Session after complying with the provisions under sec 207 or 208.
353. Under section 323, a case is committed to Court of Session where the Magistrate thinks that the case ought to be tried by Court of Sessions.
354. Section 210 prescribes the procedure to be followed when there is a complaint case and police investigation in respect of the same offence.
355. In section 210, the Magistrate will stay the complaint case proceedings and will require the concerned PO to submit the police report.
356. If the police report, in sec 210, is against the same accused then Magistrate will take cognizance against the accused on police report and both complaint case and

Police report will be tried together as if it is a police report case.

357. If the police report, in sec 210, says that the chargesheet is against some other accused or that it is in the form of a Closure report against the same accused then the complaint case will revive.
358. In case of merger of the complaint with the police report, the procedure to be followed for the trial shall be of the case instituted on the police report. (Sec 210)
359. Charge is the stage at which the trial starts and inquiry ends.
360. Contents of charge are given under section 211.
361. Section 211(7) related to previous conviction.
362. Sec 236 of Crpc says that until the accused is convicted in the present case, previous conviction will not be allowed to be proved in present case in order to stop the bias nature of the judge.
363. Section 212 says that charge shall contain such particulars as to time and place of the alleged offence and the person against whom the offence was committed to give notice to the accused of the matter with which he is charged.
364. Section 213 says that manner of offence is also to be stated in charge in some cases.
365. Sec 214 says that if any word used in charge, it will have same meaning which is given in IPC. (Pari Materia)
366. Section 215 talks about effect of errors.
367. If the error is material defect in particulars of the charge which occasioned a failure of justice then the accused may raise an objection to such defect and the court may set aside the judgment. (Sec 215)
368. Alteration and addition of charges are provided under sec 216. Such alteration or addition can be made at any time before the judgment.
369. If such alteration or addition affects the accused or prosecutor then the court may either direct a new trial or adjourn the trial for such period as may be necessary.
370. Court may alter the charge before the judgment is pronounced.
371. Section 217 provides that whenever a charge is altered or added by the court, the accused shall be allowed to recall or re-summon and examine with reference to such alteration or addition, any witness already examined.
372. As per section 217 new witnesses may also be called for examination.
373. Section 218 says that for every distinct offence there shall be a separate charge and every separate charge must be tried separately but if the accused person by an application in writing asks the Magistrate to join the charges against him and the Magistrate is also of the opinion that such joinder the accused will not be prejudiced the such charges will be joined together.
374. Section 219 says that when 3 offences of the same kind are committed by the accused within 1 year they may be charged together.
375. Attempt of the offence and the offence are deemed to be offence if the same kind. (Sec 219)
376. Offences if the same kind under section 219 Crpc means when they are punishable with the same amount of punishment under the same section of the IPC or of may special or local law.
377. Sections 219, 220, 221 and 223 are the exception to the rule that for every distinct offence of which any person is accused, there shall be a separate charge:

378. If, in a series of acts so connected together so as to form the same transaction, the accused may be charged with every such offence. (Section 220(1))
379. One or more offences of criminal breach of trust or dishonest misappropriation of property will be considered as a single offence because of section 212. (Section 220(2))
380. Where the acts alleged constitute offence falling within 2 or more separate definitions of any law by which offences are defined or punished, the person accused of them may be charged with and tried at one trial for each of such offences. (Sec 220(3))
381. If the offence is constituted of several acts and each independent act is an offence and act combined constitute a separate offence, then accused will be charged with all the offences. (Sec (220(4))
382. When it is doubtful which of the offence has been committed by the accused, the accused may be charged with having committed all or any of such offences or he may be charged in the alternative. (Sec 221)
383. If the accused is charged with one offence and it appears in evidence that he committed a different offence for which he might have been charged with, he may be convicted of the offence which he is shown to have committed, although he was not charged with it. (Sec 221(2))
384. Whenever you frame a charge of major offence and a minor offence is proved then in that case you don't have to frame a new charge separately. (Sec 222)
385. Joinder of charge is provided under section 224 of Crpc.
386. Persons accused of the same offence committed in the course of the same transaction may be charged together. (Sec 223(a))
387. Persons accused of an offence and the persons accused of abetment or attempt to commit such offence may be charged together. (Sec 223(b))
388. Persons accused of different offences committed in the course of the same transaction may be tried together. (Sec 223(d))
389. Persons accused of an offence which includes theft, extortion, cheating or criminal misappropriation and retaining of such property may be charged together.
390. Withdrawal of remaining charges on conviction on one of several charges is provided in section 224.
391. Complainant with the consent of the court or the court on its own withdraws charges against the accused. (Sec 224)
392. Such withdrawal will have the effect of an acquittal on such charge. (Sec 224)
393. Crpc provides for trial before a Court of Sessions from section 225 to 237.
394. Prosecution case shall be presented by public prosecutor. (Sec 225)
395. The prosecution shall open the case by describing the charge brought against the accused and stating by what evidence he proposed to prove the guilt of the accused. (Sec 226)
396. If upon considering the record of the case and documents submitted, the judge considers that there are not sufficient grounds for proceeding against the accused, he shall discharge the accused and record his reasons. (Sec 227)
397. If court is of the opinion that the accused has committed the offence but the case is not exclusively triable by Court of Sessions then the court may or may not frame the charges and transfer the case to Chief Judicial Magistrate or Judicial

Magistrate 1st class. (Sec 228)

398. If the case was exclusively triable by Court of accused then the court will ask if the accused pleads guilty. If the accused pleads guilty then the judge shall record the plea and may convict him thereon. (Sec 229)
399. If the accused refused to plead guilty, he judge shall fix a date for examination of witnesses. (Sec 230)
400. Under section 231 of Crpc, the judge shall proceed to take all such evidence as may be produced in support of the prosecution.
401. Under section 232 of Crpc, a Sessions judge, during session trial, may order acquittal of the accused person, even before pronouncing judgment.
402. When the accused is not acquitted under section 232, then he shall be called upon to enter in his defence under section 233.
403. Arguments involving summing up of the case by prosecutor and the reply to them by accused will be done under section 234.
404. In *Kehar Singh Vs State*, it was held that the trial in pursuance of the notification for holding the sittings of the Session court in Tihar jail was not illegal.
405. Sessions Judge can try a case punishable with life imprisonment or death penalty.
406. Provisions for Judgment of acquittal or conviction are provided under section 235 in a Sessions trial.
407. Conviction on Plea of Guilt in a Sessions trial is prescribed under section 229.
408. Section 236 says that Previous Conviction of the accused will not be taken into consideration by the Judge until the accused has been convicted under section 229 or 235.
409. Section 237 says that when a case is instituted under section 199(2) of Crpc, the procedure of trial adopted in such a case is trial of warrant case instituted on otherwise than a police report.
410. The role of a judge in trial is to be impartial, play a proactive role while exercising his powers of examining true or re-examining material witnesses and also the accused person after the prosecution evidence is closed.
411. According to section 237(8), when an order to payment of compensation to an accused person is made, the compensation shall not be paid to him before the period allowed for the presentation of appeal has elapsed or if an appeal is presented, before the appeal has been decided.
412. If a death sentence is passed in a trial before court of Sessions then it will be sent to the High Court for its confirmation and provisions of chapter 28 (sec 366-371) would apply.
413. When a death sentence passed by a court of Sessions is submitted to High Court for confirmation, the convicted person is committed to jail custody under a warrant. (Sec 366)
414. When a case is submitted to the High Court for confirmation, it has the power to direct further inquiry to be made or additional evidence to be taken. (Sec 367)
415. Additional evidence directed to be taken by the High Court under section 367 can be taken either by High Court itself or it may direct it to be taken by Court of Sessions.
416. Power of the High Court to confirm or annul the conviction is provided under

section 368 of Crpc.

417. Powers of the High Court under section 368 are that it can either confirm the sentence or pass any other sentence warranted by law or annul the conviction and order a new trial on the same charges or amended charges or it may acquit the accused.
418. No order of confirmation by the High Court shall be made until period allowed for preferring an appeal ie., 30 days has expired. Also, if an appeal has been filed, then until it is disposed of.
419. Section 369 says that when the High Court consists of 2 or more judges then the confirmation can be made, passed or signed by at least 2 of them.
420. When there is a difference of opinion and the judges are equally divided in opinion then the matter shall be heard by another judge and the opinion of that judge will decide the decision of the case. (Sec 370)
421. Trial of warrant cases by magistrate is covered under chapter 19 (sec 238-250).
422. Section 238 puts a mandate upon the Magistrate to satisfy himself that he has complied with the provisions of section 207.
423. Trial of Warrant case is divided into 2 parts ie., when the case is instituted upon a police report and when the case is instituted otherwise than on a police report.
424. Under section 239, the Magistrate may discharge the accused if the charge against the accused appears to be groundless.
425. If upon examining the police report and documents, the magistrate is of the opinion that there is ground of presuming that the accused has committed the offence then he shall frame the charges against accused. (Sec 240)
426. Section 241 talks about the case where the accused pleads guilty before the magistrate.
427. If the accused doesn't plead guilty then the Magistrate will fix a date for the examination of witnesses. (Sec 242)
428. Conviction or acquittal in trial of warrant case by magistrate is provided in section 248.
429. Under section 249, the accused may be discharged in the absence of complainant.
430. Under section 250, if a case is instituted upon a complaint or upon information given to police officer or Magistrate, and the Magistrate is of the opinion that there are no reasonable grounds for making the acquisition against the accused, then he will either discharge him or acquit him.
431. Where the accusation against accused is found to be without reasonable cause under section 250, the Magistrate will order the complainant or informant to compensate the accused.
432. Compensation order under section 250 shall not exceed the amount which the Magistrate is empowered to impose.
433. Trial of summons case by Magistrate is provided under chapter 20 (sections 251-259)
434. In summons case the hearing of the accused on sentence is not necessary.
435. Section 253 of Crpc provides that where the accused desires to plead guilty to the charge without appearing before the Magistrate, he shall transmit to the Magistrate the amount of fine imposed by post, and the Magistrate may convict the

accused on such Plea of Guilt in his absence.

436. Section 253 deals with conviction of Plea of Guilt in petty cases.
437. In a summons case the Magistrate can stop the proceedings at any stage without pronouncing judgment. (Sec 258)
438. Power of the court to convert a summons case into warrants case is provided under section 259.
439. In the interest of justice a Magistrate has the power to try a summons case as a warrant case, wherein the offence to be tried thereunder is punishable with imprisonment exceeding 6 months.
440. Summary trial is provided under chapter 21(sec 260-265)
441. The power to try a case in summary way is with Chief Judicial Magistrate, a Metropolitan Magistrate and any Magistrate of the 1st class as empowered in this behalf by the High Court.
442. In summary trial maximum punishment of imprisonment can be 3 months.
443. Offences not punishable with death, imprisonment for life or imprisonment for a term exceeding 2 years may be tried summarily.
444. Lurking house trespass can be tried summarily.
445. Theft, where the value of the property stolen exceeds 3000₹ can't be tried summarily.
446. Chapter 21A of Crpc deals with Plea Bargaining.
447. In Kasambhai Abdul Rehmanbhai Sheikh vs. State of Gujarat (1980), the court rejected the idea of Plea bargaining in the ground that it is against public policy.
448. In 1991, the 12th law commission in its 142nd report and later in 1996 in its 156th report recommended the introduction of Plea bargaining.
449. Malimath committee upon reforms in Criminal Justice Systems made the recommendation in introduction of Plea bargaining.
450. The concept of Plea Bargaining was introduced in section 265A-L with effect from 5th July 2006.
451. The chapter of Plea Bargaining is added to Crpc by Criminal Law (Amendment) Act, 2005.
452. Plea bargaining can be done only of offences punishable with imprisonment less than 7 years.(Sec 265A)
453. In Plea bargaining charge remains the same but sentence gets reduced. (Sentence Bargaining)
454. Plea bargaining can be done in a case instituted upon a police report or a complaint case.
455. In State of M P vs Madan Lal, it was held that there shall be no mediation in rape cases.
456. Plea bargaining can't be done of a case in which the offence affects the socio-economic conditions of the country or if it has been committed against a woman or a child below 14 years of age.
457. The application for plea bargaining will be filed by an accused along with an affidavit stating that the application is voluntarily filed.(Sec 265B)
458. The provisions of Plea Bargaining are applicable after issuance of process under section 204.
459. The application for Plea Bargaining will be filed by the accused in the court in

which the offence is pending for trial.

460. If the application of plea bargaining was filed voluntarily, then the court shall provide time to Public prosecutor or the complainant, and the accused to work on a mutually satisfactory disposition.
461. Under section 265E, the manner of disposal of the case has been prescribed when a Mutually Satisfactory Disposition has been worked out. The court shall award the compensation to the victim according to the disposition or hear the parties on the quantum of punishment or release the accused on probation of good conduct or after admonition as per section 360.
462. As per section 265G, no appeal shall lie against any judgment in case of plea bargaining. Only exceptions being SLP under article 136 and writ Petition under article 226 or 227 of the Indian Constitution.
463. Section 265I provides that the Period of detention undergone by the accused to be set off against the sentence of imprisonment imposed under chapter 21A.
464. Sec 428 of Crpc deals with the concept of setting off i.e., deduction of the period of detention undergone by the accused against the sentence of imprisonment imposed, in the same manner as they apply to other provisions of Crpc.
465. Section 265J says that chapter 21A shall have overriding effect over anything inconsistent contained in any other provision of Crpc.
466. Section 265K provides that the statements of accused shall not be used for any purpose except for the purpose of chat 21A.
467. Provisions for the attendance of persons confined or detained in prisons are covered under chapter 22 (Sec 266-271)
468. Power to require the attendance of an accused is with Judicial Magistrate 1st class and Judicial Magistrate 2nd class whose order to produce the accused is counter signed by Chief Judicial Magistrate. (Sec 267)
469. The accused can be produced by an order of the court at any inquiry, trial or other proceeding under Crpc.
470. The power to exclude certain persons from being produced before the court is with the State government. (Section 268)
471. The power of an officer in charge of a prison to abstain from carrying out the court's order for production of accused is given under section 269.
472. Where the place where accused is required to be produced for giving evidence is not more than 25 kms from the prison. the officer in charge of a prison shall not abstain the accused where the accused is committed under a trial or under remand pending trial or pending a preliminary investigation. (Sec 269 proviso)
473. Power to issue commission for examination of witness in prison is provided in section 271 of Crpc.
474. Chapter 23 (Sec 272-299) of Crpc, deal with the evidence in inquiries and trials.
475. The language of a court is to be determined by that states' High court. (Sec 272)
476. Section 273 Crpc prescribes that all evidence taken in the course of the trial or other proceedings shall be taken in the presence of the accused or in the presence of his pleader.
477. In summons case, the Magistrate shall, as the examination of each witness proceeds, make a memorandum of the substance of the language of the court. (Sec 274)

478. In warrants case, the evidence of each witness shall, as his examination proceeds, be taken down in writing either by the Magistrate himself or by his dictation in open court. (Sec 275)
479. The evidence taken down in summons case, warrants case and before Court of Sessions be signed by the Magistrate and shall form part of the record.
480. Record in trial before Court of Sessions is provided under section 276.
481. Evidence in warrants case and before Court of Sessions, translation of record of evidence given by witness if not in language of the court, has to be translated. (Sec 277)
482. When the evidence of a witness taken under section 275 or 276 is completed, it shall be read over to him in presence of accused. (Sec 278)
483. Whenever the evidence given by accused is not in the language understood by accused, it shall be interpreted to him in open court in a language understood by him. (Sec 279)
484. Section 280 of Crpc provides for recording remarks respecting demeanor of evidence witness.
485. State government has the power to determine in the language of a subordinate court.
486. Section 281 provides that whenever the accused is examined by a Metropolitan Magistrate, the Magistrate shall make a memorandum of the substance of such examination, which shall be signed by the Magistrate.
487. If the examination is conducted by any Magistrate other than a Metropolitan Magistrate, or by a Court of Session, the whole of such examination shall be recorded in full by such Magistrate or Judge. (Sec 282(2))
488. Section 282 prescribes that an interpreter is bound to interpret truthfully.
489. Every High Court may prescribe the manner in which the evidence of witnesses and the examination of the accused shall be taken down in cases coming before it. (Sec 283)
490. Section 284 provides that when in the course of inquiry, trial or other proceeding, it appears to a Court that the examination of a witness is necessary for the ends of justice, and the attendance of such witness can't be procured without an amount of delay, expense or other inconvenience which the court considers unreasonable, it may issue commission for the examination of the witness.
491. Section 284 provides for issuing commission for the examination of the president or the Vice President of India as a witness.
492. Commissions shall be directed to the Chief Metropolitan Magistrate or Chief Judicial Magistrate, within whose local jurisdiction the witness is to be found. (Sec 285)
493. Upon receipt of the commission, the CJM or CMM, or such Magistrate or Judicial Magistrate as appointed, shall summon the Witness before him or proceed to the place where the witness is and shall take down his evidence in the same manner as in trials of Warrant case. (Sec 286)
494. The parties to any proceeding in which a commission is issued may forward any interrogatories in writing which the court or Magistrate directing the commission may think relevant to the issue, and it shall be lawful for the Magistrate to examine the witness upon such interrogatories. (Sec 287)

495. Section 288 Crpc provides that after the commission issued under section 284 has been duly exercised, it shall be returned, together with the deposition of the witness examined thereunder.
496. According to section 289 of Crpc, every case in which a commission is issued under section 284, the inquiry, trial or other proceeding may be adjourned for a specified time reasonably sufficient for the execution and the return of the commission.
497. If several persons are convicted by Judicial Magistrate 1st class for the offence of robbery, they can be charged and tried for dacoity on the same facts.
498. Section 290 provides for execution of foreign commission.
499. Section 291 talks about deposition of medical witness.
500. Section 292 talks about evidence of officers of mint.
501. Section 293 provides for report of Government Scientific Expert.
502. Where the genuineness of any document is not disputed, such document may be read in evidence without porting of the signature of the person to whom it purports to be signed. (Sec 294)
503. When any application is made to any court and allegations are made therein, respecting any public servant, the applicant may give evidence of the facts alleged in the application by the affidavit. (Sec 295)
504. The evidence of any person whose evidence is of a formal character may be given by affidavit. (Sec 296)
505. Affidavits to be used before any court under Crpc may be sworn or affirmed before any Judge or any Judicial Magistrate or any Executive Magistrate or any commissioner of Oaths or any notary. (Sec 297)
506. Provisions proving previous conviction are envisaged under section 298 of Crpc.
507. Section 299 provides that examination of witness in the absence of accused can be done.
508. A person accused of an offence before a criminal court can be called upon to give evidence on oath, on his own request in writing.
509. The General provisions as to inquiries and trials have been prescribed under chapter 24 (Sec 300-327).
510. Section 300 provides that a person once convicted or acquitted can't be tried again for the same offence.
511. Section 300 talks about the principles of Autrefois Convict or Double jeopardy.
512. A person acquitted or convicted of any offences may be afterwards tried, with the consent of the State Government, for any distinct offence for which a separate charge might have been made against him at the former trial. (Sec 300(2))
513. The Public Prosecutor or Assistant Public Prosecutor in charge of a case may appear and plead without any written authority before any court in which that case is under inquiry, trial or appeal. (Sec 301)
514. No police officer shall be permitted to conduct the prosecution if he has taken part in the investigation into the offence with respect to which the accused is being prosecuted. (Sec 302)
515. Section 303 of Crpc provides that any person accused of an offence or against whom proceedings are instituted under Crpc, has the right to be defended by a pleader of his choice.

516. Where it appears to the court that the accused do not have sufficient means to engage a pleader, the court shall assign a pleader for his defence at the expense of state. (Sec 304)
517. Provision of free legal aid is provided under section 304 of Crpc.
518. Procedure when corporation or registered society is an accused is provided under section 305 of Crpc.
519. Where a corporation is the accused person in an inquiry or trial, it may appoint a representative for the purpose of the inquiry or trial and such appointment need not be under the seal of the corporation. (Sec 305 (2))
520. Chief Judicial Magistrate, Metropolitan Magistrate or Magistrate of the 1st class can tender pardon to accomplice under section 306 of Crpc.
521. Pardon under sec 306 can be tendered to an accomplice when he is not in a position to stand trial due to infirm health or when he is declared insane or he undertakes to make full and true disclosure of the facts relating to the offence.
522. The effect of pardon under section 306 of Crpc is Discharge.
523. Any person, who has accepted a tender of pardon made under section 306 or 307, has, either by wilfully concealing anything essential or by giving false evidence, not complied with the conditions in which the tender was made is to be certified by Public Prosecutor.
524. Under section 308, an accomplice, who does not comply with the conditions of pardon, may be prosecuted and tried separately for the offence of giving false evidence but with the sanction of High Court.
525. Power to postpone or adjourn proceedings is provided under section 309 of Crpc.
526. A Magistrate can inspect for the proper appreciation of evidence under section 310, any place of the commission of offence during trial. (Local inspection)
527. If a witness is examined as a prosecution witness, then later on if an application is made for summons then the trial court may call the witness under section 311 of Crpc.
528. Section 311 of Crpc provides that the court has power to summon any person as a witness at any stage of trial.
529. The court may examine person in attendance (court witness) under section 311 of Crpc.
530. The court shall summon and examine or re-call and re-examine any such person if his evidence appears to it to be essential to the just decision of the case.
531. In *Zahira Habibullah Sheikh vs State of Gujarat*, it was held that if it is essential for the ends of justice then he witness shall be summoned even if it amounts to rectification of mistake of the prosecution.
532. Under section 311A, power is given to Magistrate of 1st class, if he is satisfied that it is expedient to direct any person to give specimen signatures or handwriting.
533. Any Criminal Court may, if it thinks fit, order payment on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any inquiry, trial or other proceeding before such court. (Sec 312)
534. During trial, statements of an accused person are recorded by the court under sections 313 of Crpc.
535. Under section 313 of Crpc, purpose of examination of accused is to enable the accused personally to explain any circumstances appearing in the evidence against

him.

536. When examined under section 313, Crpc, a circumstance incriminating the accused is not put to the accused for his explanation. The said circumstance cannot be used against the accused because it is inadmissible in evidence, it becomes irrelevant for purpose of evidence and law mandates that it cannot be taken into consideration.
537. Under section 313 of Crpc, the statement of the accused is not on oath.
538. Under section 313 of Crpc, there is a Direct Dialogue between the court and the accused.
539. By virtue of section 313(5) of Crpc, the examination of accused under section 313 can be both oral as well as written.
540. The evidentiary value of statements of accused under section 313 Crpc is merely indicative in nature.
541. Any Irregularity in the examination of section 313 of Crpc is a curable irregularity under section 465 Crpc.
542. In Dharampal Singh vs State of Punjab, it was held that in examination of section 313, the court will put only those facts which are adverse to the accused and it shall put the facts and not the inference that that court has drawn upon those facts.
543. If the accused has not been allowed an opportunity under section 313 with respect to some facts, then he may oppose the admissibility of those facts against him on the grounds of violation of principles of Natural Justice.
544. In Basva Raj R Patil vs State of Karnataka it was held that even in the cases which do not fall under the provisio, the examination of section 313 can be dispensed with but not in totality ie., if it is found that personal examination of the accused would cause him irreparable losses and the accused states that he doesn't have material explanation to the prosecution evidence then the court may conduct the examination in writing.
545. In 2009, 313(5) was added in Crpc.
546. Any party to a proceeding may after the close of his evidence, address concise oral arguments, and may, before he concluded the oral arguments, if any, submit a memorandum to the court setting forth concisely the arguments in his support. (Sec 314)
547. Section 315 of the Crpc relate to the accused person as competent witness.
548. Under section 315, an accused shall be called as a witness only upon his own request in writing.
549. The failure of accused to give evidence shall neither be subject to any comment by parties or court nor shall give rise to any presumption against himself or any other person facing charges along with him at the same trial. (Sec 315)
550. As per section 316 of Crpc, no influence by means of any promise or threat or otherwise, shall be used to an accused person to induce him to disclose or withhold any matter within his knowledge.
551. At any stage of an inquiry or trial, if the Magistrate or Judge is satisfied for reasons to be recorded, that the personal attendance of the accused before the court is not necessary in the interests of justice, or that accused persistently disturbs the proceedings in court. The court may, if he is represented by a pleader, dispense with his attendance. (Sec 317)

552. If the accused is unable to understand the proceedings and such proceedings results into conviction of the accused, then the proceedings shall be forwarded to the High Court with a report of the circumstances, and it shall then pass thereon such orders as it thinks fit. (Sec 318)
553. The power to proceed against other persons appearing to be guilty of offence is provided under section 319.
554. The power of Additional prosecution has been provided under section 319 Crpc.
555. The Court of Sessions can take direct cognizance of Additional prosecution under section 319 of Crpc.
556. Power under section 319 of Crpc can be exercised by a Magistrate and the Court of Sessions both only after the recording of evidence during the inquiry or trial.
557. Section 320 provides for compounding of offences.
558. Compounding under section 320 is allowed of such offences which are more personal kinds of wrong.
559. As per Section 320(8), compounding of offence shall have the effect of acquittal of the accused with whom the offence has been compounded.
560. Section 320(9) provides that no offence shall be compounded except as provided under section 320.
561. In Venkat and others vs. State of Maharashtra, it was held that if any compounding has been allowed by the court beyond section 320 then that will be considered to be a bad law and need not be followed.
562. In Hasi Mohan Burman vs State of Assam and another, it was held that if the offence does not fall within section 320 then compounding cannot be allowed but if the parties have compromised then the minimization of sentence can be done.
563. Compounding under section 329 of Crpc is similar to order 23 rule 3 of CPC.
564. Guardian requires the permission of the court for the compounding of offences.
565. Where the victim is dead then his LRs can compound the matter with the permission of the court.
566. Where an offence is compoundable under section 320 of Crpc, then the abetment of such offence or an attempt to commit such offence will also be compoundable in the like manner.
567. Offences in which compromise can be arrived at between the parties are called compoundable offences.
568. Offence under section 307 of IPC is not compoundable under section 320 Crpc.
569. Offences under section 353 of IPC are not compoundable under section 320 Crpc.
570. Offence under section 388 of IPC is not compoundable under section 320 Crpc.
571. Where the accused has been committed for trial or whether he has been convicted and an appeal is pending, no composition of the offence shall be allowed except with the leave of the court to which he is committed.
572. High Court or Court of Session acting in the exercise of its powers of Revision under section 401 may allow any person to compound any offence which such person is competent to compound.
573. Offence shall not be compounded if the accused is by reason of a previous conviction liable to enhanced punishment or punishment of different kind of such offence.

574. Section 321 talks about withdrawal from prosecution.
575. The public prosecutor or assistant public prosecutor in charge of a case may, with the consent of the court, at any time before the judgment is pronounced withdraw from the prosecution. (Sec 321)
576. Withdrawal under section 321 can either be generally or in respect of any one or more of the offences for which the accused is tried.
577. The public prosecutor in charge of a case with permission of court can withdraw a case from prosecution under section 321 Crpc.
578. Prosecution of a case involving misappropriation of property belonging to the central government can be withdrawn by the public prosecutor appointed by state government on permission granted by Central government.
579. If the withdrawal is made before the framing of charge the accused is discharged.
580. If the withdrawal is made after the framing of charge then the accused is acquitted in respect of such offences.
581. Under section 322 of Crpc, if during the trial or enquiry, Magistrate is satisfied that he doesn't have jurisdiction to try the case, then he will submit the case to Chief Judicial Magistrate:
582. Conditions under which case can be transferred by Judicial Magistrate to the Chief Judicial Magistrate under section 322 are that the case should be tried by CJM or the case is specifically triable by other Magistrate or the Magistrate trying the case doesn't have the jurisdiction to try the case.
583. Section 323 talks about those cases which ought to be tried by the Court of Sessions in public interest or for want of severe punishment or in such cases which are more technical.
584. Section 323 prescribes only the power of committal whereas section 209 prescribes both power as well as process of committal.
585. A criminal case can be committed to the court of Sessions by Judicial Magistrate under section 209 Crpc. (Bound of Commit)
586. Section 324 of Crpc talks about trial of persons previously convicted of offences against coinage, stamp law or property.
587. Whenever a Magistrate is of opinion, after hearing the evidence for prosecution and the accused, that the accused is guilty and he ought to receive severe punishment, then such Magistrate is empowered to inflict, the Magistrate may forward the case to Chief Judicial Magistrate under section 325.
588. The powers of Chief Judicial Magistrate when a case is submitted to him under section 325 are that he is free to take further evidence or may take trial Denovo or may proceed the case from the point where he received it or it may acquit the accused or he may convict the accused with whatever punishment he wants to give.
589. When the personal attendance of the accused has already been dispensed with or where the judgment is that of acquittal, the presence of accused may be dispensed with at the time of delivering the judgment.
590. Section 326 of Crpc talks about conviction or commitment on evidence partly recorded by one Magistrate and partly by another.
591. For the purpose of enquiringly or trying offences, a criminal court shall be deemed to be open court. (Sec 327)
592. Provisions as to accused persons of unsound mind are provided in chapter 25

(Sec 328-339)

593. Under section 328, legal protection has been provided to an accused who is of unsound mind.
594. Section 329 prescribes the procedure in case of person of unsound mind is tried before the court.
595. If at the trial of an unsound person, no prima facie case is made out against him, the court shall discharge him and deal with him in the manner provided in sec 330.
596. If at the trial of an unsound person, a prima facie case is made against the accused, the court shall postpone the trial for such period as is required for the treatment of the accused.
597. Section 330 provides for the release of person of unsound mind pending investigation or trial.
598. If a prima facie case is made against an accused and the case is one in which bail may be given, the court shall release him on bail; provided an undertaking is taken from a friend or relative that his treatment will be done on regular basis and to prevent him from doing injury to himself or to any other person. (Sec 330(1))
599. If a prima facie case is made against an accused and the case is one in which bail cannot be granted then the court shall order the accused to be kept in such a place where regular psychiatric treatment can be provided. (Sec 330(2))
600. Section 331 of Crpc provides that if the unsoundness of the accused has ceased, then the court shall resume the inquiry or trial and require the accused to appear or be brought before such Magistrate or Court.
601. Section 332 provides that, if after appearing before the court, as per section 331, the accused is still unable to make his defence, the Magistrate shall deal with the accused in accordance with the provisions of section 330.
602. Section 333 says that at the time of inquiry or trial, the court has reason to believe that the accused committed the act was unsound and thus incapable to know the nature of the act, the Magistrate shall proceed with the case.
603. Section 334 says that whenever a person is acquitted upon the ground that at the time of alleged offence, he was by reason of unsoundness of mind, incapable of knowing the nature of the act, the finding shall state specifically whether he committed the act or not.
604. Whenever a person is acquitted on the ground that at the time of alleged act, he was incapable to know the nature of the act, order such person to be detained in safe custody in such place and manner as the Magistrate or court thinks fit. (Section 335)
605. Section 336 provides that the state government may empower the officer in charge of a jail to discharge any of the functions of the Inspector-General of Police under section 337 or 338.
606. As per section 337, where a person is detained in jail as per provisions under section 330(2), and the visitors certify that such person is capable of making his defence, he shall be taken before the Magistrate or Court.
607. When a person is certified fit to make his defence under section 337, the Magistrate or Court shall deal with such person under the provisions of section 332.
608. As per section 338(1) of Crpc, when the IG of police or the visitors certify that the person detained under section 330(2) or section 335 is fit to be release without

danger of his doing injury to himself or to any other person, the State government may appoint a commission to give a report.

609. The Commission as appointed under section 338(1) shall make a formal inquiry into the state of mind of such person and shall report to the State government, which may order his release or detention as it thinks fit.

610. According to section 338, whenever any relative or friend of any person detained under the provisions of section 330 or 335 desires that he shall be delivered to his care and custody, the state government may, upon the application of such relative or friend, order such person to be delivered to him.

611. Provisions as to offences affecting the Administration of Justice are provided under chapter 26 (Sec 340-353).

612. Section 340 provides the procedure in cases mentioned in section 195.

613. Section 344 says that Summary procedure for trial against witnesses which gave false evidence.

614. Section 345 of Crpc provides for the procedure in cases of contempt under section 175, 178, 179, 180 or section 228 of IPC.

615. Section 348 provides that where the Court has under section 345 adjudged any offender to punishment, the court may, in its discretion, discharge the offender or remit his punishment on apology.

616. According to section 349 of Crpc, if a witness or a person has been called to produce a thing or document in court refused to answer such questions as put to him or to produce that thing which the court requires him to produce without any reasonable excuse, the court can sentence him to simple imprisonment upto 7 days.

617. If the person sent to simple imprisonment under section 349 continues to refuse, he may be dealt with by provisions of section 345 or 346 of Crpc.

618. Section 350 provides that a witness may be tried summarily if he refused to attend at the place and time in obedience to summons.

619. Appeals from section 344, 345, 349 and 350 shall be filed under section 351.

620. The provisions regarding Judgment are prescribed under chapter 27 (Sec 353-365)

621. As per section 353 of Crpc, the judgment shall be pronounced in open court.

622. As per section 354, the judgment shall be written in the language of the court, shall contain the points of determination, the reasoned decision thereon.

623. When the conviction is for an offence punishable with death or, in alternative, with imprisonment for life or for a term of years, the judgment shall state the reasons for the sentence awarded, and, in case of sentence of death, the special reasons for such sentence. (Section 354(3))

624. Section 355 talks about judgment by Metropolitan Magistrate.

625. Section 357 of Crpc contains the law relating to compensatory justice.

626. The compensation to victim under section 357 of Crpc can be passed by the Trial court or Appellate court or the Revisional court.

627. The Victim Compensation Scheme under section 357A was incorporated in 2009.

628. Victim Compensation Scheme has been provided under Crpc by Crpc (Amendment) Act, 2008.

629. As per the Victim compensation scheme, every state government in co-ordination with the Central Government shall prepare a scheme for providing funds

for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime.

630. Section 357B provides that the compensation payable by the state government under section 357A shall be in addition to payment of Pune to the Victim under section 326A or section 376D of IPC.
631. Treatment of victim has been incorporated under Crpc by Criminal Law (Amendment) Act, 2013 under section 357C.
632. The hospital run by the central government, the state government, local body or any other persons contravenes the provisions of section 357C, shall be punished under section 166B of IPC.
633. In Laxmi vs Union of India, the Supreme Court has given directions for the medical treatment of the victim of acid attack.
634. Magistrate by whom the case is heard may award such compensation, not exceeding one thousand rupees to be paid to any person groundlessly arrested by the person so causing the arrest. (Sec 358)
635. The maximum default sentence that can be awarded in case of non-payment of compensation under section 358 of Crpc is 30 days.
636. Section 359 of Crpc provides that in any complaint of non-Cognizable offence, the court may order the accused to pay costs to the complainant, in addition to the penalty imposed upon him.
637. The provisions of Section 360 of Crpc shall not apply to any person above the age of 18 years who is found guilty of having committed an offence under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
638. Section 360 of Crpc talks about order to release on probation of good conduct or after admonition.
639. When a person not under 21 yrs of age is convicted of an offence punishable with fine or with imprisonment for a term upto 7 yrs, and no previous conviction is proved against the offender, if it appears to the court before which he is convicted, regard being had to his age, character or antecedents, the court may, instead of sentencing him at once to any punishment, direct that he be released on his entering into a bond and to keep the peace and be of good behaviour. (Sec 360(1))
640. When a person under 21 yrs of age or any woman is convicted of an offence not punishable with death or imprisonment for life, and no previous conviction is proved against the offender, if it appears to the court before which he is convicted, regard being had to his age, character or antecedents, the court may, instead of sentencing him at once to any punishment, direct that he be released on his entering into a bond and to keep the peace and be of good behaviour. (Sec 360(1))
641. If a person is convicted of theft, theft in building, dishonest misappropriation, cheating or any offence under IPC punishable upto 2 yrs or with fine only and no previous conviction is proved against him, the court may instead of sentencing him to any punishment, release him after due admonition. (Sec 360(3))
642. An order under section 360 can be made by any Appellate Court or by the High Court or Court of Sessions when exercising its powers of Revision.
643. If the court is satisfied that the offender has failed to observe any of the conditions of his recognizance, it may after hearing the case against him, pass sentence. (Section 360(9))

644. Under section 362 of Crpc, the review of a judgment or final order is prohibited except to correct a clerical or arithmetical error.
645. Section 362 of Crpc provides that no court shall alter the judgment after it has been signed.
646. According to section 363 of Crpc, when the accused is sentenced to imprisonment, a copy of the judgment is to be given to the accused and other persons.
647. Chapter 28 (Sections 366-371) deals with provisions relating to "Submission of Death sentences for confirmation".
648. Section 366 provides for the submission of death sentence of death by Court of Sessions to the High Court for confirmation.
649. Section 367 provides the power of High Court to direct further inquiry or additional evidence to be taken, if required in the case.
650. Section 368 provides power of the High Court to confirm sentence or annul conviction.
651. On being submitted the sentence of death by Court of Sessions, the High Court may confirm the sentence, annul the conviction or may pass any other sentence warranted by law.
652. The minimum number of judges of the High Court which are required to sign the confirmation of death sentence are 2. (Sec 369)
653. Confirmation of death sentence can be decided by 2 or more judges of High Court. (Sec 369)
654. Section 370 prescribes the procedure in case the judges in a case are equally divided in opinion, i.e., the case shall be decided in the manner provided by section 392.
655. On confirmation or reversal of the order of death sentence by High Court, the High Court shall send a duly sealed and attested copy of order to the Court of Sessions. (Section 371)
656. Chapter 29 (Sections 372-394) deals with the provisions of Appeals.
657. Section 372 provides that no appeal to lie unless as provided for by Crpc.
658. Under section 372 of Crpc, a victim can file an appeal against the order of acquittal.
659. Section 373 provides for appeals from orders requiring security or refusal to accept or rejecting surety for keeping peace or good behaviour.
660. According to section 374, any person convicted on a trial held by the High Court in its extraordinary original criminal jurisdiction may appeal to the Supreme Court.
661. Under section 374(2) of Crpc, the Sessions Court exercised power of appeal from convictions to the High Court.
662. Any person convicted on a trial by an Additional Session Judge for an offence in which sentence of imprisonment is more than 7 years may appeal to High Court. (Sec 374(2))
663. Section 375 says that no appeal in cases where the accused pleads guilty, except for the cases relating to the extent of legality of the sentence passed by Court of Sessions, Metropolitan Magistrate or Magistrate of 1st or 2nd class.
664. Section 376 says that no appeal in petty cases.
665. There shall be no appeal by a convicted person where a Magistrate of 1st class passed only a sentence of fine not exceeding 100₹. (Sec 376)

666. Section 377 provides that appeals to be filed by the State Government on the grounds of inadequacy of sentences.
667. For appeals under section 377, the State Government will direct Public Prosecutor to file an appeal against such sentences.
668. An appellate court, while disposing of an appeal under Crpc cannot enhance the punishment without providing an opportunity to accused, to show cause against such enhancement nor inflict greater punishment than the trial court was competent to award. (Sec 377)
669. Section 378 talks about appeal in case of acquittal to be filed by Public Prosecutor upon the direction of District Magistrate or the State Government, as the case may be.
670. No appeal to the High Court under section 378(1) or 378(2) shall be entertained except with the leave of the High Court.
671. An appeal against an order of acquittal by Judicial Magistrate 1st class in respect of an offence under section 138 of Negotiable Instruments Act can be filed in High Court with leave of Court.
672. The appeal against an order of acquittal passed by the court of Judicial Magistrate first class shall lie to the Court of Sessions. (Sec 378)
673. The judgment of acquittal passed by Judicial Magistrate is appealable before Sessions Court in any Cognizable and Non-bailable offence. (Sec 378)
674. If in a criminal appeal an accused dies and his near relatives wish to continue, they must apply within 30 days.
675. Where the High Court has, on appeal reversed an order of Acquittal of an accused person and convicted him and sentenced him to Death or to imprisonment for life or for more than 10 yrs, the accused may appeal to the Supreme Court. (Sec 379)
676. Section 380 provides that when more than 1 person are convicted in one trial, and an appealable judgment or order had been passed in respect of any of such person, all or any of them shall have a right of appeal.
677. Section 381 talks about how the appeals to Court of Sessions are heard.
678. Section 382 provides that Petition of appeal shall be accompanied by a copy of judgment or order appealed against.
679. Section 383 prescribes the procedure when appellant is in jail.
680. The petition of appeal of the appellant in jail is forwarded by the officer in charge of the jail to the proper Appellate Court. (Section 383)
681. Summary dismissal of appeal is provided under section 384 of Crpc.
682. Section 384 provides that no appeal presented by the appellant shall be dismissed unless a reasonable opportunity of being heard is provided to the appellant of his pleader.
683. Section 385 provides for hearing of appeals not dismissed summarily, ie., the Appellate Court shall cause notice of the time and place at which such appeal will be heard.
684. Section 386 provides for the powers of the Appellate Court.
685. The Appellate Court under section 386 of Crpc is empowered to reverse, alter or enhance the sentence of the appellant.
686. In the case of enhancement of sentence under section 386, an opportunity to the

accused must be given to show cause against such enhancement.

687. Section 387 provides that the rules contained in chapter 27 relating to judgments shall apply to the judgment in appeal of a Court of Sessions or Chief Judicial Magistrate.
688. Section 388 provides that whenever a case is decided on appeal by the High Court, it shall certify its order or judgment to the court by which the finding, sentence or order appealed against was recorded or passed.
689. The court to which the High Court certifies its judgment or order shall thereupon make such orders as are conformable to the judgment or order of the High Court. (Sec 388(2))
690. Section 389 provides that when an appeal by a convicted person is pending, the appellate court may order the execution of the sentence be suspended and the court can also release him on bail, after giving the public prosecutor is given an opportunity to show cause why such bail should not be granted.
691. Section 390 provides that when an appeal is presented against the acquittal of accused, the High Court may issue a warrant for the arrest of such accused.
692. The provisions relating to the Appellate Courts powers to take further evidence is provided under section 391.
693. Section 391 provides that in dealing with any appeal the Appellate Court, if it thinks that additional evidence is necessary, it shall record its reasons and either take such evidences itself, or direct it to be taken by a Magistrate. Such Magistrate will then certify such evidence to the Appellate Court, which shall proceed and dispose of the appeal.
694. Under section 392 of Crpc, the procedure where the judges of court of appeal are equally divided, is prescribed.
695. Abatement of appeals is provided under section 394 of Crpc.
696. Provisions relating to Reference and Revision have been provided in chapter 30 (Sections 395-405).
697. Section 395 talks about Reference to High Court.
698. Section 395 provides that where any Court. Is satisfied that a case pending before it involves a question as to the validity of any Act, Ordinance or Regulation or of any provision contained in any Act, Ordinance or Regulation, the determination of which is necessary for the disposal of the case, and is of the opinion that such Act, Ordinance or Regulation or provision is invalid or inoperative, but has not been so declared by the High Court or the Supreme Court, it shall refer the same for the decision of the High Court.
699. Section 396 provides that when a decision taken by the High Court under section 395, it shall send a copy of such order to the court by which the reference was made, which shall dispose of the case conformably to the said order.
700. The High Court or any Sessions Judge has the power to call for records to exercise powers of Revision. (Sec 397)
701. Under section 398, the High Court or the Court of Sessions may direct the Chief Judicial Magistrate or any Magistrate subordinate to it to make further inquiry into any complaint which has been dismissed under section 203 or 204(4) or into a case of any person accused of an offence who has been discharged.
702. Section 399 deals with the Sessions Judge's powers of Revision.

703. Section 399(3) provides that where any application for revision is made by or on behalf of any person before the Sessions Judge, the decision of the Sessions Judge thereof in relation to such person shall be final and no further proceedings by way of Revision at the instance of such person shall be entertained by the High Court.
704. Section 400 provides that the Additional Sessions Judge shall have and exercise all the powers of a Sessions Judge in respect of any case transferred to him.
705. In *Harnam Singh vs State of HP*, Justice Krishna Iyer made an observation, "that too many appeals and revisions are a bane of the Indian Judicial System, involving as it does sterile expense and delay and fruitless chase of perfection."
706. An order of bail granted by a Magistrate is an interlocutory order for the purposes of Revisional powers of the High Court or a Sessions Court.
707. Then the Sessions Judge or the High Court calls for to examine the record of any proceeding before any inferior criminal court, it is known as Revision.
708. High Courts power of Revision is provided in section 401 of Crpc.
709. The case of *Deena vs Union of India* relates to hanging as a mode of execution.
710. While exercising the power of Revision under Crpc, the High Court cannot convert a finding of acquittal into one of conviction. (Sec 401(3))
711. Section 401(4) provides that if an appeal lies by no appeal is brought then no proceeding by way of revision shall be entertained.
712. Section 402 (1) provides that whenever one or more persons are convicted at the same trial make an application to a High Court for revision and any other person convicted at the same trial makes an application to the Sessions Judge for revision, the High Court shall decide which of the 2 courts will dispose of the applications of revisions.
713. Section 402(4) provides that where an application for revision is transferred by the High Court to the Sessions Judge, no further application for revision shall lie to the High Court or to any other court at the instance of the person whose applications for revision has been disposed of by the Sessions Judge.
714. Section 403 provides that the court exercising its power of Revision will not hear any party but, if it thinks fit, when exercising such powers, hear any party either personally or by pleader.
715. Section 404 provides that when the record of any trial is called for by the High Court or Court of Sessions, the Magistrate may submit the record along with the grounds for such decision or order and the court shall consider such statements before overruling or setting aside the said decision or order.
716. As per section 405, when a case is revised by the High Court or a Sessions Judge, it shall certify its decision to the court by which the finding, sentence or order revised was recorded or passed, and the court to which the decision or order is so certified shall thereupon make orders in conformity of the decision so certified.
717. Provisions relating to Transfer of Criminal Cases are provided under chapter 31 (Sections 406-412)
718. Power to Transfer cases by SC is provided under section 406.
719. Power under sec 406 Crpc is similar to power under sec 25 of cpc.
720. Application for transfer under section 406 is to be filed by either Attorney General of India or the party interested.
721. Power to Transfer cases by High Court is provided under section 407.

722. High Court may exercise this power under section 407 on its own or by application of party interested or by a report of lower court.
723. Every application for the transfer of cases by the High Court shall be made by motion, except when the applicant is Advocate General of the State, supported by affidavit. (Sec 407(3))
724. Section 408 of Crpc deals with the power of the Sessions judge to transfer the cases and appeals.
725. The Sessions Judge may exercise the power under section 408 either on its own or on the report of the lower court or on the application of a party interested.
726. Section 409 talks about withdrawal of cases and appeals by Sessions Judge.
727. Section 410 talks about the withdrawal of cases by Judicial Magistrate.
728. Provisions relating to making over or withdrawal of cases by Executive Magistrate are provided in section 411.
729. Section 412 provides that a Sessions Judge or Magistrate making an order under section 408, 409, 410 or 411 shall record its reasons for making it.
730. Provisions relating to Execution, Suspension, Remission and Commutation of Sentences are provided in chapter 32 (Sections 413-435)
731. Section 413 provides that when in a case submitted to the High Court for the confirmation of a sentence of Death, the Sessions Court receives the order of confirmation or other order of the High Court thereof, it shall carry out that order.
732. Section 414 provides that when a sentence of death is passed by the High Court in appeal or revision, the Court of Session shall, on receiving the order, carry out the order.
733. Section 415 says that the execution of sentence of death, in case of appeal of judgment from the High Court to the Supreme Court, shall be postponed until the period allowed for preferring such appeal has expired or until such appeal is disposed of.
734. Section 416 of Crpc deals with the power of High Court to commute the sentence of death to life imprisonment in pregnant woman.
735. Every warrant for the execution of a sentence may be issued by either the Judge or Magistrate who passed the sentence, or the successor in office.
736. Section 417 provides that the State Government may direct in what place any person liable to be imprisoned or committed to custody shall be confined.
737. Section 418 provides that where the accused is sentenced to imprisonment for life or for a term, the court passing the sentence shall forward a warrant to the jail in which he is to be confined.
738. As per section 419, every warrant for execution shall be directed to the officer in charge of the jail in which the prisoner is to be confined.
739. Section 420 provides that the warrant shall be lodged with the Jailor.
740. Section 421 says that when an offender has been sentenced to pay a fine, the court passing the sentence may take action for the recovery of the fine in either or in both the ways, ie., it may attach and sell any moveable property of the offender and/or issue a warrant to the collector of the district to realise the amount as arrears of land revenue from the moveable or immoveable property of the defaulter
741. Section 422 provides that the warrant issued under section 421 may be executed within the local jurisdiction of such courts and it shall authorise the attachment and

sale of any property outside such jurisdiction.

742. Section 424 talks about suspension of execution of sentence of imprisonment.

743. Section 424 says that the execution of the sentence of imprisonment may be suspended by the court and release the offender on the execution by the offender of a bond, conditioned for his appearance before the court on the dates on or before which payment of fine or installment thereof has to be made.

744. If the fine or installment under section 424 is not made on or before the date fixed, the court may direct the sentence of imprisonment to be carried into execution.

745. Section 425 says that every warrant for execution of a sentence may be issued either by the Judge or Magistrate who passed the sentence, or by his successor in office.

746. Section 426 says that sentence on escaped convicts to take effect immediately.

747. Section 427 provides that the sentence on offender already sentenced for another offence shall commence at the expiration of the imprisonment to which he has been previously sentenced, unless the court directs that the subsequent sentence shall run concurrently with such previous sentence.

748. The execution of death sentence can be postponed in case of possibility of appeal in the Supreme Court and in case of pregnant woman.

749. Section 428 provides that the period of detention undergone by the accused to be set off against the sentence of imprisonment. Provided such period of detention should not be imprisonment in default of payment of fine.

750. Section 430 provides that when a sentence has been fully executed, the officer executing it shall return the warrant to the court from which it is issued, with an endorsement that the sentence has been executed.

751. Section 431 provides that if any money is payable by virtue of any order made by the court and no method of recovery is provided; it shall be recovered as if it were a fine.

752. Section 432 deals with the power of appropriate government to suspend or remit sentences.

753. If a person is in jail then an application for suspension or remission to the appropriate government will be made through the officer in charge of the Jail.
(Section 432)

754. Appropriate Government means in cases where the sentence is for an offence against any law relating to matter to which the executive power of the Union extends, the Central Government and in other cases, the Government of the State within which the offender is sentenced.

755. Section 433 talks about the power to Appropriate Government to commute sentences.

756. Death sentence of an accused may be commuted to fine by the appropriate government under section 433 of Crpc.

757. Appropriate government can commute the sentence of imprisonment of life.
(Sec 433)

758. In case of sentence of death, power to suspend, remit or commute is conferred upon state as well as central government.

759. Government can commute the sentence of life imprisonment to 14 years.

760. Section 433A provides restriction on powers of remission or commutation.

761. Where a sentence of imprisonment of life is imposed upon conviction or where the sentence has been commuted to imprisonment of life under section 433, such person shall not be released from the prison unless he has served at least 14 years of imprisonment.
762. In *Ashok Kumar Golu vs Union of India*, the constitutional validity of section 433-A was upheld.
763. Section 434 says that the powers conferred under sections 432 and 433 in case of death sentences can be exercised concurrently by both State and Central Government.
764. Section 435 says that the State Government to act after consultation with Central Government in cases of offences investigated by the Delhi Special Police Establishment or cases involving the misappropriation or destruction of or damage to any property belonging to the Central Government or offence committed by a person in the service of the Central Government.
765. Provisions relating to bail and bonds are provided in chapter 33 (sections 436-450)
766. In a bailable offence, the bail is to be granted as a matter of right both by the police officer and the court. (Section 436)
767. Section 436A provides that the maximum period for which an under trial prisoner can be detained one-half of the maximum period of imprisonment specified for that offence, provided it is not an offence for which punishment of death has been specified as one of the punishments.
768. Under section 437 of Crpc, a 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 police station or appears or is brought before a court other than the High Court or Court of Sessions, he may be released on bail.
769. Under section 437, a police officer can release an accused on bail in non-bailable case.
770. Person was arrested for non bailable offence but court thinks offence is bailable, the person shall be released on bail. (Sec 437(2))
771. As per section 437(3), the court can impose conditions on bail.
772. Court releases on bail under section 437(1) or (2) or under section 167(2), the cancellation of such bail under section 437(5).
773. Section 437A provides that before conclusion of trial and before disposal of the appeal, the court trying the offence shall require the accused to execute bail bonds with sureties.
774. On the application made him person apprehending arrest on an accusation of having committed a non-bailable offence, the High court or the Court of Sessions may under section 438 Crpc, give the direction that in the event of such arrest he shall be released in bail.
775. In *Gurubax Singh vs State of Punjab*, the court held that Anticipatory Bail can be for limited or unlimited period.
776. In *Salauddin vs State of Maharashtra*, Supreme Court held that anticipatory bail should be granted only for a longer period.
777. *D K Ganesh Babu Vs. P T Manekaran* is a case relating to anticipatory bail.
778. Under section 438, the court can issue an interim order for the grant of

anticipatory bail. Upon such interim order, public prosecutor shall be given an opportunity of being heard.

779. Under section 439(1), the High Court or the Court of Sessions can grant bail.
780. Under section 439(2) of Crpc jurisdiction to cancel the bail vests with the Court of Session and the High Court.
781. High Court or Court of Sessions under section 439 of Crpc, can set aside or modify the conditions imposed by a Magistrate when granting bail.
782. In Ram Babu Tiwari vs State of M P, it was held that if the bail has been granted by Court upon some illogical, irrelevant, irregular and absurd considerations then the bail may be cancelled on that ground.
783. In Rajesh Ranjan @ Pappu Yadav vs Kalyan Chandra Sarkar, it was held that the accused has the right to file bail application in successive manner. But once a bail application has been rejected then the next bail application should be based upon some new and different facts.
784. Rejection of bail is at pre-bail stage whereas cancellation of bail is at post-bail stage.
785. If unnecessary amount is imposed in the bail bond, then it can be removed or modified under section 440 by the High Court or Court of Session.
786. Section 441 says that before any person is released on bail, a bond for such sum as the police officer or court thinks sufficient shall be executed by such person and surety.
787. Such surety, under section 441, shall continue to attend until otherwise directed by the police officer or Court.
788. Section 441 says that the Surety must give a declaration as to the number of persons to whom he has stood surety.
789. Under section 442, as soon as the bond has been executed, the person for whose appearance it has been executed shall be released.
790. Section 443 provides that if insufficient sureties have been accepted, the court may issue a warrant of arrest directing that the person released in bail be brought before it and may order him to find sufficient sureties.
791. Section 444 provides that any surety may at any time apply to the Magistrate to discharge the bond. On such application being made, the Magistrate shall issue his warrant of arrest directing that the person so released be brought before him and then such person will be asked for new surety and then release such Surety.
792. Section 445 provides that the court may permit the person, required to execute a bond, to deposit a sum of money or Government promissory note to such amount as the court may fix in lieu of executing a bond.
793. Section 446 prescribes the procedure when the bond has been forfeited.
794. As per section 446 when the bond has been forfeited, the court shall record the grounds of such proof of forfeiture, and may call upon any person bound by such bond to pay the penalty thereof or to show cause why it should not be paid.
795. If sufficient case as under section 446(1) is not shown and the penalty is not paid, the court may proceed to recover the same as if such penalty were a fine imposed by it under Crpc.
796. An order passed by a Magistrate under section 446 of Crpc is appealable to Sessions Judge.

797. Section 446A provides for the cancellation of bond and bail bond, ie., where a bond is for appearance of a person in a case and it is forfeited for breach of a condition, the bond executed by such person as well as bond executed by the surerities shall stand cancelled.
798. Section 447 provides that when the surety becomes insolvent or dies, or when he bond is forfeited under section 446, the Court or Magistrate of 1st class may order the person from whom such surety was demanded to furnish fresh security.
799. Section 448 provides that when the person required by the court to execute a bond is a minor, the court may accept, in lieu thereof, a bond executed by a surety.
800. Section 449 provides that appeal from orders under section 446, if made by Magistrate, shall be made to the Sessions Judge, and if the order is made by Court of Sessions, appeal to the court to which appeal lies.
801. Section 450 provides that the High Court or Court of Session may direct any Magistrate to levy the amount due on bond for appearance or attendance at such High Court or Court of Sessions.
802. The provisions relating to Disposal of Property are contained in chapter 34 (Sections 451-459).
803. Section 451 provides for order for custody and disposal of property pending trial in certain cases.
804. Section 452 of Crpc provides for order for disposal of property at conclusion by destruction, confiscation or delivery to any person claiming to be entitled to possession thereof.
805. Section 453 says that when a person purchased stolen property, without knowing it to be stolen and the court on application of such purchaser and in restitution of the stolen property to the person entitled to the possession thereof, order that out of such money a sum not exceeding the price paid by such purchaser be delivered to him.
806. Section 454 provides for the appeals against order under section 452 or 453.
807. Section 455 provides for the destruction of all the copies of the libelous matters which are in the custody of the court or in the possession of the person convicted under section 292, 293, 501 or 502 of IPC.
808. Section 456 provides that when a person has been convicted of an offence involving use of criminal force to dispossess any person of any immovable property, the court may, if it thinks fit, order that possession of the same be restored to the person.
809. Section 457 provides that where a property has been seized by any police officer and he hasn't produced it before the criminal court during an inquiry or trial, the Magistrate may make such order as he thinks fit respecting the disposal, delivery to person entitled or if the person can't be ascertained, respecting the custody and production of such property.
810. Under section 457(2), if the person entitled is known, the Magistrate may order the property to be delivered to him on such conditions as he thinks fit and if such person is unknown then Magistrate may issue a proclamation and if a person wants to claim such property, he needs to establish his claim within 6 months from the date of such proclamation.
811. Section 458 provides that if no person appears to establish claim within 6

months of proclamation under section 457, the Magistrate may order the property to be at the disposal of the State Government.

812. According to section 459, if the property seized under section 457 is a perishable property, then the Magistrate may order to be sold.
813. By Criminal Procedure (Amendment) Act, 2005, in section 459 of Crpc the words less than 10₹ have been substituted by the words less than 500₹.
814. Provisions relating to irregular proceedings have been prescribed under chapter 35 (Sections 460-466)
815. Under Crpc the irregularities which do not vitiate the proceeding have been stated in section 460.
816. Under Crpc the irregularities which vitiate trial have been stated in section 461.
817. When an irregularity is caused in attachment and selling of property under section 83 by a Magistrate, it would make the proceedings Void.
818. Section 462 of Crpc provides that no findings, sentence or order will be set aside merely because proceedings were in wrong place except in cases in which it occasioned a failure of justice.
819. Section 463 provides that if the provisions of section 164 or section 281 of Crpc have not been complied with by the Magistrate recording the statement, it may not withstanding anything contained in section 91 of Indian Evidence Act, take evidence in regard to such non-compliance.
820. Section 464 of Crpc provides that no finding of a court shall be deemed to be invalid merely on the ground that no charge was framed or on the ground of any error, omissions or irregularity in the charge, unless such error or omission was material error.
821. Section 465 of Crpc provides that no finding, sentence or order passed by a court of competent jurisdiction shall be reversed or altered by a court of appeal, confirmation or revision on account of any error, omission or irregularity in the complaint, summons, warrant, proclamation, order, judgment or other proceedings unless a failure of justice has occasioned thereby.
822. If a magistrate who is not empowered by law to try an offender summarily does so, then the proceedings are vitiated.
823. If a presiding Judge fails to sign and date of the judgment, it amounts to procedural irregularity curable under section 465(1) of Crpc.
824. A Metropolitan Magistrate may release an accused on bail in non-bailable offence except when there are reasonable grounds for believing that he has been guilty of an offence punishable with death or imprisonment for life or there are reasonable grounds for believing that he has been guilty of a cognizable offence and has been guilty of cognizable offence and he has been previously convicted of an offence punishable with imprisonment for 7yrs or he has been previously convicted in 2 or more occasions of a cognizable offence punishable with imprisonment for 3 yrs.
825. In a case the state wants to apply for cancellation of bail of an accused. As per the decision of the Supreme Court in the case of State (Delhi Administration) v. Sanjay Gandhi, the fact that the accused has attempted to tamper or has tampered with the witness in the case against him may be the appropriate ground for seeking cancellation of the bail.

826. A court has no power to release a woman on bail if the offence is punishable with death or imprisonment for life.
827. An accused shall not be released on bail by a court if he had been convicted previously in 2 or more occasions of a cognizable offence punishable with imprisonment for three years or more.
828. Necessity for identification by witness during investigation shall not be sufficient ground for rejection of bail.
829. Section 466 provided that no order of attachment to be unlawful merely because of defect or error in summons, conviction, writ of attachment or other proceedings relating thereto.
830. Chapter 36 (section 467-473) deals with the provisions relating to limitation for taking cognizance of certain offences.
831. As per section 467, Period of limitation means period specified under section 468 of Crpc.
832. Period of limitation for offence punishable with fine only is 6 months, for offences punishable with imprisonment upto 1 year, is 1 year and for offences punishable with imprisonment exceeding 1 year but not exceeding 3 years, is 3 years. (Sec 468)
833. The commencement of the period of limitation is either on the date of offence or where the commission was not known to the person aggrieved by offence or to the police officer, the day on which offence comes to the knowledge of such person or on that day when the identity of the offender is known to the person aggrieved. (sec 469)
834. In computing the period of limitation, the time during which any person has been prosecuting with due diligence another prosecution shall be excluded. (Sec 470)
835. For exclusion under sec 470 shall not be made unless the prosecution relates to the same fact and is prosecuted in good faith in a court which from defect of jurisdiction is unable to entertain it.
836. Section 470(2) says that if the prosecution has been stayed by injunction or order then such period shall be excluded.
837. Section 470(3) says that where before instituting a prosecution, the previous consent or sanction from the government is required then such period for obtaining the consent or sanction shall be excluded.
838. Where the period of limitation expired on a day when the court is closed. The court may take cognizance on the day in which the court reopens. (section 471)
839. In case of continuing offence, a fresh period of limitation shall begin at every moment of the time during which the offence continues. (Sec 472)
840. The court may make cognizance of an offence after the expiry of the period of limitation, if it is satisfied on the facts and in the circumstances of the case that the delay has been properly explained or that it is necessary so to do in the interest of justice. (Sec 473)
841. Miscellaneous provisions are provided under chapter 37 (Sections 474-484).
842. Section 474 says that if an offence is tried by the High Court otherwise than under section 407, it shall observe the same procedure as a Court of Sessions would observe.
843. Section 475 deals with the provisions relating to delivery to commanding officers

of persons liable to be tried by Court-martial.

844. Section 477 provides that the every High Court may, with the previous approval of the State Government make rules.
845. Section 478 deals with the powers of the State Government, after consultation with the High Court, to alter functions allocated to Executive Magistrate.
846. Section 479 says that no Judge or Magistrate shall try any case in which he is personally interested.
847. Where any Judge or Magistrate is personally interested in a case, he shall neither try nor commit for trial such cases, nor shall hear any appeal in such case, provided prior permission of its appellate court has been obtained. (Sec 479)
848. Section 480 provides that a practicing pleader will not sit as Magistrate in the courts where he practices or in any court within the local jurisdiction of that court.
849. Section 481 provides that a public servant having any duty to perform in connection with the sale of any property shall not purchase or bid for the property.
850. Section 482 of Crpc says that inherent powers can be exercised by the High Court.
851. Under section 482 of Crpc a joint trial can be split up.
852. A high court under its inherent powers conferred under section 482 of Crpc, can quash proceeding of case pending before a criminal court.
853. Form no. 42 of the second schedule of Crpc prescribed the mode of execution of sentence of death that the convict be hanged by the neck until he be dead.
854. In State of Haryana vs. Bhajan Lal, it was directed by the Supreme Court to the High Courts to exercise jurisdiction under section 482 of Crpc.
855. While exercising inherent powers under section 482 of Crpc, the High Court can't review its own judgment of order or to give police custody from judicial custody or to convert itself into a court of appeal when legislature has not authorized it expressly or indirectly.
856. Section 483 of Crpc provides that there is a duty upon every High Court to exercise its superintendence over the courts of Judicial Magistrate subordinate to it.
857. Offences against other laws (except IPC) are punishable with imprisonment for 3 years and upwards but not more than 7 years then it will be cognizable and non-bailable.
858. Classification of bailable and non-bailable offences in Crpc is provided under first schedule of Crpc.
859. Form no. 32 of the second schedule of Crpc provided the format for framing of Charges.