

Court Practice

Zero to Hero Batch Syllabus

Before Join the Course, Kindly Go Through this Syllabus Leaflet.

Point to be Noted - Zero to Hero Course will cover syllabus points in Story Manner only, not in depth.

No Further Imaginary Claim or Blame will be accepted.

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INDEX

Sr No	Topic	Page No
1	Important Points of the Course	3
2	Basics of Civil Steps	4
3	Basics of Criminal Steps	12
4	About Us	32

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Important Points of Course

- How to Start Your Own Court Practice?
- Virtual Practical Training of Court Practice
- Basics of Court Practice
- Basics of Civil Cases
- Basics of Criminal Cases
- Basics of Effective Client Handling
- How you should Start own Practice?
- How to Use Digital Technology?
- What you should do in Internship?
- How to work on own cases.
- How to Learn to handle cases?
- How to distribute your time in Practice?
- How to Impress Judges/Advocates/Clients?
- Sources to Improve Legal Knowledge

Civil Procedure Code

1. ESSENTIALS OF A PLAINT

- ✓ As to when cause of action arises
- ✓ Parties to the Suit
- ✓ To sue or be sued in representative capacity
- ✓ Pleadings to give sufficient details
- ✓ Replication does not form part of the pleadings
- ✓ Entire Claim to be put forth in the Suit

2. HOW AND WHERE TO PRESENT PLAINT

- ✓ Subordinate Courts which deal with Civil Matters
- ✓ Jurisdiction
- ✓ Pecuniary Jurisdiction of Various Courts
- ✓ Suit to be Instituted in the Court of Lowest Grade Competence
- ✓ Territorial Jurisdiction of Courts
- ✓ What kind of suits are maintainable before Civil Court?
- ✓ Where decree is passed without jurisdiction?
- ✓ Jurisdiction as per Subject-matter
- ✓ What Happens when a Court, before whom Suit is Instituted, has no Jurisdiction to Entertain and Try the Suit?
- ✓ Particulars to be given in Complaint where Necessary Where the Subject-Matter of the Suit is Immovable Property
- ✓ Relief to be Specifically Stated Rejection of Complaint
- ✓ Remedy Available on Rejection of Complaint
- ✓ Res Judicata
- ✓ Res Judicata & Co-defendants

3. AMENDMENT OF PLEADINGS

- ✓ Court to allow all amendments which are necessary

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- ✓ Amendment of pleadings - Delay in seeking
- ✓ When amendment cannot be allowed?

4. STEPS TO BE TAKEN BEFORE INSTITUTION OF A SUIT

- ✓ Legal Notices before Institution of Suit Against Government
- ✓ Format of Legal Notice
- ✓ Notice demanding payment of price of goods sold to opposite party, with interest

5. PARTIES TO SUIT

- ✓ Who can be Made a Party to a Suit?
- ✓ Necessary Party
- ✓ Proper Party
- ✓ Assignment of interest during pendency of suit
- ✓ Suit by or against Government
- ✓ Government to be Joined as a Party to Suit
- ✓ Service of Process on Agent of Government
- ✓ Suits by or Against Corporations
- ✓ Suits by or Against Firms and Persons Carrying on Business in Names other than their Own
- ✓ When in Doubt as to who Should be Joined as the Defendant?
- ✓ How a Minor can Sue or be Sued?
- ✓ When Minor Attains Majority?
- ✓ Suit by or Against a Person of Unsound Mind
- ✓ Suits by Indigent Persons
- ✓ As to when such an application is treated as a suit?
- ✓ Death, Marriage or Insolvency of Parties
- ✓ When Suit Property or Interest of a Party in the Suit is Transferred or Assigned to or Devolves upon or is Created in Someone else During Pendency of the Suit?

6. EFFECT OF ABATEMENT OR DISMISSAL

- ✓ No Abatement by Reason of Death after arguments are advanced

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7. HOW COURT PROCEEDS AFTER A SUIT IS DULY INSTITUTED

- ✓ Settlement of the Dispute at Pre-litigative Stage
- ✓ Mediation Centre of the Government

8. WHAT IS PROCESS-FEE (TALBANA)

- ✓ Failure of Plaintiff to Pay Costs for Service of Defendant

9. MODE OF SERVICE OF SUMMONS ON DEFENDANT

- ✓ Always Accept the Process Brought or Transmitted by the Modes or Means provided under the Code
- ✓ Service on Agent of Defendant
- ✓ Service on Adult Member
- ✓ Service by Affixation of Process
- ✓ Substituted Service
- ✓ Service of summons in a suit Under Order XXXVII
- ✓ Service in Case of Suit Against Partnership Firm
- ✓ Taking of Dasti Process
- ✓ Service of Summons where Defendant Resides within Jurisdiction of Another Court
- ✓ Service on Defendant who is in Custody or Prison
- ✓ Service on Defendant who Resides out of India and has no Agent

10. WHAT TO DO AFTER YOU ARE SERVED WITH ANY SUMMONS AS A DEFENDANT

- ✓ Filing of Written Statement
- ✓ New Facts to be Specifically Pleaded
- ✓ Amendment of Written Statement
- ✓ When Plaintiff is Entitled to Judgment on Admission of case by Defendant?
- ✓ Counter Claim or Set off
- ✓ Counter Claim

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11. APPEARANCE OF PARTIES

- ✓ On Failure of Plaintiff to Pay Costs for Service of Defendant
- ✓ Failure of Plaintiff and Defendant in Appearing before Court
- ✓ Remedies for Filing of Fresh Suit on Dismissal of Suit in the Manner Indicated Above
- ✓ Remedy for Getting an order to Set the Dismissal Aside
- ✓ When only Plaintiff Appears, and Defendant is Absent?
- ✓ Remedy available to the Defendant, Who is Proceeded Ex-parte on Non-Appearance Despite Service
- ✓ Ex-parte Decree
- ✓ Remedy Available to Defendant Against Ex-Parte Decree
- ✓ Where Only Defendant Appears before the Court?
- ✓ Remedy Available to Plaintiff on Dismissal of his Suit for his Default in Appearance

12. PRODUCTION OF DOCUMENTS

- ✓ As to when Documents are to be Produced by the Plaintiff before Court
- ✓ Duty of Defendant to Produce Documents before Court
- ✓ Inspection of Documents Relied on by a Party to Suit at or before Settlement of Issues
- ✓ Notice by One Party to the Suit to the Other for Admitting his Documents
- ✓ When Other Party Refuses or Neglects to Admit Documents?
- ✓ When a Document is not Specifically Denied?
- ✓ Rejection of Irrelevant or Inadmissible Documents
- ✓ Impounding of Documents
- ✓ Return of Documents or Material Objects Produced before Court
 - Where no appeal lies
 - Where appeal lies

13. SETTLEMENT OF ISSUES

- ✓ Preliminary Issues to be Decided First
- ✓ Passing of Judgment where Parties not at Issue
- ✓ List of Witnesses
- ✓ Power of Court to Summon any Party or Person as a Witness
- ✓ Expenses of Witness to be Deposited in Court

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- ✓ When the Witness Avoids Service of Summons or Fails to Comply with Summons?

14. HOW THE SUIT IS HEARD

- ✓ Which Party is to Begin the case, When Listed for Evidence
- ✓ Party to Appear for Evidence, before other Witnesses
- ✓ How Evidence is Recorded
- ✓ Who Records the Evidence in Court?
- ✓ Before Commissioner

- ✓ Power to Examine Witness Immediately
- ✓ Power to Recall and Examine Witness
- ✓ Order XVIII, Rule 17, CPC
- ✓ Inspection of Property or Material thing by the Court

15. ARGUMENTS

- ✓ Oral Arguments
- ✓ Written Arguments
- ✓ Judgment and Decree
- ✓ Decree
- ✓ Copy of Judgment As to in which cases Preliminary Decree is to be passed
- ✓ Interest
- ✓ Power of Court under Section 148, CPC

16. WITHDRAWAL AND ADJUSTMENT OF SUIT

- ✓ Compromise of Suit

17. SPECIAL PROCEEDINGS MEDIATION

- ✓ As to when a Matter can be Referred for Mediation
- ✓ Consent of Parties for Reference to Mediation

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- ✓ Role of Mediator
- ✓ Opportunity of Personal Hearing
- ✓ Recording of Terms of Settlement
- ✓ How the Court Proceeds After Terms of Settlement are Received from Mediation Centre
- ✓ Benefits of the Process of Mediation
- ✓ Refund of Court-fee

18. LOK ADALAT

19. SPECIAL CASE

- ✓ Public Nuisances
- ✓ Public Charities

20. EXECUTION

- ✓ Territorial jurisdiction of execution Court
- ✓ Modes in which Assistance of Court is Required
- ✓ In Case of Defect in the Execution Application
- ✓ Notice of Execution Application
- ✓ Stay of Execution

21. MODE OF EXECUTION

- ✓ Decree for Payment of Money
- ✓ Decree for Specific Movable Property
- ✓ Decree for Specific Performance
- ✓ Decree for Injunction
- ✓ Decree for Restitution of Conjugal Rights
- ✓ Execution of Decree of Specific Performance of Contract or for Injunction by Getting the Requisite act done by the Decree Holder or some other Person
- ✓ Decree for Delivery of Immovable Property
- ✓ Arrest and Detention in Civil Prison
- ✓ Subsistence Allowance
- ✓ Attachment of Property

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- ✓ Following Property is not Liable to Attachment or Sale
- ✓ Private Alienation of Property after Attachment is Void
- ✓ Attachment of Immovable Property
- ✓ Sale of Property
- ✓ Adjournment or Stoppage of Sale
- ✓ Removal of Attachment after Satisfaction of Decree
- ✓ Result of Withdrawal of Attachment
- ✓ Application to set-aside Sale
- ✓ When there is a Resistance or Obstruction in Delivery of Possession of Immovable Property

22. APPEALS

- ✓ Abatement of Appeal
- ✓ Appeals by Indigent Persons
- ✓ How the Court Proceeds with Appeal
- ✓ Cross-objections
- ✓ Powers of Appellate Court
- ✓ Stay of Proceedings and of Execution
- ✓ Additional Evidence in Appellate Court
- ✓ Remand of Case by Appellate Court
- ✓ Second Appeal
- ✓ Appeals from Orders
- ✓ Appeal Against a Decree in a Suit on the Basis of Compromise
- ✓ Review
- ✓ Grounds on which Review Application Lies

23. ARREST AND ATTACHMENT BEFORE JUDGMENT

24. TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS

- ✓ Grant of Ad-interim Relief of Injunction
- ✓ As to when Court may Discharge, Vary or Set-aside Order of Injunction
- ✓ Action by the Court on Disobedience of Order of Injunction
- ✓ Deposit of Money etc., in Court

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25. APPOINTMENT OF RECEIVERS**26. ADJOURNMENTS**

- ✓ Is Counsel's Mistake of any help to the party?
- ✓ Strike by Lawyers

27. COSTS

- ✓ Imposition of Costs During Pendency of Suit
- ✓ Costs-Litigation Expenses

28. FREE LEGAL AID

- ✓ How to Seek Free Legal Aid
- ✓ What an Illiterate Person is to do to Seek Free Legal Aid
- ✓ Free Legal Services & Settlement in Matrimonial Disputes

Criminal Procedure Code

1. ESSENTIALS OF CRIMINAL CASES

- ✓ Parties to the Criminal Cases
- ✓ Complainant
- ✓ Defendant
- ✓ Victim
- ✓ Accused
- ✓ Witness
- ✓ Police/Investigation Agencies
- ✓ Forensic Team
- ✓ Advocates/Public Prosecutor

2. CONSTITUTION OF CRIMINAL COURTS AND OFFICES

- ✓ Classes of Criminal Courts.
- ✓ Territorial divisions.
- ✓ Metropolitan areas.
- ✓ Court of Session.
- ✓ Subordination of Assistant Sessions Judges.
- ✓ Courts of Judicial Magistrates.
- ✓ Chief Judicial Magistrate and Additional Chief Judicial Magistrate, etc.
- ✓ Special Judicial Magistrates.
- ✓ Local jurisdiction of Judicial Magistrates.
- ✓ Subordination of Judicial Magistrates.
- ✓ Courts of Metropolitan Magistrates.
- ✓ Chief Metropolitan Magistrate and Additional Chief Metropolitan Magistrate.
- ✓ Special Metropolitan Magistrates.
- ✓ Subordination of Metropolitan Magistrates.

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- ✓ Executive Magistrates. Special Executive Magistrates.
- ✓ Local Jurisdiction of Executive Magistrates.
- ✓ Subordination of Executive Magistrates.
- ✓ Public Prosecutors.
- ✓ Assistant Public Prosecutors.
- ✓ Directorate of Prosecution.

3. POWER OF COURTS

- ✓ Courts by which offences are triable.
- ✓ Jurisdiction in the case of juveniles.
- ✓ Sentences which High Courts and Sessions Judges may pass.
- ✓ Sentences which Magistrates may pass.
- ✓ Sentence of imprisonment in default of fine.
- ✓ Sentence in cases of conviction of several offences at one trial.
- ✓ Mode of conferring powers.
- ✓ Powers of officers appointed.
- ✓ Withdrawal of powers.
- ✓ Powers of Judges and Magistrates exercisable by their successors-in-office.

4. INFORMATION TO THE MAGISTRATES AND THE POLICE

- ✓ Public when to assist Magistrates and police.
- ✓ Aid to person, other than police officer, executing warrant.
- ✓ Public to give information of certain offences.
- ✓ Duty of officers employed, in connection with the affairs of a village to make certain report.

5. ARREST OF PERSONS

- ✓ When police may arrest without warrant.
- ✓ Notice of appearance before police officer.
- ✓ Procedure of arrest and duties of officer making arrest.
- ✓ Control room at districts.
- ✓ Right of arrested person to meet an advocate of his choice during interrogation.
- ✓ Arrest on refusal to give name and residence.

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- ✓ Arrest by private person and procedure on such arrest.
- ✓ Arrest by Magistrate.
- ✓ Protection of members of the Armed Forces from arrest.
- ✓ Arrest how made.
- ✓ Search of place entered by person sought to be arrested.
- ✓ Pursuit of offenders into other jurisdictions.
- ✓ No unnecessary restraint.
- ✓ Person arrested to be informed of grounds of arrest and of right to bail.
- ✓ Obligation of person making arrest to inform about the arrest, etc., to a nominated person.
- ✓ Search of arrested person.
- ✓ Power to seize offensive weapons.
- ✓ Examination of accused by medical practitioner at the request of police officer.
- ✓ Examination of person accused of rape by medical practitioner.
- ✓ Examination of arrested person by medical officer.
- ✓ Identification of person arrested.
- ✓ Procedure when police officer deposes subordinate to arrest without warrant.
- ✓ Health and safety of arrested person.
- ✓ Person arrested to be taken before Magistrate or officer in charge of police station.
- ✓ Person arrested not to be detained more than twenty-four hours.
- ✓ Police to report apprehensions.
- ✓ Discharge of person apprehended.
- ✓ Power, on escape, to pursue and retake.
- ✓ Arrest to be made strictly according to the Code.

6. BAIL/ANTICIPATORY BAIL AND BONDS

- ✓ In what cases bail to be taken.
- ✓ Maximum period for which an undertrial prisoner can be detained.
- ✓ When bail may be taken in case of non-bailable offence.
- ✓ Bail to require accused to appear before next appellate Court.
- ✓ Direction for grant of bail to person apprehending arrest/Anticipatory Bail.
- ✓ Special powers of High Court or Court of Session regarding bail.
- ✓ Amount of bond and reduction thereof.

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- ✓ Bond of accused and sureties.
- ✓ Declaration by sureties.
- ✓ Discharge from custody.
- ✓ Power to order sufficient bail when that first taken is insufficient.
- ✓ Discharge of sureties.
- ✓ Deposit instead of recognizance.
- ✓ Procedure when bond has been forfeited.
- ✓ Cancellation of bond and bail bond.
- ✓ Procedure in case of insolvency of death of surety or when a bond is forfeited.
- ✓ Bond required from minor.
- ✓ Power to direct levy of amount due on certain recognizances.

7. PROCESSES TO COMPEL APPEARANCE

A.–Summons

- ✓ Form of summons.
- ✓ Summons how served.
- ✓ Service of summons on corporate bodies and societies.
- ✓ Service when persons summoned cannot be found.
- ✓ Procedure when service cannot be effected as before provided.
- ✓ Service on Government servant.
- ✓ Service of summons outside local limits.
- ✓ Proof of service in such cases and when serving officer not present.
- ✓ Service of summons on witness by post.

B.–Warrant of arrest

- ✓ Form of warrant of arrest and duration.
- ✓ Power to direct security to be taken.
- ✓ Warrants to whom directed.
- ✓ Warrant may be directed to any person.
- ✓ Warrant directed to police officer.
- ✓ Notification of substance of warrant.
- ✓ Person arrested to be brought before Court without delay.
- ✓ Where warrant may be executed.

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- ✓ Warrant forwarded for execution outside jurisdiction.
- ✓ Warrant directed to police officer for execution outside jurisdiction.
- ✓ Procedure on arrest of person against whom warrant issued.
- ✓ Procedure by Magistrate before whom such person arrested is brought

C.–Proclamation and attachment

- ✓ Proclamation for person absconding.
- ✓ Attachment of property of person absconding.
- ✓ Claims and objections to attachment.
- ✓ Release, sale and restoration of attached property
- ✓ Appeal from order rejecting application for restoration of attached property.

D.–Other rules regarding processes

- ✓ Issue of warrant in lieu of, or in addition to, summons.
- ✓ Power to take bond for appearance.
- ✓ Arrest on breach of bond for appearance.
- ✓ Provisions of this Chapter generally applicable to summonses and warrants of arrest.

8. PROCESSES TO COMPEL THE PRODUCTION OF THINGS

A.–Summons to produce

- ✓ Summons to produce document or other thing.
- ✓ Procedure as to letters and telegrams.

B.–Search-warrants 93. When search-warrant may be issued.

- ✓ Search of place suspected to contain stolen property, forged documents, etc.
- ✓ Power to declare certain publications forfeited and to issue search-warrants for the same.
- ✓ Application to High Court to set aside declaration of forfeiture.
- ✓ Search for persons wrongfully confined.
- ✓ Power to compel restoration of abducted females.

C.–General provisions relating to searches

- ✓ Direction, etc., of search-warrants.
- ✓ Persons in charge of closed place to allow search.
- ✓ Disposal of things found in search beyond jurisdiction.

D.–Miscellaneous

- ✓ Power of police officer to seize certain property.

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- ✓ Magistrate may direct search in his presence.
- ✓ Power to impound document, etc., produced.
- ✓ Reciprocal arrangements regarding processes.

9. RECIPROCAL ARRANGEMENTS FOR ASSISTANCE IN CERTAIN MATTERS AND PROCEDURE FOR ATTACHMENT AND FORFEITURE OF PROPERTY

- ✓ Assistance in securing transfer of persons.
- ✓ Assistance in relation to orders of attachment or forfeiture of property.
- ✓ Identifying unlawfully acquired property.
- ✓ Seizure or attachment of property.
- ✓ Management of properties seized or forfeited under this Chapter.
- ✓ Notice of forfeiture of property. 105H. Forfeiture of property in certain cases.
- ✓ Fine in lieu of forfeiture.
- ✓ Certain transfers to be null and void.
- ✓ Procedure in respect of letter of request.

10. SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR

- ✓ Security for keeping the peace on conviction.
- ✓ Security for keeping the peace in other cases.
- ✓ Security for good behaviour from persons disseminating seditious matters.
- ✓ Security for good behaviour from suspected persons.
- ✓ Security for good behaviour from habitual offenders.
- ✓ Order to be made.
- ✓ Procedure in respect of person present in Court.
- ✓ Summons or warrant in case of person not so present.
- ✓ Copy of order to accompany summons or warrant.
- ✓ Power to dispense with personal attendance.
- ✓ Inquiry as to truth of information.
- ✓ Order to give security.
- ✓ Discharge of person informed against.
- ✓ Commencement of period for which security is required.
- ✓ Contents of bond.

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- ✓ Power to reject sureties.
- ✓ Imprisonment in default of security.
- ✓ Power to release persons imprisoned for failing to give security.
- ✓ Security for unexpired period of bond.

11. MAINTENANCE OF WIVES, CHILDREN AND PARENTS

- ✓ Order for maintenance of wives, children and parents.
- ✓ Procedure.
- ✓ Alteration in allowance.
- ✓ Enforcement of order of maintenance.

12. MAINTENANCE OF PUBLIC ORDER AND TRANQUILLITY

A.–Unlawful assemblies SECTIONS

- ✓ Dispersal of assembly by use of civil force.
- ✓ Use of armed forces to disperse assembly.
- ✓ Power of certain armed force officers to disperse assembly.
- ✓ Protection against prosecution for acts done under preceding sections.

B.–Public nuisances

- ✓ Conditional order for removal of nuisance. Service or notification of order.
- ✓ Person to whom order is addressed to obey or show cause.
- ✓ Consequences of his failing to do so.
- ✓ Procedure where existence of public right is denied.
- ✓ Procedure where he appears to show cause.
- ✓ Power of Magistrate to direct local investigation and examination of an expert.
- ✓ Power of Magistrate to furnish written instructions, etc.
- ✓ Procedure on order being made absolute and consequences of disobedience.
- ✓ Injunction pending inquiry.
- ✓ Magistrate may prohibit repetition or continuance of public nuisance.

C.–Urgent cases of nuisance or apprehended danger

- ✓ Power to issue order in urgent cases of nuisance or apprehended danger.

D.–Disputes as to immovable property

- ✓ Procedure where dispute concerning land or water is likely to cause breach of peace.

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- ✓ Power to attach subject of dispute and to appoint receiver.
- ✓ Dispute concerning right of use of land or water.
- ✓ Local inquiry.

13. PREVENTIVE ACTION OF THE POLICE

- ✓ Police to prevent cognizable offences.
- ✓ Information of design to commit cognizable offences.
- ✓ Arrest to prevent the commission of cognizable offences.
- ✓ Prevention of injury to public property.
- ✓ Inspection of weights and measures.

14. INFORMATION TO THE POLICE AND THEIR POWERS TO INVESTIGATE

- ✓ Information in cognizable cases.
- ✓ Information as to non-cognizable cases and investigation of such cases.
- ✓ Police officer's power to investigate cognizable case.
- ✓ Procedure for investigation.
- ✓ Report how submitted.
- ✓ Power to hold investigation or preliminary inquiry.
- ✓ Police officer's power to require attendance of witnesses.
- ✓ Examination of witnesses by police.
- ✓ Statements to police not to be signed: Use of statements in evidence.
- ✓ No inducement to be offered.
- ✓ Recording of confessions and statements.
- ✓ Medical examination of the victim of rape.
- ✓ Search by police officer.
- ✓ When officer in charge of police station may require another to issue search-warrant.
- ✓ Letter of request to competent authority for investigation in a country or place outside India.
- ✓ Letter of request from a country or place outside India to a Court or an authority for investigation in India.
- ✓ Procedure when investigation cannot be completed in twenty-four hours.
- ✓ Report of investigation by subordinate police officer.
- ✓ Release of accused when evidence deficient.

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- ✓ Cases to be sent to Magistrate, when evidence is sufficient
- ✓ Complainant and witnesses not to be required to accompany police officer and not to be subjected to restraint.
- ✓ Diary of proceedings in investigation.
- ✓ Report of police officer on completion of investigation.
- ✓ Police to enquire and report on suicide, etc.
- ✓ Power to summon persons.
- ✓ Inquiry by Magistrate into cause of death.

15. JURISDICTION OF THE CRIMINAL COURTS IN INQUIRIES AND TRIALS

- ✓ Ordinary place of inquiry and trial.
- ✓ Place of inquiry or trial.
- ✓ Offence triable where act is done or consequence ensues.
- ✓ Place of trial where act is an offence by reason of relation to other offence.
- ✓ Place of trial in case of certain offences.
- ✓ Offences committed by letters, etc.
- ✓ Offence committed on journey or voyage.
- ✓ Place of trial for offences triable together.
- ✓ Power to order cases to be tried in different sessions divisions.
- ✓ High Court to decide, in case of doubt, district where inquiry or trial shall take place.
- ✓ Power to issue summons or warrant for offence committed beyond local jurisdiction.
- ✓ Offence committed outside India.
- ✓ Receipt of evidence relating to offences committed outside India.

16. CONDITIONS REQUISITE FOR INITIATION OF PROCEEDINGS

- ✓ Cognizance of offences by Magistrates.
- ✓ Transfer on application of the accused.
- ✓ Making over of cases to Magistrates.
- ✓ Cognizance of offences by Courts of Session.
- ✓ Additional and Assistant Sessions Judges to try cases made over to them.
- ✓ Prosecution for contempt of lawful authority of public servants, for offences against public justice and for offences relating to documents given in evidence.

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- ✓ Procedure for witnesses in case of threatening, etc.
- ✓ Prosecution for offences against the State and for criminal conspiracy to commit such offence.
- ✓ Prosecution of Judges and public servants.
- ✓ Prosecution for offences against marriage.
- ✓ Prosecution of offences under section 498A of the Indian Penal Code.
- ✓ Cognizance of offence.
- ✓ Prosecution for defamation.

17. COMPLAINTS TO MAGISTRATES

- ✓ Examination of complainant.
- ✓ Procedure by Magistrate not competent to take cognizance of the case.
- ✓ Postponement of issue of process.
- ✓ Dismissal of complaint.

18. COMMENCEMENT OF PROCEEDINGS BEFORE MAGISTRATES

- ✓ Issue of process.
- ✓ Magistrate may dispense with personal attendance of accused.
- ✓ Special summons in cases of petty offence.
- ✓ Supply to the accused of copy of police report and other documents.
- ✓ Supply of copies of statements and documents to accused in other cases triable by Court of Session.
- ✓ Commitment of case to Court of Session when offence is triable exclusively by it.
- ✓ Procedure to be followed when there is a complaint case and police investigation in respect of the same offence.

19. THE CHARGE

A.—Form of charges

- ✓ Contents of charge.
 - ✓ Particulars as to time, place and person.
 - ✓ When manner of committing offence must be stated.
 - ✓ Words in charge taken in sense of law under which offence is punishable.
 - ✓ Effect of errors.
 - ✓ Court may alter charge.

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- ✓ Recall of witnesses when charge altered.

B.–Joinder of charges

- ✓ Separate charges for distinct offences.
- ✓ Three offences of same kind within year may be charged together.
- ✓ Trial for more than one offence.
- ✓ Where it is doubtful what offence has been committed.
- ✓ When offence proved included in offence charged.
- ✓ What persons may be charged jointly.
- ✓ Withdrawal of remaining charges on conviction on one of several charges.

20. TRIAL BEFORE A COURT OF SESSION

- ✓ Trial to be conducted by Public Prosecutor.
- ✓ Opening case for prosecution.
- ✓ Discharge.
- ✓ Framing of charge.
- ✓ Conviction on plea of guilty.
- ✓ Date for prosecution evidence.
- ✓ Evidence for prosecution.
- ✓ Acquittal.
- ✓ Entering upon defence.
- ✓ Arguments.
- ✓ Judgment of acquittal or conviction.
- ✓ Previous conviction.

21. TRIAL OF WARRANT-CASES BY MAGISTRATES

A.–Cases instituted on a police report

- ✓ When accused shall be discharged.
- ✓ Framing of charge.
- ✓ Conviction on plea of guilty.
- ✓ Evidence for prosecution.
- ✓ Evidence for defence.

B.–Cases instituted otherwise than on police report

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- ✓ Evidence for prosecution.
- ✓ When accused shall be discharged.
- ✓ Procedure where accused is not discharged.
- ✓ Evidence for defence.

C.–Conclusion of trial

- ✓ Acquittal or conviction.
- ✓ Absence of complainant.
- ✓ Compensation for accusation without reasonable cause.

22. TRIAL OF SUMMONS-CASES BY MAGISTRATES

- ✓ Substance of accusation to be stated.
- ✓ Conviction on plea of guilty.
- ✓ Conviction on plea of guilty in absence of accused in petty cases.
- ✓ Procedure when not convicted.
- ✓ Acquittal or conviction.
- ✓ Non-appearance or death of complainant.
- ✓ Withdrawal of complaint.
- ✓ Power to stop proceedings in certain cases.
- ✓ Power of Court to convert summons-cases into warrant-cases.

23. SUMMARY TRIALS

- ✓ Power to try summarily.
- ✓ Summary trial by Magistrate of the second class.
- ✓ Procedure for summary trials.
- ✓ Record in summary trials.
- ✓ Judgment in cases tried summarily.
- ✓ Language of record and judgment.

24. PLEA BARGAINING

- ✓ Application for plea bargaining.
- ✓ Guidelines for mutually satisfactory disposition.

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- ✓ Report of the mutually satisfactory disposition to be submitted before the Court.
- ✓ Disposal of the case.
- ✓ Judgment of the Court.
- ✓ Finality of the judgment.
- ✓ Power of the Court in plea bargaining.
- ✓ Period of detention undergone by the accused to be set-off against the sentence of imprisonment.
- ✓ Savings.
- ✓ Statements of accused not to be used.
- ✓ Non-application of the Chapter.

25. ATTENDANCE OF PERSONS CONFINED OR DETAINED IN PRISONS

- ✓ Definitions.
- ✓ Power to require attendance of prisoners.
- ✓ Power of State Government to exclude certain persons from operation.
- ✓ Officer in charge of prison to abstain from carrying out order in certain contingencies.
- ✓ Prisoner to be brought to Court in custody.
- ✓ Power to issue commission for examination of witness in prison.

26. EVIDENCE IN INQUIRIES AND TRIALS

A.–Mode of taking and recording evidence

- ✓ Language of Courts.
- ✓ Evidence to be taken in presence of accused.
- ✓ Record in summons-cases and inquiries.
- ✓ Record in warrant-cases.
- ✓ Record in trial before Court of Session.
- ✓ Language of record of evidence.
- ✓ Procedure in regard to such evidence when completed.
- ✓ Interpretation of evidence to accused or his pleader.
- ✓ Remarks respecting demeanour of witness.
- ✓ Record of examination of accused.
- ✓ Interpreter to be bound to interpret truthfully.
- ✓ Record in High Court.

Point to be Noted - Zero to Hero Course will cover syllabus points in Story Manner only, not in depth.

B.–Commissions for the examination of witnesses

- ✓ When attendance of witness may be dispensed with and commission issued.
- ✓ Commission to whom to be issued.
- ✓ Execution of commissions.
- ✓ Parties may examine witnesses.
- ✓ Return of commission.
- ✓ Adjournment of proceeding.
- ✓ Execution of foreign commissions.
- ✓ Deposition of medical witness.
- ✓ Identification report of Magistrate.
- ✓ Evidence of officers of the Mint.
- ✓ Reports of certain Government scientific experts.
- ✓ No formal proof of certain documents.
- ✓ Affidavit in proof of conduct of public servants.
- ✓ Evidence of formal character on affidavit.
- ✓ Authorities before whom affidavits may be sworn.
- ✓ Previous conviction or acquittal how proved.
- ✓ Record of evidence in absence of accused.

27. GENERAL PROVISIONS AS TO INQUIRIES AND TRIALS

- ✓ Person once convicted or acquitted not to be tried for same offence.
- ✓ Appearance by Public Prosecutors.
- ✓ Permission to conduct prosecution.
- ✓ Right of person against whom proceedings are instituted to be defended.
- ✓ Legal aid to accused at State expense in certain cases.
- ✓ Procedure when corporation or registered society is an accused.
- ✓ Tender of pardon to accomplice.
- ✓ Power to direct tender of pardon.
- ✓ Trial of person not complying with conditions of pardon.
- ✓ Power to postpone or adjourn proceedings.
- ✓ Local inspection.
- ✓ Power to summon material witness, or examine person present.

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- ✓ Power of Magistrate to order person to give specimen signatures or handwriting.
- ✓ Expenses of complainants and witnesses.
- ✓ Power to examine the accused.
- ✓ Oral arguments and memorandum of arguments.
- ✓ Accused person to be competent witness.
- ✓ No influence to be used to induce disclosure.
- ✓ Provision for inquiries and trial being held in the absence of accused in certain cases.
- ✓ Procedure where accused does not understand proceedings.
- ✓ Power to proceed against other persons appearing to be guilty of offence.
- ✓ Compounding of offences.
- ✓ Withdrawal from prosecution.
- ✓ Procedure in cases which Magistrate cannot dispose of.
- ✓ Procedure when, after commencement of inquiry or trial, Magistrate finds case should be committed.
- ✓ Trial of persons previously convicted of offences against coinage, stamp-law or property.
- ✓ Procedure when Magistrate cannot pass sentence sufficiently severe.
- ✓ Conviction or commitment on evidence partly recorded by one Judge or Magistrate and partly by another.
- ✓ Court to be open.

28. PROVISIONS AS TO ACCUSED PERSONS OF UNSOUND MIND

- ✓ Procedure in case of accused being lunatic.
- ✓ Procedure in case of person of unsound mind tried before Court.
- ✓ Release of person of unsound mind pending investigation or trial.
- ✓ Resumption of inquiry or trial.
- ✓ Procedure on accused appearing before Magistrate or Court.
- ✓ When accused appears to have been of sound mind.
- ✓ Judgment of acquittal on ground of unsoundness of mind.
- ✓ Person acquitted on such ground to be detained in safe custody.
- ✓ Power of State Government to empower officer-in-charge to discharge.
- ✓ Procedure where lunatic prisoner is reported capable of making his defence.
- ✓ Procedure where lunatic detained is declared fit to be released.

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- ✓ Delivery of lunatic to care of relative or friend.

29. PROVISIONS AS TO OFFENCES AFFECTING THE ADMINISTRATION OF JUSTICE

- ✓ Procedure in cases of abetment, criminal conspiracy etc.
- ✓ Appeal.
- ✓ Power to order costs.
- ✓ Procedure of Magistrate taking cognizance.
- ✓ Summary procedure for trial for giving false evidence.
- ✓ Procedure in certain cases of contempt.
- ✓ When Registrar or Sub-Registrar to be deemed a Civil Court.
- ✓ Discharge of offender on submission of apology.
- ✓ Imprisonment or committal of person refusing to answer or produce document.
- ✓ Summary procedure for punishment for non-attendance by a witness in obedience to summons.
- ✓ Certain Judges and Magistrates not to try certain offences when committed before themselves.

30. THE JUDGMENT

- ✓ Judgment.
- ✓ Language and contents of judgment.
- ✓ Metropolitan Magistrate's judgment.
- ✓ Order for notifying address of previously convicted offender.
- ✓ Order to pay compensation.
- ✓ Victim compensation scheme.
- ✓ Treatment of victims.
- ✓ Compensation to persons groundlessly arrested.
- ✓ Order to pay costs in non-cognizable cases.
- ✓ Order to release on probation of good conduct or after admonition.
- ✓ Special reasons to be recorded in certain cases.
- ✓ Court not to alter judgment.
- ✓ Copy of judgment to be given to the accused and other persons.
- ✓ Judgment when to be translated.
- ✓ Court of Session to send copy of finding and sentence to District Magistrate.

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31. SUBMISSION OF DEATH SENTENCES FOR CONFIRMATION

- ✓ Sentence of death to be submitted by Court of Session for confirmation.
- ✓ Power to direct further inquiry to be made or additional evidence to be taken.
- ✓ Power of High Court to confirm sentence or annul conviction.
- ✓ Confirmation or new sentence to be signed by two Judges.
- ✓ Procedure in case of difference of opinion.
- ✓ Procedure in cases submitted to High Court for confirmation.

32. APPEALS

- ✓ No appeal to lie unless otherwise provided.
- ✓ Appeal from orders requiring security or refusal to accept or rejecting surety for keeping peace or good behaviour.
- ✓ Appeals from convictions.
- ✓ No appeal in certain cases when accused pleads guilty.
- ✓ No appeal in petty cases.
- ✓ Appeal by the State Government against sentence.
- ✓ Appeal in case of acquittal.
- ✓ Appeal against conviction by High Court in certain cases.
- ✓ Special right of appeal in certain cases.
- ✓ Appeal to Court of Session how heard.
- ✓ Petition of appeal.
- ✓ Procedure when appellant in jail.
- ✓ Summary dismissal of appeal.
- ✓ Procedure for hearing appeals not dismissed summarily.
- ✓ Powers of the Appellate Court.
- ✓ Judgments of Subordinate Appellate Court.
- ✓ Order of High Court on appeal to be certified to lower Court.
- ✓ Suspension of sentence pending the appeal; release of appellant on bail.
- ✓ Arrest of accused in appeal from acquittal.
- ✓ Appellate Court may take further evidence or direct it to be taken.
- ✓ Procedure where Judges of Court of Appeal are equally divided.
- ✓ Finality of judgments and orders on appeal.

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- ✓ Abatement of appeals.

33. REFERENCE AND REVISION

- ✓ Reference to High Court.
- ✓ Disposal of case according to decision of High Court.
- ✓ Calling for records to exercise powers of revision.
- ✓ Power to order inquiry.
- ✓ Sessions Judge's powers of revision.
- ✓ Power of Additional Sessions Judge.
- ✓ High Court's powers of revision.
- ✓ Power of High Court to withdraw or transfer revision cases.
- ✓ Option of Court to hear parties.
- ✓ Statement by Metropolitan Magistrate of ground of his decision to be considered by High Court.
- ✓ High Court's order to be certified to lower Court.

34. TRANSFER OF CRIMINAL CASES

- ✓ Power of Supreme Court to transfer cases and appeals.
- ✓ Power of High Court to transfer cases and appeals.
- ✓ Power of Sessions Judge to transfer cases and appeals.
- ✓ Withdrawal of cases and appeals by Sessions Judges.
- ✓ Withdrawal of cases by Judicial Magistrate.
- ✓ Making over or withdrawal of cases by Executive Magistrates.
- ✓ Reasons to be recorded.

35. EXECUTION, SUSPENSION, REMISSION AND COMMUTATION OF SENTENCES

A.–Death Sentences

- ✓ Execution of order passed HC for death sentence.
- ✓ Execution of sentence of death passed by High Court.
- ✓ Postponement of execution of sentence of death in case of appeal to Supreme Court.
- ✓ Postponement of capital sentence on pregnant woman.

B.–Imprisonment

Point to be Noted - Zero to Hero Course will cover syllabus points in Story Manner only, not in depth.

- ✓ Power to appoint place of imprisonment.
- ✓ Execution of sentence of imprisonment.
- ✓ Direction of warrant for execution.
- ✓ Warrant with whom to be lodged.

C.–Levy of fine

- ✓ Warrant for levy of fine.
- ✓ Effect of such warrant.
- ✓ Warrant for levy of fine issued by a Court in any territory to which this Code does not extend.
- ✓ Suspension of execution of sentence of imprisonment.

D.–General provisions regarding execution

- ✓ Who may issue warrant.
- ✓ Sentence on escaped convict when to take effect.
- ✓ Sentence on offender already sentenced for another offence.
- ✓ Period of detention undergone by the accused to be set off against the sentence of imprisonment.
- ✓ Saving.
- ✓ Return of warrant on execution of sentence.
- ✓ Money ordered to be paid recoverable as a fine.

E.–Suspension, remission and commutation of sentences

- ✓ Power to suspend or remit sentences
- ✓ Power to commute sentence.
- ✓ Restriction on powers of remission or commutation in certain cases.
- ✓ Concurrent power of Central Government in case of death sentences.
- ✓ State Government to act after consultation with Central Government in certain cases.

36. DISPOSAL OF PROPERTY

- ✓ Order for custody and disposal of property pending trial in certain cases.
- ✓ Order for disposal of property at conclusion of trial.
- ✓ Payment to innocent purchaser of money found on accused.
- ✓ Appeal against orders of disposal of property after trial or payment on innocent purchaser of money found on accused.
- ✓ Destruction of libellous and other matter.

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- ✓ Power to restore possession of immovable property.
- ✓ Procedure by police upon seizure of property.
- ✓ Procedure when no claimant appears within six months.
- ✓ Power to sell perishable property.

37. IRREGULAR PROCEEDINGS

- ✓ Irregularities which do not vitiate proceedings.
- ✓ Irregularities which vitiate proceedings.
- ✓ Proceedings in wrong place.
- ✓ Non-compliance with recording of confession and statements or accused.
- ✓ Effect of omission to frame, or absence of, or error in, charge.
- ✓ Finding or sentence when reversible by reason of error, omission or irregularity.
- ✓ Defect or error not to make attachment unlawful.

38. LIMITATION FOR TAKING COGNIZANCE OF CERTAIN OFFENCES SECTIONS

- ✓ Bar to taking cognizance after lapse of the period of limitation.
- ✓ Commencement of the period of limitation.
- ✓ Exclusion of time in certain cases.
- ✓ Exclusion of date on which Court is closed.
- ✓ Continuing offence.
- ✓ Extension of period of limitation in certain cases.

39. MISCELLANEOUS

- ✓ Trials before High Courts.
- ✓ Delivery to commanding officers of persons liable to be tried by Court-martial.
- ✓ Power of High Court to make rules.
- ✓ Power to alter functions allocated to Executive Magistrate in certain cases.
- ✓ Case in which Judge or Magistrate is personally interested.
- ✓ Practising pleader not to sit as Magistrate in certain Courts.
- ✓ Public servant concerned in sale not to purchase or bid for property.
- ✓ Saving of inherent power of High Court.
- ✓ Duty of High Court to exercise continuous superintendence over Courts of Judicial Magistrates.

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- ✓ Repeal and savings.

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