**Anticipatory Bail Application**

IN THE COURT OF SESSIONS FOR GREATER BOMBAY CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. \_\_\_\_\_\_\_ OF 2001

ABC S/o PQR

Indian inhabitant

residing at \_\_\_\_\_\_\_\_\_\_\_ ........ Petitioner

V/s

1.     State of Maharashtra at the instance of The Inspector of Police In-charge of \_\_\_\_\_\_\_\_Police Station ........ Respondent

CRIMINAL ANTICIPATORY BAIL APPLICATION UNDER SECTION 438 OF THE CRIMINAL PROCEDURE CODE, 1973.

To

THE HON’BLE PRINCIPAL JUDGE AND HIS COMPANION JUDGES OF THIS HON’BLE COURT.THE HUMBLE PETITION OF THE PETITIONER ABOVENAMED:MOST RESPECTFULLY SHEWETH:

1.     The petitioner is a citizen of India. The petitioner is about \_\_\_years old and is unmarried. The petitioner is a permanent resident of Mumbai, residing at the address as mentioned in the cause title since birth. The petitioner is the son of \_\_\_\_\_\_\_\_\_\_\_\_, who is the co-owner of the aforesaid premises. The petitioner’s father shares the said premises amongst others with one of the petitioner’s uncle named LMN. The petitioner’s father and the said LMN are also partners in a firm called M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_ situated at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2.     The petitioner’s father and the said LMN are involved in various civil disputes relating to the said partnership firm, the residential premises and other commonly held properties. There are many cases and proceedings pending in different courts in Mumbai relating to the same. The said LMN has also time and again dragged the petitioner’s father and his family to the Criminal courts and/or police station. However on each of the occasions the said LMN has met with no success but continues to harass the petitioner, his parents and other family members by lodging false, frivolous and mischievous complaints one after the other.

3.     The petitioner understands that the said LMN has filed a complaint on or around \_\_\_\_\_\_\_\_\_ in the \_\_\_\_\_\_\_\_\_\_\_\_ under Sections \_\_\_\_\_\_\_\_\_\_\_\_\_ of the Indian Penal Code against the petitioner’s father and six of his family members including the petitioner and two female and one male staff working for the petitioner’s father at the aforesaid premises. The petitioner says and submits that the said complaint has been filed by the said LMN as a continuation of the process of harassment and vendetta against the petitioner’s father and with a view to coerce and threaten the petitioner into submission in relation to the civil disputes pending between the petitioner and the said LMN. The petitioner states that on the said date of \_\_\_\_\_\_\_\_\_\_, the said LMN had stolen the petitioner’s mobile phone and the petitioner had lodged an N.C. complaint (being complaint No.\_\_\_\_\_\_\_\_\_ of 2001) at the \_\_\_\_\_\_\_\_\_ police station. The complaint by LMN is merely a counter blast.

4.     The petitioner apprehends that on the basis of the allegations contained in the said counter complaint of LMN the police authorities are likely to arrest / detain him. The petitioner is a respectable citizen of India and is well known in the locality where he stays. The petitioner is an educated youth being \_\_\_\_\_\_\_\_\_ (mention the educational qualifications). The petitioner is an Income-tax assessee. The petitioner has acquired his reputation which would be tarnished if he is arrested and/or detained. The petitioner has done nothing to warrant that his reputation to be harmed at the behest of his disgruntled uncle, i.e. said Mr. LMN.

5.     The petitioner says that the nature of disputes between his father and his uncle are civil and the courts are fully seized of the same and as a law abiding citizen of the country the petitioner shall abide by the verdict of the Honorable courts.

6.     The petitioner says and submits that there is no allegation against him requiring custodial interrogation and therefore prays that in the event of the petitioner’s arrest by the \_\_\_\_\_\_\_\_\_\_\_\_\_Police Station on the basis of the aforesaid allegations made by LMN, this Honorable court be pleased to release him on Bail on such terms and conditions and on such amount as this Honorable court may deem fit and proper. The petitioner undertakes to extend his fullest co-operation to the police and report at the police station as and when required for any investigation. The petitioner has his roots in Mumbai and is living in Mumbai since his birth. The petitioner’s father is the co-owner of immovable property \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (describe the immovable property and give its address in detail). The petitioner, his brother and his parents are all residing together at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Give residential address in full). There is no apprehension of the petitioner absconding. There is no threat of the petitioner tampering with the evidence in any manner whatsoever.

The petitioner therefore prays:

a.     that in the event of the arrest of the petitioner by the \_\_\_\_\_\_\_\_\_\_ Police station on charges arising out of the complaint made by LMN, the Inspector of Police be directed to release the petitioner on bail of such amount and on such terms and conditions as this Honorable court may deem fit and proper;

b.    for such other and further reliefs as may be deemed fit and proper in the facts and circumstances of the case.

Mumbai dated this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_, 2001.

Petition drawn by: Petitioner

Advocate for the Petitioner

**VERIFICATION**

      I.        ABC S/o PQR, the petitioner above-mentioned, do solemnly affirm that what is stated in this petition save and except legal submissions is true to my personal knowledge.

Solemnly affirmed at Mumbai on) this \_\_\_\_\_\_ day of November, 2001)

Petitioner

Before me

Advocate for the petitioner.

**Bail Application**

**IN THE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_, ADDITIONAL DISTRICT AND SESSION JUDGE, \_\_\_\_\_\_\_\_\_\_\_\_\_ COURTS, \_\_\_\_\_\_\_\_\_\_\_\_**

**IN THE MATTER OF:**

LMN, \_\_\_\_\_\_\_\_\_\_\_, Son of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Years of Age, Working as \_\_\_\_\_ Residing at \_\_\_\_\_\_\_\_\_\_

........... Petitioner

Versus

State of\_\_\_\_\_\_\_\_\_ Through PQR, Son of \_\_\_\_\_\_\_\_\_, \_\_\_\_ Years of age, Working as \_\_\_\_\_\_\_\_\_\_ Residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

...........Respondent

FIR No.: \_\_\_\_\_\_\_\_\_\_\_

U/s: \_\_\_\_\_\_\_\_\_\_\_

P.S.: \_\_\_\_\_\_\_\_\_\_\_

**APPLICATION UNDER SECTION 439 OF THE CODE OF CRIMINAL PROCEDURE 1973 FOR GRANT OF BAIL**

**Most Respectfully Show:**

1.     That the present application under section 439 of the Code of Criminal Procedure 1973 is being filed by the Petitioner for seeking grant of bail in FIR No. \_\_\_\_\_\_\_\_\_ registered at Police Station\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The present petition is being moved as the Petitioner has been arrested on \_\_\_\_\_\_\_\_\_ (give date) in connection with the said FIR. The petitioner is now in judicial/police custody.

2.     That the Petitioner is innocent and is being falsely implicated in the above said case as he has nothing to do with the matter.

3.     That the Petitioner is a law abiding citizen of India. The petitioner is gainfully carrying on the business of \_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_. (Give details).

4.     That the Petitioner is a responsible person and is living at the above mentioned address.

5.     (Give all other relevant facts, which have led to the arrest or which show the petitioner's innocence or disassociation with the alleged offence supposed to have been committed)

6.     That the Petitioner is innocent and no useful purpose would be served by keeping him under custody and this is a fit case for grant of bail. (It would be pertinent to mention as to the stage of investigation or in case the charge sheet has been filed, whether charges have been imposed, evidence has started, the length of the list of witnesses cited by the prosecution etc. as these would all be mitigating circumstances)

7.     That the Petitioner undertakes to abide by the conditions that this Honorable Court may impose at the time of granting bail to the Petitioner and further undertakes to attend the trial on every date of hearing.

8.     That the Petitioner has not filed any other similar petition before this or any other Honorable Court for grant of bail in case of the present FIR. (Or give details and results of earlier applications)

**PRAYER:**

In view of the above stated facts and circumstances it is most respectfully prayed that this Honorable Court may be pleased to

a.     Grant bail to the Petitioner in connection with FIR No. \_\_\_\_\_\_\_\_ registered under section \_\_\_\_\_\_\_\_, for the offence of \_\_\_\_\_\_\_\_ (give sections) at Police Station \_\_\_\_\_\_\_\_\_ (give place).

b.    Pass any other such order as this Honorable Court may deem fit and proper in the interest of justice.

LMN........Petitioner

Through

ABC.........Counsel

Place:

Dated :

**Bail Bond after Arrest Under a Warrant**

I, \_\_\_\_\_\_\_\_\_\_ (name), of \_\_\_\_\_\_\_\_\_\_, being brought before the District Magistrate of \_\_\_\_\_\_\_ (or as the case may be) under a warrant issued to compel my appearance to answer to the charge of \_\_\_\_\_\_\_\_\_, do hereby bind myself to attend in the Court of \_\_\_\_\_\_ on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_ nest, to answer to the said charge, and to continue so to attend until otherwise directed by the Court; and, in case of my making default herein, I bind myself to forfeit, to Government the sum of Rs. \_\_\_\_\_\_\_/-

Dated, this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_02.

Signature.

I do hereby declare myself surety for the above-named \_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_, that he shall attend before \_\_\_\_\_\_\_\_\_ in the Court of \_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ next, to answer to the charge on which he has been arrested, and shall continue so to attend until otherwise directed by the Court; and, in case of his making default therein, I bind myself to forfeit, to Government, the sum of Rs. \_\_\_\_\_\_\_\_\_/-.

Dated, this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_02.

Signature.

**Bail Bond Under CRPC 1973 after Arrest Under Warrant**

I (name) \_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_ being brought before the District Magistrate of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (or as the case may be) under a warrant issued to compel my appearance to answer to the charge of \_\_\_\_\_\_\_\_\_\_\_\_ do hereby bind myself to attend in the court of \_\_\_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 2000, to answer to the said charge, and to continue to attend until otherwise directed by the court, and in case of my making default herein, 1 bind myself to forfeit to Government, the sum of Rs. \_\_\_\_\_\_\_\_\_.

Dated this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 2000.

(Signature)

I, do hereby declare myself surety for the above named \_\_\_\_\_\_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_\_\_\_ that he shall attend before \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 2000, to answer to the charge on which he has been arrested, and shall continue to attend until otherwise directed by the court and in case of his making default therein, I bind myself to forfeit, to Government the sum of Rs. \_\_\_\_\_\_\_\_\_\_\_.

Dated this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2000

Signature

**Bond and Bail Bond for Attendance before Office in Charge of Police Station or Court**

[See sections 436, 437, 438 (3) and 441 Criminal Procedure Code]

I, (name), of (place), having been arrested or detained without warrant by the Officer in charge of police station (or having been brought before the Court of), charged with the offence of, and required to give security for my attendance before such Officer or Court on condition that I shall attend such Officer or Court on every day on which any investigation or trial is held with regard to such charge, and in case of my making default herein, I bind myself to forfeit to Government the sum of rupees

Dated, this ..............day of...........19.

(Signature)

I hereby declare myself (or we jointly and severally declare ourselves and each of us) surety (or sureties) for the above said (name) that he shall attend the Officer in charge of police station or the Court of on every day on which any investigation into the charge is made or any trial on such charge is held, that he shall be, and appear, before such officer or Court for the purpose of such investigation or to answer the charge against him (as the case may be), and, in case of his making default herein, I hereby bind myself (or we, hereby bind ourselves) to forfeit to Government the sum of rupees

Dated, this ..............day of...............19.

(Signature)

**Bond and Bail Bond on a Preliminary Inquiry before a Police Officer**

(See section 169 Criminal Procedure Code)

I, (name), of, being charged with the offence of, and after inquiry required to appear before the Magistrate of ............................

**or**

and after inquiry called upon to enter into my own recognizance to appear when required, do hereby bind myself to appear at, in the Court of, on the day of next (or on such day as I may hereafter be required to attend) to answer further to the said charge, and in case of my making default herein, I bind myself to forfeit to Government, the sum of rupees

Dated, this day of,19.

(Signature)

I hereby declare myself (or we jointly and severally declare ourselves and each of us) surety (or sureties) for the above said (name) that he shall attend at in the Court of, on the day of
next (or on such day as he may hereafter be required to attend), further to answer to the charge pending against him, and, in case of his making default therein, I hereby bind myself (or we hereby bind ourselves) to forfeit to Government the sum of rupees

Dated, this day of,19.

(Signature)

**Bond and Bail-Bond after Arrest under a Warrant**

[See Section 81 of the Criminal Procedure Code]

I, (name), of, being brought before the District Magistrate of (or as the case may be) under a warrant issued to compel my appearance to answer to the charge of, do hereby bind myself to attend in the Court of on the day of next, to answer to the said charge, and to continue so to attend until otherwise directed by the Court; and, in case of my making default herein, I bind myself to forfeit, to Government, the sum of rupees

Dated, this day of,19.

(Signature)

I do hereby declare myself surety for the above-named of, that he shall attend before in the Court of on the day of next, to answer to the charge on which he has been arrested, and shall continue so to attend until otherwise directed by the Court; and, in case of his making default therein, I bind myself to forfeit, to Government, the sum of rupees

Dated, this ..........day of...........19.

(Signature)

**Bond for Good Behavior**

[See sections 108, 109 and 110 of Criminal Procedure Code]

WHEREAS I, (name), inhabitant of (place), have been called upon to enter into a bond to be of good behavior to Government and all the citizens of India for the term of (state the period) or until the completion of the inquiry in the matter of now pending in the Court of, I hereby bind myself to be of good behavior to Government and all the citizens of India during the said term or until the completion of the said inquiry; and, in case of my making default therein, I hereby bind myself to forfeit to Government the sum of rupees

Dated, this ........day of,............19.

(Signature)

(Where a bond with sureties is to be executed, add).

We do hereby declare ourselves sureties for the above-named that he will be of good behavior to Government and all the citizens of India during the said term or until the completion of the said inquiry; and, in case of his making default therein, we bind ourselves, jointly and severally, to forfeit to Government the sum of rupees

Dated, this .........day of...........19.

(Signature)

**Bond to Keep the Peace**

[See Sections 106 and 107 of the Criminal Procedure Code]

WHEREAS I, (name), inhabitant of (Place), have been called upon to enter into a bond to keep the peace for the term of or until the completion of the inquiry in the matter of now pending in the Court of, I hereby bind myself not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term or until the completion of the said inquiry and, in case of my making default therein, I hereby bind myself to forfeit to Government the sum of rupees

Dated, this ..............day of...........19

(Signature)

**Bond to Prosecute or give Evidence**

(See section 170 Criminal Procedure Code)

I, (name), of (place), do hereby bind myself to attend at in the Court of at o'clock on the day of next and then and there to prosecute (or to prosecute and give evidence) (or to give evidence) in the matter of a charge of against one A.B., and, in case of making default herein, I bind myself to forfeit to Government the sum of rupees

Dated, this day of,19

(Signature)

**CHARGES**

(See sections 211, 212 and 213 of the Criminal Procedure Code)

      **I.**        **CHARGES WITH ONE HEAD**

1.

a.     I, (name and office of Magistrate, etc.), hereby charge you (name of accused person) as follows:-

b.    that you, on or about the day of, at, waged war against the Government of India and thereby committed an offence punishable under section 121 (On section 121) of the Indian Penal Code, and within the cognizance of this Court.

c.     And I hereby direct that you be tried by this Court on the said charge.

(Signature and Seal of the Magistrate)

[To be substituted for (b) ]:-

2.     That you, on or about the day of, at, with the intention of inducing the President of India [or, as the case may be, the Governor of (name of State)] to refrain from exercising a lawful power as such President (or, as the case may be, the Governor), assaulted President (or, as the case maybe, the Governor), and thereby committed an offence punishable under section 124 (On section 124) of the Indian Penal Code, and within the cognizance of this Court.

3.     That you, being a public servant in the Department, directly accepted from (state the name) for another party (state the name) gratification other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 (On section 161) of the Indian Penal Code, and within the cognizance of this Court.

4.     That you, on or about the day of, at, did (or omitted to do, as the case may be), such conduct being contrary to the provisions of Act, section, and known by you to be prejudicial to, and thereby committed an offence punishable under section 166 (On section 166) of the Indian Penal Code, and within the cognizance of this Court.

5.     That you, on or about the day of, at, in the course of the trial of before stated in evidence that " " which statement you either knew or believed or be false, or did not believe to be true, and thereby committed an offence punishable under section 193 (On section 193) of the Indian Penal Code, and within the cognizance of this Court.

6.     That you, on or about the day of, at, committed culpable homicide not amounting to murder, causing the death of, and thereby committed an offence punishable under section 304 (On section 304) of the Indian Penal Code, and within the cognizance of this Court.

7.     That you, on or about the day of, at, abetted the commission of suicide by A.B., a person in a state of intoxication, and thereby committed an offence punishable under section 306 (On section 306) of the Indian Penal Code, and within the cognizance of this Court.

8.     That you, on or about the day of, at, voluntarily caused grievous hurt to, and thereby committed an offence punishable under section 325 (On section 325) of the Indian Penal Code, and within the cognizance of this Court.

9.     That you, on or about the day of, at, robbed (state the name), and thereby committed an offence punishable under section 392 (On section 392) of the Indian Penal Code, and within the cognizance of this Court.

10.  That you, on or about the day of, at, committed dacoit, an offence punishable under section 395 (On section 395) of the Indian Penal Code, and within the cognizance of this Court.

**II.        CHARGES WITH TWO OR MORE HEADS**

1.

a.     I, (name and office of Magistrate, etc.), hereby charge you (name of accused person) as follows:-

b.

First - That you, on or about the day of, at, knowing a coin to be counterfeit, delivered the same to another person, by name, A.B., as genuine, and thereby committed an offence punishable under section 241 (On section 241) of the Indian Penal Code, and within the cognizance of the Court of Session.

Secondly- That you, on or about the day of, at, knowing a coin to be counterfeit attempted to induce another person, by name, A.B., to receive it as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the Court of Session.

c.     And I hereby direct that you be tried by the said Court on the said charge.

(Signature and seal of the Magistrate)

[To be substituted for (b)];-

2.

First - That you, on or about the day of, at, committed murder by causing the death of, and thereby committed an offence punishable under section 302 (On sections 302 and 304) of the Indian Penal Code, and within the cognizance of the Court of Session.

Secondly- That you, on or about the day of, at, by causing the death of, committed culpable homicide not amounting to murder, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the Court of Session.

3.

First- That you, on or about the day of, at, committed theft, and thereby committed an offence punishable under section 379 (On sections 379 and 382) of the Indian Penal Code, and within the cognizance of the Court of Session.

Secondly- That you, on or about the day of, at, committed theft, having made preparation for causing death to a person in order to the committing of such theft and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the Court of Session.

Thirdly- That you, on or about the day of, at, committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the Court of Session.

Fourthly- That you, on or about the day of, at, committed theft, having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the Court of Session.

4.     That you, on or about the day of, at, in the course of the inquiry into, before, stated in evidence that " ", and that you, on or about the day of, at in the course of the trial of, before, stated in the evidence that " ", one of which statements you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 (Alternative change on section 193) of the Indian Penal Code, and within the cognizance of the Court of Session.

(In cases tried by Magistrate substitute "within my cognizance", for "within the cognizance of the Court of Session").

**III.        CHARGES FOR THEFT AFTER PREVIOUS CONVICTION**

I, (name and office of Magistrate, etc.), hereby charge you (name of accused person) as follows:-

That you, on or about the day of, at, committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the Court of Session (or Magistrate, as the case may be).

And you, the said (name of accused), stand further charged that you, before the committing of the said offence, that is to say, on the day of had been convicted by the (state Court by which conviction was had) at of an offence punishable under Chapter XVII of the Indian Penal Code with imprisonment for a term of three years, that is to say, the offence of house-breaking by night (describe the offence in the words used in the section under which the accused was convicted), which conviction is still in full force and effect, and that you are thereby liable to enhanced punishment under section 75 of the Indian Penal Code.

And I hereby direct that you be tried, etc.

**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C)

1.     District \_\_\_\_\_\_\_\_\_\_\_ Police Station\_\_\_\_\_\_\_\_ Year \_\_\_\_\_\_\_\_FIR No.\_\_\_\_\_ Date\_\_\_\_\_

2.     Act\_\_\_\_\_\_\_\_\_\_\_ Sections\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3.

a.     Occurrence of offence: Date \_\_\_\_\_\_\_\_Time Period\_\_\_\_\_\_\_\_\_\_\_\_\_

b.    Information received at Police Station Date\_\_\_\_\_\_\_\_\_ Time\_\_\_\_\_\_\_\_\_

c.     General Diary Reference: Entry No\_\_\_\_\_\_\_\_\_ Time\_\_\_\_\_\_\_\_\_\_\_\_

4.     Type of Information Written/Oral

5.     Place of Occurrence:

a.     Direction and distance from P.S\_\_\_\_\_\_\_\_\_\_ Beat No\_\_\_\_\_\_\_\_

b.    Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c.     In case,, outside the limit of this P.S., then Name of Police Station\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ District\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6.     Complainant/Informant:

a.     Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b.    Father's/Husband's Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c.     Date/Year of Birth \_\_\_\_\_\_\_\_\_\_\_

d.    Nationality

e.     Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

7.     Details of known/suspected/unknown accused with full particulars.

              i.        \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

             ii.        \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

8.     Reasons for delay in reporting by the complainant/informant

9.     Particulars of properties stolen\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

10.  Total value of property stolen\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

11.  Inquest Report/U.D case NO., if any\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

12.  FIR Contents:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

13.  Action Taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No.2:

1.     Registered the case and took up the investigation or

2.     Directed/Entrusted (Name of I.O)\_\_\_\_\_\_\_\_\_\_ Rank\_\_\_\_\_\_\_\_\_ No\_\_\_\_\_\_\_\_\_\_\_ to take up the Investigation or

3.     Refused investigation due to \_\_\_\_\_\_\_\_\_\_\_\_\_ Or

4.     Transferred to P.S\_\_\_\_\_\_\_\_\_\_\_\_ District\_\_\_\_\_\_\_\_\_\_\_ on point of jurisdiction.

FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost.

Signature of Officer in charge, Police Station

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Rank\_\_\_\_\_\_\_\_\_ No\_\_\_\_\_\_\_\_

14.  Signature/Thumb impression of the complainant/informant.

15.  Date and time of dispatch to the court \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Injunction to Provide Against Imminent Danger Pending Inquiry**

(See section 142 Criminal Procedure Code)

To (name, description and address).

WHEREAS the inquiry into the conditional order issued by me on the day of, 19, is pending, and it has been made to appear to me that the nuisance mentioned in the said order is attended with such imminent danger or injury of a serious kind to the public as to render necessary immediate measures to prevent such danger or injury, I do hereby, under the provisions of section 142 of the Code of Criminal Procedure, 1973, direct and enjoin you forthwith to (state plainly what is required to be done as a temporary safeguard), pending the result of the inquiry.

Dated, this day of,19.

(Seal of the Court) (Signature)

**Magistrate Notice and Peremptory Order**

(See section 141 Criminal Procedure Code)

To (name, description and address).

I HEREBY give you notice that it has been found that the order issued on the day of requiring you (state substantially the requisition in the order) is reasonable and proper. Such order has been made absolute, and I hereby direct and require you to obey the said order within (state the time allowed), on peril of the penalty provided by the Indian Penal Code for disobedience thereto.

Dated, this .........day of.............19.

(Seal of the Court) (Signature)

**Magistrate's or Judge's Warrant of Commitment of Witness Refusing to Answer or to Produce Document**

(See section 349 Criminal Procedure Act)

To (name and designation of officer of Court)

WHEREAS (name and description), being summoned (or brought before this Court) as a witness and this day required to give evidence on an inquiry into an alleged offence, refused to answer a certain question (or certain questions) put to him touching the said alleged offence, and duly recorded, or having been called upon to produce any document has refused to produce such document, without alleging any just excuse for such refusal, and for his refusal has been ordered to be detained in custody for (term of detention adjudged);

This is to authorise and require you to take the said (name) into custody, and him safely to keep in your custody for the period of days, unless in the meantime he shall consent to the examined and to answer the questions asked of him, or to produce the document called for from him, and on the last of the said days, or forthwith on such consent being known, to bring him before this Court to be dealt with according to law, returning this warrant with an endorsement certifying the manner of its execution.

Dated, this ...........day of..........19.

(Seal of the Court) (Signature)

**Magistrate's Order Declaring Party Entitled to Retain Possession of Land, Etc., in Dispute**

(See section 145 Criminal Procedure Code)

It appears to me, on the grounds duly recorded, that a dispute, likely to induce a breach of the peace, existed between (describe the parties by name and residence, or residence only if the dispute be between bodies of villagers) concerning certain (state concisely the subject of dispute), situate within my local jurisdiction, all the said parties were called upon to give in a written statement of their respective claims as to the fact of actual possession of the said (the subject of dispute), and being satisfied by due inquiry had thereupon, without reference to the merits of the claim of either of the said parties to the legal right of possession, that the claim of actual possession by the said (name or names or description) is true; I do decide and declare that he is (or they are) in possession of the said (the subject of dispute) and entitled to retain such possession until ousted by due course of law, and do strictly forbid any disturbance of his (or their) possession in the meantime.

Dated, this day of,19.

(Seal of the Court) (Signature)

**Magistrate's Order Prohibiting the Doing of Anything on Land on Water**

(See section 147 Criminal Procedure Code)

A DISPUTE having arisen concerning the right of use of (state concisely the subject of dispute) situate within my local jurisdiction, the possession of which land (or water) is claimed exclusively by (describe the person or persons), and it appears to me, on due inquiry into the same, that the said land (or water) has been open to the enjoyment of such use by the public (or if by an individual or a class of persons, describe him or them) and (if the use can be enjoyed throughout the year) that the said use has been enjoyed within three months of the institution of the said inquiry (or if the use is enjoyable only at a particular season, say, "during the last of the seasons at which the same is capable of being enjoyed");

I do order that the said (the claimant or claimants of possession) or any one in their interest, shall not take (or retain) possession of the said land (or water) to the exclusion of the enjoyment of the right of use aforesaid, until he (or they) shall obtain the decree or order of a competent Court adjudging him (or them) to be entitled to exclusive possession.

Dated, this day of,19.

(Seal of the Court) (Signature)

**Magistrate's Order Prohibiting the Repetition, Etc of a Nuisance**

(See section 143 of the Criminal Procedure code)

To (name, description and address).

WHEREAS it has been made to appear to me that, etc.(state the proper recital, guided by Form No.20 or Form No.24, as the case may be);

I do hereby strictly order and enjoin you not to repeat or continue the said nuisance.

Dated, this .........day of........19.

(Seal of the Court) (Signature)

**Magistrate's Order to Prevent Obstruction, Riot, Etc**

(See section 144 of Criminal Procedure Code)

To (name, description and address).

WHEREAS it has been made to appear to me that you are in possession (or have the management) of (describe clearly the property), and that, in digging a drain on the said land, you are about to throw or place a portion of the earth and stones dug-up upon the adjoining public road, so as to occasion risk of obstruction to persons using the road;

**or**

WHEREAS it has been made to appear to me that you and a number of other persons (mention the class of persons) are about to meet and proceed in a procession along the public street, etc., (as the case may be) and that such procession is likely to lead to a riot or an affray;

**or**

WHEREAS, etc., etc., (as the case may be);

I do hereby order you not to place or permit to be placed any of the earth or stones dug from land on any part of the said road;

**or**

I do hereby prohibit the procession passing along the said street, and strictly warn and enjoin you not to take any part in such procession (or as the case recited may require).

Dated, this day of,19.

(Seal of the Court) (Signature)

**Notice of Commitment by Magistrate to Public Prosecutor**

(See section 209 Criminal Procedure Code)

The Magistrate of hereby gives notice that he has committed one for trial at the next Sessions; and the Magistrate hereby instructs the Public Prosecutor to conduct the prosecution of the said case.

The charge against the accused is that, etc.(state the offence as in the charge).

Dated, this..........day of.............19.

(Seal of the Court) (Signature)

**Order Authorising an Attachment by the District Magistrate or Collector**

[See Section 83 of the Criminal Procedure Code]

To the District Magistrate / Collector of the District of ........................

WHEREAS complaint has been made before me that (name, description and address) has committed (or is suspected to have committed) the offence of, punishable under section of the Indian Penal Code, and it has been returned to a warrant of arrest thereupon issued that the said (name) cannot be found; and whereas it has been shown to my satisfaction that the said (name) has absconded (or is concealing himself to avoid the service of the said warrant) and thereupon a Proclamation has been or is being duly issued and published requiring the said (name) to appear to answer the said charge within days; and whereas the said is possessed of certain land paying revenue to Government in the village (or town) of in the District of

You are hereby authorised and requested to cause the said land to be attached, in the manner specified in clause (a), or clause (c), or both\*, of sub-section (4) of section 83, and to be held under attachment pending the further order of this Court, and to certify without delay what you may have done in pursuance of this order.

Dated, this ..........day of..........19.

(Seal of the Court) (Signature)

\* Strike out the one which is not desired.

**Order for the Removal of Nuisances**

(See section 133 of Criminal Procedure Code)

To (name, description and address).

WHEREAS it has been made to appear to me that you have caused an obstruction (or nuisance) to persons using the public roadway (or other public place) which, etc., (describe the road or public place), by, etc., (state what it is that causes the obstruction or nuisance), and that such obstruction (or nuisance) still exists;

or

WHEREAS it has been made to appear to me that you are carrying on, as owner, or manager, the trade or occupation of (state the particular trade or occupation and the place where it is carried on), and that the same is injurious to the public health (or comfort) by reason (state briefly in what manner the injurious effects are caused), and should be suppressed or removed to a different place;

or

WHEREAS it has been made to appear to me that you are the owner (or are in possession of or have the control over) a certain tank (or well or excavation) adjacent to the public way (describe the thoroughfare), and that the safety of the public is endangered by reason of the said tank (or well or excavation) being without a fence (or insecurely fenced);

or

WHEREAS, etc., etc., (as the case may be);

I do hereby direct and require you within (state the time allowed) (state what is required to be done to abate the nuisance) or to appear at in the Court of on the day of next, and to show cause why this order should not be enforced;

or

I do hereby direct and require you within (state the time allowed) to cease carrying on the said trade or occupation at the said place, and not again to carry on the same, or to remove the said trade from the place where it is now carried on, or to appear, etc.;

or

I do hereby direct and require you within (state the time allowed) to put up a sufficient fence (state the kind of fence and the part to be fenced); or to appear, etc.;

or

I do hereby direct and require you, etc., etc., (as the case may be).

Dated, this .........day of........19.

(Seal of the Court) (Signature)

**Order of Attachment to Compel the Appearance of a Person Accused**

[See Section 83 of the Criminal Procedure Code]

To (name and designation of the person or persons who is or are to execute the warrant).

WHEREAS complaint has been made before me that (name, description and address) has committed (or is suspected to have committed) the offence of punishable under section of the Indian Penal Code, and it has been returned to a warrant of arrest thereupon issued that the said (name) cannot be found; and whereas it has been shown to my satisfaction that the said (name) has absconded (or is concealing himself to avoid the service of the said warrant) and thereupon a Proclamation has been or is being duly issued and published requiring the said to appear to answer the said charge within days; and whereas the said is possessed of the following property, other than land paying revenue to Government, in the village (or town), of, in the District of, viz.,, and an order has been made for the attachment thereof;

You are hereby required to attach the said property in the manner specified in clause (a), or clause (c), or both\*, of sub-section (2) of section 83, and to hold the same under attachment pending further order of this Court, and to return this warrant with an endorsement certifying the manner of its execution.

Dated, this ..........day of..........19.

(Seal of the Court) (Signature)

\* Strike out the one which is not applicable, depending on the nature of the property to be attached.

**Order of Attachment to Compel the Attendance of a Witness**

[See Section 83 of Criminal Procedure Code]

To the officer in charge of the police station at..................

WHEREAS a warrant has been duly issued to compel the attendance of (name, description and address) to testify concerning a complaint pending before this Court, and it has been returned to the said warrant that it cannot be served; and whereas it has been shown to my satisfaction that he has absconded (or is concealing himself to avoid the service of the said warrant); and thereupon a Proclamation has been or is being duly issued and published requiring the said to appear and give evidence at the time and place mentioned therein;

This is to authorise and require you to attach by seizure the movable property belonging to the said to the value of rupees which you may find within the District of and to hold the said property under attachment pending the further order of this Court, and to return this warrant with an endorsement certifying the manner of its execution.

Dated, this ............day of...........19.

(Seal of the Court) (Signature)

**Order Requiring Production in Court of Person in Prison for Answering to Charge of Offence**

(See section 267 Criminal Procedure Code)

To

The Officer in charge of the Jail at .................

WHEREAS the attendance of (name of prisoner) at present confined detained in the above-mentioned prison, is required in this Court to answer to a charge of (state shortly the offence charged) or for the purpose of a proceeding (state shortly the particulars of the proceeding);

You are hereby required to produce the said under safe and sure conduct before this Court on the day of, 19, by A.M. there to answer to the said charge, or for the purpose of the said proceeding, and after this Court had dispensed with his further attendance, cause him to be conveyed under safe and sure conduct back to the said prison.

And you are further required to inform the said of the contents of this order and deliver to him the attached copy thereof.

Dated, this ..........day of.............19.

(Seal of the Court) (Signature)

Counter signed.

(Seal) (Signature)

**Proclamation Requiring the Appearance of a Person Accused**

[See Section 82 of the Criminal Procedure Code]

WHEREAS complaint has been made before me that (name, description and address) has committed (or is suspected to have committed) the offence of, punishable under section of the Indian Penal Code, and it has been returned to a warrant of arrest thereupon issued that the said (name) cannot be found, and whereas it has been shown to my satisfaction that the said (name) has absconded (or is concealing himself to avoid the service of the said warrant);

Proclamation is hereby made that the said of is required to appear at (place) before this Court (or before me) to answer the said complaint on the day of.

Dated, this ...........day of............ 19.

(Seal of the Court)

(Signature)

**Proclamation Requiring the Attendance of a Witness**

[See Sections 82, 87 and 90 of Criminal Procedure Code]

WHEREAS complaint has been made before me that (name, description and address) has committed (or is suspected to have committed) the offence of (mention the offence concisely) and a warrant has been issued to compel the attendance of (name, description and address of the witness) before this Court to be examined touching the matter of the said complaint; and whereas it has been returned to the said warrant that the said (name of witness) cannot be served, and it has been shown to my satisfaction that he has absconded (or is concealing himself to avoid the service of the said warrant);

Proclamation is hereby made that the said (name) is required to appear at (place) before the Court of on the day of next at o'clock, to be examined touching the offence complained of.

Dated, this ...........day of........19.

(Seal of the Court) (Signature)

**Section 156 in The Code Of Criminal Procedure, 1973**

**156. Police officer' s power to investigate cognizable case.**

(1) Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII.

(2) No proceeding of a police officer in any such case shall at any stage be called in question on the ground that the case was one which such officer was not empowered under this section to investigate.

(3) Any Magistrate empowered under section 190 may order such an investigation as above- mentioned.

Sample format of Complaint to Chief Metropolitan Magistrate under Section 200 CrPC for Police Investigation is given below:

**IN THE COURT OF THE CHIEF METROPOLITAN MAGISTRATE AT** \_\_\_\_\_\_\_\_\_

COMPLAINT CASE NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

(Affix Court Fee stamp of Rs. \_\_\_)

IN THE MATTER OF:

C\_\_\_                                                        COMPLAINANT

ADDRESS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

VS

A\_\_\_                                                         ACCUSED

ADDRESS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Police Station \_\_\_\_\_\_\_\_\_

**COMPLAINT UNDER SECTION 200 READ WITH SECTION 156(3) OF THE CODE OF CRIMINAL PROCEDURE FOR REGISTRATION OF FIR UNDER SECTION 323 AND 506 OF INDIAN PENAL CODE**

THE COMPLAINANT ABOVE NAMED MOST RESPECTFULLY SHOWETH:

1. That the complainant is a law abiding citizen of India. The Complainant is a resident of Flat No\_\_\_\_ in the \_\_\_\_\_\_\_\_\_\_\_ area.

2. The Accused named above is the neighbor of the Complainant. Both houses are situated near to each other.

3. That the Complainant and Accused has separate parking spaces in front of their house. But the accused most of the time park one of their vehicle in the Parking space of Complainant and other Vehicle in his Parking Space.

4. That on \_\_\_\_\_ at about \_\_\_\_ 6.00 PM the Complainant reached home from his office and found that the accused parked his car in front of the house of Complainant. The Complainant went to the House of the accused to make him humble request to park his car in some other place as regularly he is causing in convenience to the Complainant. The Accused came out of his house with a stick and challenged the Complainant. The Complainant tried to pacify him, but he abused the Complainant. The Complainant objected to the abuses being burled by the accused. The accused then gave complaint 3 blows on complainant's leg by using the stick in his hand. As a result, the Complainant received abrasions. The accused then criminally intimidated the Complainant with dire consequences in case complainant ever again visited him with such complaint or reported the matter to the Police.

5. That the occurrence was witnessed by Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_ and Mr. \_\_\_\_\_\_\_\_\_\_\_\_, neighbors in the locality.

6. That the Complainant went to the Police station at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to report the matter, but report was not registered. Complainant went to the Government hospital and got dressed his injuries. Copy of Complaint given to the Police Station at \_\_\_\_\_ on \_\_\_\_\_ is attached herewith as Annexure A.

7. That the Complaint had Complaint to the Senior Superintendent of Police by sending his Complaint by Registered Post. Even then, no action has so far been taken against the accused. Copy of Complaint sent to the Senior Superintendent of Police at \_\_\_\_\_\_ on \_\_\_\_\_\_ is attached herewith as Annexure B.

8. That the Accused has criminal record and he is of quarreling nature. FIR No\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_ and FIR No \_\_\_\_\_\_\_\_\_\_ dated has been filed by Mr. \_\_\_\_\_\_\_\_\_\_ another neighbor of the accused in earlier occasions. Copy of FIR No \_\_\_\_\_\_\_\_\_ and FIR No\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_ filed by Mr. \_\_\_\_\_\_\_\_\_\_\_ is attached herewith as Annexure C.

9. Under this Circumstances, the Complainant Prays for legal action against the Accused.

P R A Y E R

In view of the aforesaid submission made here in and in the interest of the justice, it is therefore most respectfully prayed that this Hon'ble Court may graciously be pleased to:

1) Register the present complaint.

2) Take cognizance of the offence, as the contents per-se amount to commission of offences, as indicated above, without anything more.

3) Summon try and punish the accused person for committing the offences under section 323 and 506 of the IPC.

4) Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANT AS IN DUTY BOUND, SHALL EVER PRAY.

COMPLAINANT

THROUGH

\_\_\_\_\_\_ADVOCATE

Place :

Date :

Annexures to be attached with the Complaint

1. List of witness to be examined with name and address

2. Photograph of Complainant with Injuries

3. Medical Certificate issued by the CMO of Government Hospital

4. Copy of FIR No \_\_\_\_\_\_\_\_\_ and FIR No\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_ filed by Mr. \_\_\_\_\_\_\_\_\_\_\_.

5. Copy of Complaint given to the Police Station at \_\_\_\_\_ on \_\_\_\_\_

6. Copy of Complaint sent to the Senior Superintendent of Police at \_\_\_\_\_\_ on \_\_\_\_\_\_

7. Any other relevant document related to the incident.

**Special Summons to a Person Accused of a Petty Offence**

(See section 206 Criminal Procedure Code)

To

(Name of the accused)

of (address)

WHEREAS your attendance is necessary to answer a charge of a petty offence (state shortly the offence charged), you are hereby required to appear in person (or by pleader) before (Magistrate) of on the day of 19, or if you desire to plead guilty to the charge without appearing before the Magistrate, to transmit before the aforesaid date the plea of guilty in writing and the sum of rupees as fine, or if you desire to appear by pleader and to plead guilty through such pleader, to authorise such pleader in writing to make such a plea of guilty on your behalf and to pay the fine through such pleader. Herein fail not.

Dated, this ..........day of........19.

(Seal of the Court) (Signature)

(Note.- The amount of fine specified in this summons shall not exceed one hundred rupees.)

**Summons on Information of a Probable Breach of the Peace**

[See Section 113 of the Criminal Procedure Code]

To ..............of............

WHEREAS it has been made to appear to me by credible information that (state the substance of the information), and that you are likely to commit a breach of the peace (or by which act a breach of the peace will probably be occasioned), you are hereby required to attend in person (or by a duly authorised agent) at the office of the Magistrate of on the day of 19, at ten o'clock in the forenoon, to show cause why you should not be required to enter into a bond for rupees [when sureties are required, add, and also to give security by the bond of one (or two, as the case may be) surety (or sureties) in the sum of rupees (each if more than one)], that you will keep the peace for the term of

Dated, this ..........day of.........19.

(Seal of the Court)

(Signature)

**Summons to an Accused Person**

[See section 61 of the Criminal Procedure Code]

To

.........................(name of accused) of (address)

WHEREAS your attendance is necessary to answer to a charge of (state shortly the offence charged), you are hereby required to appear in person (or by pleader, as the case may be) before the (Magistrate) of

on the day of Herein fail not.

Dated, this .................day of..........19.....

(Seal of the Court) (Signature)

**Summons To Witness**

(See sections 61 and 244 Criminal Procedure Code)

To

WHEREAS complaint has been made before me that (name of the accused) of (address) has (or is suspected to have) committed the offence of (state the offence concisely with time and place), and it appears to me that you are likely to give material evidence or to produce any document or other thing for the prosecution;

You are hereby summoned to appear before this Court on the day of next at ten o'clock in the forenoon, to produce such document or thing or to testify what you know concerning the matter of the said complaint, and not to depart thence without leave of the Court; and you are hereby warned that, if you shall without just excuse neglect or refuse to appear on the said date, a warrant will be issued to compel your attendance.

Dated, this .........day of.........19.

(Seal of the Court) (Signature)

**Warrant after Commutation of a Sentence**

(See section 386 Criminal Procedure Code)

To the Officer in charge of the Jail at............

WHEREAS at a Session held on the day of, 19, (name of prisoner), the (1st, 2nd, 3rd, as the case may be) prisoner in case No. of the Calendar for 19 at the said Session, was convicted of the offence of, punishable under section of the Indian Penal Code, and sentenced to, and was thereupon committed to your custody; and whereas by the order of the..........Court of ( a duplicate of which is hereunto annexed) the punishment adjudged by the said sentence has been commuted to the punishment of imprisonment for life;

This is to authorise and require you safely to keep the said (prisoner's name) in your custody in the said Jail, as by law is required, until he shall be delivered over by you to the proper authority and custody for the purpose of his undergoing the punishment of imprisonment for life under the said order,

or

If the mitigated sentence is one of imprisonment, say, after the words "custody in the said Jail", "and there to carry into execution the punishment of imprisonment under the said order according to law".

Dated, this ...........day of.............19.

(Seal of the Court) (Signature)

**Warrant for Recovery of Fine**

(See section 421 Criminal Procedure Code)

To the Collector of the district of.................

WHEREAS (name, address and description of the offender) was on the day of, 19, convicted before me of the offence of (mention the offence concisely), and sentenced to pay a fine of rupees; and

WHEREAS the said (name), although required to pay the said fine, has not paid the same or any part thereof;

You are hereby authorised and requested to realize the amount of the said fine as arrears of land revenue from the movable or immovable property, or both, of the said (name) and to certify without delay what you may have done in pursuance of this order.

Dated, this ...............day of...........19.

(Seal of the Court) (Signature)

**Warrant in The First Instance to Bring Up a Witness**

[See Section 87 of the Criminal Procedure Code]

To (name and designation of the police officer or other person or persons who is or are to execute the warrant).

WHEREAS complaint has been made before me that (name and description of accused) of (address) has (or is suspected to have) committed the offence of (mention the offence concisely), and it appears likely that (name and description of witness) can give evidence concerning the said complaint; and whereas I have good and sufficient reason to believe that he will not attend as a witness on the hearing of the said complaint unless compelled to do so;

This is to authorise and require you to arrest the said (name of witness), and on the day of to bring him before this Court, to be examined touching the offence complained of.

Dated, this ........day of..........19.

(Seal of the Court) (Signature)

**Warrant of Arrest**

[See section 70 of the Criminal Procedure Code]

To (name and designation of the person or persons who is or are to execute the warrant).

WHEREAS (name of accused) of (address) stands charged with the offence of (state the offence), you are hereby directed to arrest the said, and to produce him before me. Herein fail not.

Dated, this.............day of............19.

(Seal of the Court) (Signature)

[See Section 71 of the Criminal Procedure Code]

This warrant may be endorsed as follows:-

If the said shall give bail himself in the sum of rupees with one surety in the sum of rupees (or two sureties each in the sum of rupees) to attend before me on the day of and to continue so to attend until otherwise directed by me, he may be released.

Dated, this day..........of, 19...........

(Seal of the Court) (Signature)

**Warrant of Attachment in the Case of a Dispute as to the Possession of Land, Etc**

(See section 146 Criminal Procedure Code)

To the officer in charge of the police station at

(or, To the Collector of).

WHEREAS it has been made to appear to me that a dispute likely to induce a breach of the peace existed between (describe the parties concerned byname and residence, or residence only if the dispute be between bodies of villagers) concerning certain (state concisely the subject of dispute) situate within the limits of my jurisdiction, and the said parties were thereupon duly called upon to state in writing their respective claims as to the fact of actual possession of the said (the subject of dispute), and whereas, upon due inquiry into the said claims, I have decided that neither of the said parties was in possession of the said (the subject of dispute) (or I am unable to satisfy myself as to which of the said parties was in possession as aforesaid);

This is to authorise and require you to attach the said (the subject of dispute) by taking and keeping possession thereof, and to hold the same under attachment until the decree or order of a competent Court determining the rights of the parties, or the claim to possession, shall have been obtained, and to return this warrant with an endorsement certifying the manner of its execution.

Dated..................Year.........................

(Seal of the Court) (Signature)

**Warrant of Commitment in Certain Cases of Contempt When a Fine is Imposed**

(See section 345 Criminal Procedure Code)

To the Officer in charge of the Jail at.............

WHEREAS at a Court held before me on this day (name and description of the offender) in the presence (or view) of the Court committed willful contempt;

And whereas for such contempt the said (name of the offender) has been adjudged by the Court to pay a fine of rupees, or in default to suffer simple imprisonment for the period of (state the number of months or days);

This is to authorise and require you to receive the said (name of offender) into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of (term of imprisonment), unless the said fine be sooner paid; and, on the receipt thereof, forthwith to set him at liberty, returning this warrant with an endorsement certifying the manner of its execution.

Dated, this ............day of...........19.

(Seal of the Court) (Signature)

**Warrant of Commitment on a Sentence of Imprisonment or Fine If Passed by a Magistrate**

(See sections 248 and 255 of Criminal Procedure Code)

To the Officer in charge of the Jail at....................

WHEREAS on the day of, (name of prisoner), the (1st, 2nd, 3rd, as the case may be) prisoner in case No. of the Calendar for 19, was convicted before me (name and official designation) of the offence of (mention the offence or offences concisely under section (or sections) of the Indian Penal Code (or of Act), and was sentenced to (state the punishment fully and distinctly);

This is to authorise and require you to receive the said (prisoner's name) into your custody in the said Jail, together with this warrant, and thereby carry the aforesaid sentence into execution according to law.

Dated, this ...........day of .........19.

(Seal of the Court) (Signature)

**Warrant of Commitment on Failure to Find Security for Good Behavior**

(See Section 122 of Criminal Procedure Code)

To the officer in charge of the Jail at ....................

WHEREAS it has been made to appear to me that (name and description) has been concealing his presence within the district of and that there is reason to believe that he is doing so with a view to committing a cognizable offence;

or

WHEREAS evidence of the general character of (name and description) has been adduced before me and recorded, from which it appears that he is an habitual robber (or house-breaker, etc., as the case may be);

And whereas an order has been recorded stating the same and requiring the said (name) to furnish security for his good behavior for the term of (state the period) by entering into a bond with one surety (or two or more sureties, as the case may be), himself for rupees, and the said surety (or each of the said sureties) for rupees, and the said (name) has failed to comply with the said order and for such default has been adjudged imprisonment for (state the term) unless the said security be sooner furnished;

This is to authorise and require you to receive the said (name) into your custody, together with this warrant and him safety to keep in the Jail, or if he is already in prison, be detained therein, for the said period of (term of imprisonment) unless he shall in the meantime be lawfully ordered to be released, and to return this warrant with an endorsement certifying the manner of its execution.

Dated, this .........day of..........19.

(Seal of the Court)

(Signature)

**Warrant of Commitment on Failure to Find Security to Keep The Peace**

(See Section 122 of the Criminal Procedure Code)

To the officer in charge of the Jail at.................

WHEREAS (name and address) appeared before me in person (or by his authorised agent) on the day of in obedience to a summons calling upon him to show cause why he should not enter into a bond for rupees with one surety (or a bond with two sureties each in rupees), that he, the said (name), would keep the peace for the period of months; and whereas an order was then made requiring the said (name) to enter into and find such security (state the security ordered when it differs from that mentioned in the summons), and he has failed to comply with the said order;

This is to authorise and require you to receive the said (name) into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of (term of imprisonment) unless he shall in the meantime be lawfully ordered to be released, and to return this warrant with an endorsement certifying the manner of its execution.

Dated, this .........day of.........19.

(Seal of the Court)

(Signature)

**Warrant of Commitment under Sentence of Death**

(See section 366 Criminal Procedure Code)

To the Officer in charge of the Jail at.

WHEREAS at the Session held before me on the day of, 19, (name of prisoner), the (1st, 2nd, 3rd, as the case may be) prisoner in case No. of the Calendar for 19 at the said Session, was duly convicted of the offence of culpable homicide amounting to murder under section of the Indian Penal Code, and sentenced to death, subject to the confirmation of the said sentence by the Court, of

This is to authorise and require you to receive the said (prisoner's name) into your custody in the said Jail, together with this warrant, and him there safely to keep until you shall receive the further warrant or order of this Court, carrying into effect the order of the said Court.

Dated, this ...........day of..........19.

(Seal of the Court) (Signature)

**Warrant of Execution of a Sentence of Death**

(See section 414 Criminal Procedure Code)

The Officer in charge of the Jail at...........

WHEREAS (name of prisoner), the (1st, 2nd, 3rd, as the case may be) prisoner in case No. of the Calendar for 19 at the Session held before me on the day of, 19, has been by a warrant of the Court, dated the day of, committed to your custody under sentence of death; and whereas the order of the High Court at confirming the said sentence has been received by this Court;

This is to authorise and require you to carry the said sentence into execution by causing the said to be hanged by the neck until he be dead, at (time and place of execution), and to return this warrant to the Court with an endorsement certifying that the sentence has been executed.

Dated, this ............day of............19.

(Seal of the Court) (Signature)

**Warrant of Imprisonment on Failure to Pay Compensation**

(See section 250 Criminal Procedure Code)

To the Officer in charge of the Jail at .................

WHEREAS (name and description) has brought against (name and description of the accused person) the complaint that (mention it concisely) and the same has been dismissed on the ground that there was no reasonable ground for making the accusation against the said (name) and the order of dismissal awards payment by the said (name of complainant) of the sum of rupees as compensation; and whereas the said sum has not been paid and an order has been made for his simple imprisonment in Jail for the period of days, unless the aforesaid sum be sooner paid;

This is to authorise and require you to receive the said (name) into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of (term of imprisonment), subject to the provisions of section 69 of the Indian Penal Code, unless the said sum be sooner paid, and on the receipt thereof, forthwith to set him at liberty, returning this warrant with an endorsement certifying the manner of its execution.

Dated, ....................Year................

(Seal of the Court) (Signature)

**Warrant of Imprisonment on Failure to Pay Maintenance**

(See Section 125 of the Criminal Procedure Code)

To the Officer in charge of the Jail at .................

WHEREAS (name, description and address) has been proved before me to be possessed of sufficient means to maintain his wife (name) [or his child (name) or his father or mother (name), who is by reason of (state the reason) unable to maintain herself (or himself)] and to have neglected (or refused) to do so, and an order has been duly made requiring the said (name) to allow to his said wife (or child or father or mother) for maintenance the monthly sum of rupees; and whereas it has been further proved that the said (name) in willful disregard to the said order has failed to pay rupees, being the amount of the allowance for the month (or months) of;

And thereupon an order was made adjudging him to undergo imprisonment in the said Jail for the period of;

This is to authorise and require you to receive the said (name) into your custody in the said Jail, together with this warrant, and there carry the said order into execution according to law, returning this warrant with an endorsement certifying the manner of its execution.

Dated, this ............day of...........19.

(Seal of the Court)

(Signature)

**Warrant to Discharge a Person Imprisoned on Failure to give Security**

(See Sections 122 and 123 of Criminal Procedure)

To the Officer in charge of the Jail at (or other officer in whose custody the person is).

WHEREAS (name and description of prisoner) was committed to your custody under warrant of the Court, dated the .........day of.............. 19; and has since duly given security under section of the Code of Criminal Procedure, 1973;

or

WHEREAS (name and description of prisoner) was committed to your custody under warrant of the Court, dated the............... day of ..........19; and there have appeared to me sufficient grounds for the opinion that he can be released without hazard to the community;

This is to authorise and require you forthwith to discharge the said (name) from your custody unless he is liable to be detained for some other cause.

Dated, this .....day of.........19.

(Seal of the Court)

(Signature)

**Warrant to Discharge a Person Imprisoned on Failure to Give Security**

(See section 442 Criminal Procedure Code)

To the Officer in charge of the Jail at..........................(or other officer in whose custody the person is)

WHEREAS (name and description of prisoner) was committed to your custody under warrant of this Court, dated the day of, and has since with his surety (or sureties) duly executed a bond under section 441 of the Code of Criminal Procedure;

This is to authorise and require you forthwith to discharge the said (name) from your custody, unless he is liable to be detained for some other matter.

Dated, this ..............day of..........19.

(Seal of the Court) (Signature)

**Warrant to Enforce the Payment of Maintenance by Attachment and Sale**

(See section 125 of the Criminal Procedure Code)

To (name and designation of the police officer or other person to execute the warrant).

WHEREAS an order has been duly made requiring (name) to allow to his said wife (or child or father or mother) for maintenance the monthly sum of rupees, and whereas the said (name) in willful disregard of the said order has failed to pay rupees, being the amount of the allowance for the month (or months) of;

This is to authorise and require you to attach any movable property belonging to the said (name) which may be found within the district of, and if within (state the number of days or hours allowed) next after such attachment the said sum shall not be paid (or forthwith), to sell the movable property attached, or so much thereof as shall be sufficient to satisfy the said sum, returning this warrant, with an endorsement certifying what you have done under it, immediately upon its execution.

Dated, this ..........day of........19.

(Seal of the Court) (Signature)

**Warrant to Levy A Fine By Attachment and Sale**

(See section 421 Criminal Procedure Code)

To (name and designation of the police officer or other person or persons who is or are to execute the warrant).

WHEREAS (name and description of the offender) was on the day of, 19, convicted before me of the offence of (mention the offence concisely), and sentenced to pay a fine of rupees; and whereas the said (name),although required to pay the said fine, has not paid the same or any part thereof;

This is to authorise and require you to attach any movable property belonging to the said (name), which may be found within the district of; and, if within (state the number of days or hours allowed) next after such attachment the said sum shall not be paid (or forthwith), to sell the movable property attached, or so much thereof as shall be sufficient to satisfy the said fine, returning this warrant, with an endorsement certifying what you have done under it, immediately upon its execution.

Dated, this ............day of.........19.

(Seal of the Court) (Signature)

**Warrant to Search after Information of a Particular Offence**

[See Section 93 of the Criminal Procedure Code]

To (name and designation of the police officer or other person or persons who is or are to execute the warrant).

WHEREAS information has been laid (or complaint has been made) before me of the commission (or suspected commission) of the offence of (mention the offence concisely), and it has been made to appear to me that the production of (specify the thing clearly) is essential to the inquiry now being made (or about to be made) into the said offence (or suspected offence);

This is to authorise and require you to search for the said (the thing specified) in the (describe the house or place or part thereof to which the search is to be confined), and, if found, to produce the same forthwith before this Court, returning this warrant, with an endorsement certifying what you have done under it, immediately upon its execution.

Dated, this ..........day of........19.

(Seal of the Court) (Signature)

**Warrant to Search Suspected Place of Deposit**

[See section 94)

To (name and designation of a police officer above the rank of a constable).

WHEREAS information has been laid before me, and on due inquiry thereupon had, I have been led to believe that the (describe the house or other place) is used as a place for the deposit (or sale) of stolen property (or if for either of the other purposes expressed in the section, state the purpose in the words of the section);

This is to authorise and require you to enter the said house (or other place) with such assistance as shall be required, and to use, if necessary, reasonable force for that purpose, and to search every part of the said house (or other place, or if the search is to be confined to a part, specify the part clearly), and to seize and take possession of any property (or documents, or stamps, or seals, or coins, or obscene objects, as the case may be) (add, when the case requires it) and also of any instruments and materials which you may reasonably believe to be kept for the manufacture forged documents, or counterfeit stamps, or false seals, or counterfeit coins or counterfeit currency notes (as the case may be), and forthwith to bring before this Court such of the said things as may be taken possession of, returning this warrant, with an endorsement certifying what you have done under it, immediately upon its execution.

Dated, this ..........day of.........19.

(Seal of the Court) (Signature)