

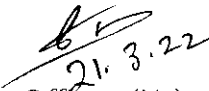
OFFICE OF THE DISTRICT & SESSIONS JUDGE ::::: BONGAIGAON.

No.DJB.VIII-1/2022 / 1600 -1609 Dated Bongaigaon the 21st March, 2022.

In enclosing herewith the Copies of Draft Format for Judgment in Criminal Cases as per Amendment Rules alongwith letter issued by Judicial Academy, Assam vide under ref. No. JAA-TR.38 (Vol.II) / 2020-21 / 1542 Dated Guwahati the 12.03.2022 is forwarded for kind information and necessary action to :-

01. The Addl. District & Sessions Judge, (F.T.C.), North-Salmara, Abhayapuri.
02. The Civil Judge & Asstt. Sessions Judge, Bongaigaon.
03. The Chief Judicial Magistrate, Bongaigaon.
04. The Secretary, D L S A, Bongaigaon
05. The Addl. Chief Judicial Magistrate, Bongaigaon.
06. The Sub-Divisional Judicial Magistrate (M), North Salmara, Abhayapuri.
07. The Sub-Divisional Judicial Magistrate (S), Bongaigaon.
08. The Munsiff-cum- J M 1st Class, North Salmara, Abhayapuri.
09. The Munsiff-cum- J M 1st Class, Bongaigaon.
10. The Systems Officer, Dist. Judiciary, Bongaigaon. *He is asked to upload the same in the Official website and forward to the Judicial Officers, Bongaigaon through their respective email I D.*
11. Office Copy.

By order,


21.3.22
Chief Administrative Officer (i/c)
District & Sessions Judge's Office
Bongaigaon.


21.3.22

JUDICIAL ACADEMY, ASSAM

National Law University & Judicial Academy Campus, Hajo Road, Amingaon,
Guwahati-781031 E-mail:- ja@assam.gov.in

No. JAA-TR.38(Vol-II)/2020-21/1542 Dated: Guwahati, the 12th March, 2022

To : The District & Sessions Judges,
(Baksa, Barpeta, Bongaigaon, Cachar, Charaideo, Chirang, Darrang, Dhemaji, Dhubri,
Dibrugarh, Dima Hasao, Goalpara, Golaghat, Hailakandi, Hojai, Jorhat, Kamrup(M),
Kamrup, Karimganj, Karbi Anglong, Kokrajhar, Lakhimpur, Morigaon, Nagaon, Nalbari,
Sivasagar, Sonitpur, Tinsukia, Udalguri, South Salmara)

Sub : Draft specimen format of judgment as per the Amended Criminal Rules and Orders.

Sir/Madam,

With reference to the subject cited above, please find herewith the specimen format of judgment prepared by Judicial Academy, Assam, for the convenience of the Judicial Officers as per the Amended Criminal Rules and Orders.

You are also requested to circulate the draft format for judgment in criminal cases among the Judicial Officers under your respective jurisdiction.

With warm regards.

Yours Sincerely,



Director
Judicial Academy, Assam

Case No.

DRAFT FORMAT FOR JUDGMENT IN CRIMINAL CASES AS PER AMENDED RULES

| | |
|---|---|
| IN THE COURT OF _____ | |
| Present: _____ (Name and Designation) | |
| (Date of judgment) | |
| (Case No. _____ / _____) | |
| (Details of FIR/Crime and Police Station) | |
| COMPLAINANT : | STATE OF _____ OR NAME OF THE COMPLAINANT |
| REPRESENTED BY | NAME OF THE ADVOCATE |
| ACCUSED | 1.NAME WITH ALL PARTICULARS (A1) 2. NAME WITH ALL PARTICULARS (A2) |
| REPRESENTED BY | NAME OF ADVOCATES |

| | |
|--------------------------------------|--|
| Date of Offence | |
| Date of FIR | |
| Date of Charge sheet | |
| Date of Framing of Charges | |
| Date of commencement of evidence | |
| Date on which judgment is reserved | |
| Date of Judgment | |
| Date of the Sentencing Order, if any | |

Accused Details:

| Rank of the Accused | Name of Accused | Date of Arrest | Date of Release On Bail | Offences charged with | Whether Acquitted or convicted | Sentence Imposed | Period of Detention Undergone during Trial for purpose of Sec. 428 Cr.P.C. |
|---------------------|-----------------|----------------|-------------------------|-----------------------|--------------------------------|------------------|--|
| | | | | | | | |

JUDGMENT

1. Factual description of the Case.
2. In compliance with Section 354 and 355 Cr.P.C., in all cases, the judgments shall contain:
 - i. the point or points for determination,
 - ii. the decision thereon, and
 - iii. the reasons for the decision
3. In case of conviction, the judgment shall separately indicate the offence involved and the sentence awarded. In case there are multiple accused, each of them shall be dealt with separately. In case of acquittal and if the accused is in confinement, a direction shall be given to set the accused at liberty, unless such accused is in custody in any other case. In case of multiple charges, judgment shall specifically indicate the offences under which the accused is acquitted and /or convicted.

APPENDIX**LIST OF PROSECUTION/DEFENCE/COURT WITNESSES****A. Prosecution:**

| RANK | NAME | NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|-------------|-------------|--|
| PW1 | | |
| PW2 | | |

B. Defence Witnesses, if any:

| RANK | NAME | NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|-------------|-------------|--|
| DW1 | | |
| DW2 | | |

C. Court Witnesses, if any :

| RANK | NAME | NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|-------------|-------------|--|
| CW1 | | |
| CW2 | | |

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS**A. Prosecution:**

| Sr. No. | Exhibit Number | Description |
|----------------|-----------------------|--------------------|
| 1 | Exhibit P-1/PW1 | |
| 2 | Exhibit P-2/PW2 | |

B. Defence :

| Sr. No. | Exhibit Number | Description |
|---------|-----------------|-------------|
| 1 | Exhibit D-1/DW1 | |
| 2 | Exhibit D-2/DW2 | |

C. Court Exhibits:

| Sr. No. | Exhibit Number | Description |
|---------|-----------------|-------------|
| 1 | Exhibit C-1/CW1 | |
| 2 | Exhibit C-2/CW2 | |

D. Material Objects:

| Sr. No. | Exhibit Number | Description |
|---------|----------------|-------------|
| 1 | MO1 | |
| 2 | MO2 | |

Note :

1. Appendix 12 of the amended rules shall be the Preface of the judgment and Appendix 13 (Tabular Statement) of the amended rules is to be incorporated immediately after the preface (Appendix -12).
2. Appendix -14 of the amended rules is to be appended at the end of the judgment.
3. In Appendix -14, the classification of witnesses, especially of Eye Witnesses including victim may not necessarily be as per the FIR/ Charge sheet /Complaint and it may be as per their evidence as disclosed during trial.

4. *Final Orders passed in any criminal proceedings such as Section 125 /127 CrPC or PWDV Act etc. shall follow the same format as stated above, subject to suitable modification as regards the name of the parties and their nomenclature etc.*
5. *This Rule shall be applicable to all judgments delivered by magisterial Courts as well as all Courts trying criminal cases.*
6. *The numbering of the accused shall be as per their rank in the charge form like A1, A2, A3, A4, A5 etc. The said numbering/ ranking of the accused shall be used for all purposes during trial and in the body of the judgment and shall remain same even in the event of death of any accused or otherwise.*
7. *In the judgment the accused, witnesses, exhibits and material objects shall be referred to by their nomenclature or number and not only by their names or otherwise. Whenever, there is a need to refer to the accused or witnesses by their name, the number shall be indicated within brackets.*
8. *The judgment shall be written in paragraphs and each paragraph shall be numbered in seriatim. The Presiding Officers, may, in their discretion, organize the judgment into different sections.*
9. *Judge / Magistrate shall sign all the pages of the judgment including preface to appendix thereto.*