

Legal Classics

D. P. Varshni's

How to Frame a Charge

under Penal Code and Criminal Minor Acts

Third Edition
by
Justice M.L. Singhal



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D.P. Varshni's

HOW TO FRAME A CHARGE

under Penal Code and Criminal Minor Acts

Third Edition

by

JUSTICE M.L. SINGHAL
Former Judge, Gauhati High Court



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Preface

The framing of charge against the accused is the first and foremost step in the trial of the criminal cases. By means of charge, the accused is informed as to when, at what time, at what place he is alleged to have committed offence and what are the penal provisions under which the prosecution wants to proceed against him and punish him. It is often seen that the public prosecutor appearing for the State helps the court in framing charge against the accused and even supply draft charge(s) prepared by him. But it is the primary duty of the court to see that proper charges are framed against the accused persons. Mistake in preparation of charge may vitiate the trial or the court may amend/alter the charge and may remand the case for re-trial causing unnecessary harassment/delay in the trial of the case.

The author Sri D.P. Varshni has dealt with the subject in masterly fashion in a plain and simple manner. In the present edition I have updated the case law and given model charges under the new penal laws enacted after the last edition of the book. The Criminal Law (Amendment) Act, 2013 have added new sections on sexual assault and rape in the Penal Code, 1860. Model charges under such newly added sections have also been given. The new penal enactments under which model charges have been added are:

1. Air (Prevention and Control of Pollution) Act, 1981
2. Anti-Hijacking Act, 1982
3. Cable Television Networks (Regulation) Act, 1995
4. Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003
5. Depositories Act, 1996
6. Electricity Act, 2003

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Framing of charge in a criminal case is the foundation on which the entire trial and the consequent conviction or acquittal of an accused depends. *D.P. Varshni's How to Frame a Charge* is a comprehensive and lucid commentary on this subject.

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The following are the notable features of the book:

1. Over 59 important statutes have been covered, and model charges under each have been given.
2. Statutory amendments and latest case law has been incorporated.
3. Relevant sections of the model charges have been included for easy reference.
4. Appendix of the book contains sections of Code of Criminal Procedure and case law that should be taken into account while framing charges.

The book will prove to be immensely useful to judges, advocates, students and law enforcement agencies.

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