

DISTRICT COURTS NOWSHERA

ڈسٹرکٹ کورٹس نوشہرہ

UNDERSTANDING CRIMINAL LAW

Qst: How should I respond in case of crime?

Ans: Immediately report F.I.R to the police, without loss of time.

Qst: What if F.I.R is not registered by police?

Ans: You can file an application before the court of session for registration of F.I.R. Also you can file complaint before magistrate.

Qst: What if totally false case is registered against me?

Ans: In the first instance you can move an application for bail before arrest before court of session. You can then file application/petition before High Court for F.I.R quashment.

Qst: If I am arrested after registration of F.I.R, what are my right as an accused?

Ans: You will be produced before the court within 24 hours. Any longer period is illegal detention and you can in that case file application before the court.

Qst: Can I be tortured by police during custody?

Ans: No. In case of physical torture, you can move an application/complaint before magistrate.

Qst: What is bail?

Ans: Its a guarantee from you to the court that you would be present when called to face the trial. The guarantee is in the shape of sureties (normal two persons) who undertake by submitting bond that you will appear when called for trial. Sureties may be any of your relatives, your friends about whom court is satisfied that they can secure your attendance.

Qst: What is bailable and non-bailable offence?

Ans: Bailable offence is when you are granted bail as of right. When you are produced before the court you would be asked for sureties. You are in no need to engage counsel. Do not also seek the help of any court staff or official. Do not look for touts as sureties. That will only add to your miseries. In non-bailable offence you cannot claim bail as of right. You will be in need of engaging counsel to show that the court record of case does not reasonably connect you with the offence. As to what are bailable and non-bailable offences, check schedule of offence in section "Form & Fees" of the website.

Qst: Is there any other classification of offence?

Ans: Offences may also be classified on compoundable and non-compoundable. In compoundable offence, case be withdrawn by giving statement about compromise in court. In non-compoundable offence, case cannot be withdrawn on basis of compromise. As to what offences are compoundable and what are non-compoundable, see schedule of offence in the section "Form & Fees" of the website.

Qst: What sentence may be passed by the court?

Ans: See schedule of offence in "Form & Fees" section of the website.

Qst: How the court evaluates the evidence?

Ans: Prosecution or the state is to prove case against you (accused) beyond reasonable doubt.

Qst: What are different stages of trial?

Ans: On your first appearance, you will be provided with copies of document collected by the investigation agency as evidence against you. You will then be given date for charge framing. Charges court's notice to you of definite accusation (the precise allegation), so that you are clear what you are to defend, in case you believe yourself innocent and claim trial. Alternatively, if you confess/plead guilty that you will be sentenced. In case of trial, prosecution/ state will produce evidence and you will have the right through your counsel to cross-question them. As the evidence is closed, you will be put question by the court about the evidence recorded and you will also be given opportunity to produce your evidence if you like. At the end after hearing your counsel and the state counsel, court may convict or acquit you based on what is in the evidence against you.

Qst: What if I have certain other questions?

Ans: You may write to us through email provided in "Contact Us" section of the website and we will try to respond to you.

Regards:
Web Team

<http://districtcourtsnowshera.gov.pk/>