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7 OCT. 1939

REPORT
OF THE
HIGH COURT OF JUDICATURE AT ALLAHABAD
ON THE
ADMINISTRATION OF CRIMINAL JUSTICE
IN THE
PROVINCE OF AGRA

For the year 1938

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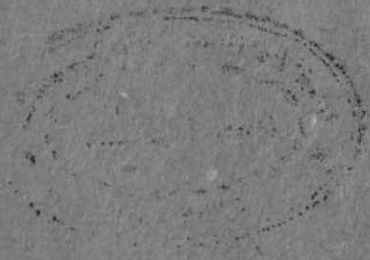


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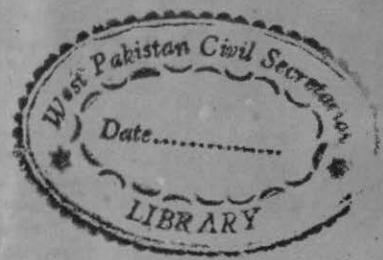


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REPORT
OF THE
HIGH COURT OF JUDICATURE AT ALLAHABAD
ON THE
ADMINISTRATION OF CRIMINAL JUSTICE
IN THE
PROVINCE OF AGRA

For the year 1938



ALLAHABAD:
SUPERINTENDENT, PRINTING AND STATIONERY, UNITED PROVINCES, INDIA
1939

22/10

REPORT

HIGH COURT OF JUDICATURE AT ALHABAD

ADMINISTRATION OF CRIMINAL JUSTICE

PROVINCE OF AGRA



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Note on the Administration of Criminal Justice in the Province of Agra during the calendar year, 1938

The number of sessions divisions, 19, remained unchanged during the year.

In addition to the permanent courts of additional sessions judges there were additional sessions judges and civil and sessions judges who worked temporarily at the following places during the year for the period or periods indicated against each :

Temporary civil and sessions judge

Agra—One from 1st January to 15th May, and another from 5th December to 31st December, (under training).

Allahabad—One from 1st January to 24th September, and another from 9th November to 31st December (under training).

Bilva—One from 10th August to 31st December.

Bareilly—One from 1st January, to 21st February, and again from 24th May to 31st December, (under training).

Benares—One from 3rd January to 29th September, (under training).

Bijnor—One for the whole year.

Budaun—One from 18th March to 2nd June.

Cawnpore—One from 15th January to 2nd February, and again from 9th October to 31st December, (under training) and two for the whole year.

Etawah—One from 14th November, to 31st December.

Gorakhpur—One for the whole year.

Meerut—One from 8th August to 15th November.

Muzaffarnagar—One for the whole year.

Of these temporary civil and sessions judges, six were I.C.S. officers under training and as the conditions of their training made it impossible for all but two to dispose of any considerable number of criminal cases, they cannot properly be considered as an addition to strength on the year's working.

2. **Offences Reported**—The total number of offences under the Indian Penal Code reported during the year increased from 78,680 to 79,368. The number of cases returned as true decreased from 53,403 to 51,184. The number of cases brought to trial decreased from 50,815 to 47,395. The number of persons brought to trial increased from 1,37,959 to 1,38,411.

The outstanding features of the year are the marked increase in offences against the State, in theft, and in offences affecting life, and the decrease in hurt, in offences involving fraud, in offences affecting public health, safety, convenience, etc. and in offences against the Army and Navy.

Offences against the State and public tranquillity—Cases of offences against the State, brought to trial, decreased from 47 to 22, but the number of persons involved increased from 72 to 80.

Judicial
Statement
no. 2.

The number of cases against public tranquillity, however, rose from 1,630 to 1,823 and the number of persons involved was 2,705 more than in the previous year. The cause of the increase in the number of cases against public tranquillity is explained by the number of major communal riots which broke out in various parts of the province during the year under review. The reasons assigned in various districts for the increase in this kind of crime are economic depression, increased communal tension, agrarian unrest and social reform movements together with political rivalries.

Contempts of lawful authority of public servants—The number of such offences decreased by 28, but the number of persons involved rose by 498. These figures seem to suggest that isolated contempts are on the decrease, but contempts in which more than one person is involved are on the increase. The decrease in the number of cases is, therefore, more than counter-balanced by the increase in the number of persons involved.

False evidence and offences against public justice—There was a decrease of 81 cases of these offences from 565 to 484 and the number of persons convicted also decreased by 81. It is very doubtful whether this decrease is due to any higher standard of truthfulness among witnesses. It is probably due to the discouraging difficulty of successful prosecutions for perjury and kindred offences.

Public health, safety, etc.—There was a satisfactory decrease in crimes of this kind of 814 cases and the number of persons convicted also decreased by 781. The most noteworthy examples are Aligarh, Gorakhpur and Azamgarh where the decrease was marked. This decrease may be due to the awakening of the masses to the importance of public health, etc. but it may also be due to the fact that most district authorities were so busy dealing with riots, floods and administrative troubles consequent on them, during the year that it was impossible to devote the same amount of attention as previously to prosecutions for offences against public health and public safety, etc.

Life—The increase in offences affecting life is probably the most serious feature of the year under review. The number of cases brought to trial increased by 335. The number of persons brought to trial rose from 4,364 to 6,111—an increase of 1,747. This increase in offences affecting life when read together with the decrease in hurt, suggests that lawlessness has increased. The person who offers violence is no longer content with committing hurt; he pushes his action to the extreme of homicide or an attempt to commit homicide and ordinary assault appears to have changed into murder and conspiracy to murder.

Hurt and criminal force and assault—These offences have decreased. The decrease by 1,873 in the number of cases of hurt brought to trial is noteworthy. The number of persons under trial for hurt decreased by 3,132 and the number of those convicted also decreased by 458.

Kidnapping, forcible abduction, etc.—The number of cases of these offences brought to trial decreased by 44 and the number of persons under trial decreased by 89. Thirty-nine fewer persons were convicted than in the previous year.

Theft—The number of cases of theft increased from 6,617 to 6,986 and the number of persons brought to trial also increased by 1,711.

Robbery and dacoity—Robbery and dacoity remained more or less stationary. The increase in the number of cases was 4 from 616 to 620.

Criminal breach of trust—This class of cases showed a very satisfactory decrease from 1,146 to 942—a decrease of 204. The number of persons under trial decreased by 246 and the number of persons convicted also decreased by 44.

Fraudulent deeds and disposition of property—This again showed a very satisfactory decrease—the decrease being from 747 for 1937 to 286 for 1938. The number of persons under trial decreased by 1,475 and the number of persons convicted also decreased from 437 to 140. It would be inaccurate to state that this was entirely due to decrease in criminality under this head. It is more likely to be due to the fact that as there were fewer deeds of any kind and as very few people took any interest in disposing of property owing to the uncertain state of the tenure of land the opportunities for fraud were fewer.

Offences against the person—The number of offences against the person decreased by 1,054 to 34,990. This decrease is general throughout the province. These figures however represent every kind of offence against the person, from murder to the simplest kind of hurt and cover the whole of the Indian Penal Code—sections 299 to 377. The fact that the most noteworthy decreases were in Bijnor, Budaun and Allahabad, two of which districts were conspicuous for a marked increase in offences against public tranquillity, shows that the figures do not represent a real decrease in crime.

Offences against property—The number of reported offences against property including those pending from the previous year increased by 2,432 to 32,883. Gorakhpur showed the most noticeable increase 763.

Code of Criminal Procedure and Special and Local Laws—The total number of cases reported under the Code of Criminal Procedure and Special and Local Laws, including those pending from the previous year, decreased from 1,29,737 to 1,18,842 and cases which came up before the courts decreased from 1,06,314 to 89,938. The number of persons under trial also decreased from 1,40,292 to 1,32,767 and of persons against whom orders were passed fell from 1,02,276 to 87,386.

3. Result of trials—The number of persons under trial before magistrates was 2,69,832. Of the persons tried, 1,31,815 were acquitted or discharged, 1,15,914 were convicted, 7,560 were committed to sessions and 14,426 remained under trial at the close of the year. Out of 1,38,411 under trial for offences under the Penal Code, 31,556 were convicted and 94,310 acquitted or discharged. The results of trials before each class of magistrate during the year are shown below :

Judicial
Statement
no. 4 (Court
of magis-
trates).

Class of tribunals	Acquitted or discharged	Convicted	Percentage of convictions
Stipendiary magistrates	1,11,405	93,977	43
Bench magistrates	7,415	12,571	58
Honorary magistrates sitting singly ..	10,830	7,869	38

Of the persons convicted 17,285 were punished with imprisonment, 92,928 with fine, and 482 with whipping. In addition to these sentences 11,654 persons were required to give security.

Sub-divisional magistrates disposed of 49 cases referred to them under sections 347 and 349 of the Code of Criminal Procedure.

The number of cases decided during the year was 1,31,212 against 1,52,121 in the previous year. The decrease occurred in the courts of honorary magistrates, stipendiary special magistrates, and bench magistrates who disposed of 22,271, 282 and 33,708 less cases respectively than in the previous year. This is not due to a decrease in the efficiency of the honorary magistrates and bench magistrates, but is due to their abolition. This fact, when taken into consideration with the fact that the stipendiary magistrates, sub-divisional magistrates and district magistrates decided respectively 35,237, 8 and 107 more cases, shows the strain put upon the stipendiary magistrates by the abolition of honorary magistrates and bench magistrates. The fact that the percentage of appeals allowed from the decisions of such magistrates has shown no marked increase, is a matter for satisfaction. The total number of cases disposed of by district magistrates was 199, the largest number having been decided by the District Magistrate of Budaun. The percentage of convictions in the courts of magistrates for offences under the Indian Penal Code increased from 25 per cent. to 27 per cent. but the percentage of convictions under all laws decreased from 50 per cent. to 47 per cent. This calls for no comment.

Section 203 of the Code of Criminal Procedure—The total number of cases summarily dismissed was 46,828 out of 2,03,053 cases reported during the year and pending from the previous year. The percentage of cases dismissed was 23, compared with 18 in 1937. The highest percentages of dismissal were in Muzaffarnagar and Basti 38 each, Jhansi 36, Aligarh, Garhwal and Gorakhpur 34 each, Etah and Jalaun 33 each, and Budaun 32. The lowest percentages of dismissals were in Etawah, Cawnpore and Azamgarh 6, 7 and 9, respectively. Of 84,211 offences reported under the Indian Penal Code 28,978 were dismissed under this section, giving a percentage of 34 compared with 29 last year. Etah 49 per cent., Saharanpur 47 per cent. Garhwal and Basti 45 per cent. each, Bulandshahr, Budaun and Jalaun 44 per cent. each, Jhansi and Gorakhpur 43 per cent. each, Muzaffarnagar and Agra 42 per cent. each, show the highest percentages. The lowest percentages were in Etawah 15 per cent., Ballia 16 per cent., Azamgarh, 18 per cent., Cawnpore 19 per cent. and Ghazipur 20 per cent. It is impossible to deduce anything from these figures, for they merely show how many cases have been dismissed without showing how many cases originally dismissed were ultimately restored in revision. The general increase, however, in dismissals may perhaps be considered satisfactory.

Frivolous or vexatious accusations—The courts made use of section 250 of the Code of Criminal Procedure in 199 cases.

4. Courts of session—The number of cases committed to sessions including those pending from the previous year, and references under Chapter VIII of the Code of Criminal Procedure rose from 2,243 to 2,515 and the number of persons concerned also rose from 7,300 to 8,858. Commitment increased in 25 districts. There were noteworthy increases

in the number both of cases and of persons committed compared with 1937 at Pilibhit (from 36 and 105 to 63 and 347, respectively) and at Allahabad where the number of cases rose from 67 to 109 and the number of accused from 236 to 415. Out of 6,510 persons, 3,026 were convicted, the percentage of convictions being 46, against 50 in the preceding year. The highest percentages of convictions were in Dehra Dun 86, Garhwal 79, Almora 75, Muttra, 72, Aligarh and Agra 67 each, and Muzaffarnagar 64, while the lowest percentages of convictions were in Azamgarh 27, Allahabad 30, Ghazipur 32, Bulandshahr and Hamirpur 33, each, and Budann 34.

Life—The number of cases of offences against life rose from 1,019 to 1,161 and the number of persons committed also rose from 3,313 to 4,271. The largest decreases were in Meerut and Saharanpur, the number of cases having fallen by 10 and 7 and the number of persons involved by 39 and 31, respectively. The largest rise in the number of such cases were in Etah, 56 per cent., Gorakhpur, 70 per cent., and Shahjahanpur 73 per cent.

Kidnapping—Kidnapping cases showed a slight increase from 195 in 1937 to 200. The highest figures were in Cawnpore, where there were 19 such cases involving 63 accused.

Rape—Cases of rape committed to sessions rose from 113 to 149, and the number of persons concerned from 179 to 206.

Robbery and dacoity—The number of commitments for robbery and dacoity decreased from 415 to 345 but the number of persons involved increased from 1,644 to 1,784.

PREVENTIVE SECTIONS

5. **Security for keeping the peace**—The total number of persons bound over to keep the peace increased from 6,075 to 7,462. In Gorakhpur proceedings were taken against 2,659 persons of whom 860 were bound over as compared with 305 in the previous year. The increase in the number of persons proceeded against accounts for the increase in the number of persons bound over.

Security for good behaviour—The number of persons bound over to be of good behaviour decreased from 4,513 to 4,192. The largest number of persons bound over were in Cawnpore (461), Benares (268), Meerut (215) and Agra (204). The largest decreases were in Bulandshahr from 178 to 115, Bareilly from 120 to 71 and Mirzapur from 102 to 90.

6. **Witnesses**—The number of witnesses examined in magisterial courts decreased from 2,29,521 to 1,95,467 and in the courts of session increased from 24,533 to 26,161. The number of witnesses who attended and were discharged without examination decreased in magisterial courts from 32,466 to 26,555 and in the courts of session also decreased from 5,425 to 4,052. The number of witnesses detained for more than two days in magisterial courts fell from 8,993 to 7,018. The largest decreases in the number of witnesses so detained were in Agra, Almora, Garhwal and Gorakhpur where figures fell from 1,049 to 229, 301 to 158, 147 to 33 and 196 to 61, respectively. In Agra 820 fewer witnesses were detained—the largest decrease in the province.

In the courts of session the number of witnesses detained over two days rose by 138 to 4,292. Sixteen districts have contributed to this increase. The largest decreases were in Gorakhpur from 641 to 251 and in Bijnor

from 143 to 17. The number of witnesses^a detained for more than two days increased in Budaun from 335 to 573, Pilibhit from 39 to 214, Allahabad from 57 to 188 and Saharanpur from 46 to 104.

The total amount paid as diet money to witnesses was Rs.1,71,076 in magisterial courts compared with Rs.1,71,706 in the preceding year, and Rs.50,452 in the courts of session against Rs.49,476. The total amount paid to witnesses increased by Rs.346.

Duration—The average duration of cases in all courts rose from 9 to 12 days. It rose from 12 to 13 days in the courts of stipendiary magistrates but fell from 11, 10 and 21 to 9, 3 and 15 days, in the courts of stipendiary special magistrates, sub-divisional magistrates and district magistrates respectively. The average duration in the courts of honorary magistrates and bench magistrates was the same as in last year. In the courts of session judges it rose from 59 to 64 days.

The average duration was the highest in Banda with 28 days. In Hamirpur it was 26, in Etawah 23, in Ballia 22, and in Mainpuri 20 days. These are the highest figures. The average duration of cases increased in 22 districts. The best figures are shown by Benares 5, Saharanpur, Bareilly, Agra and Azamgarh 7 days each.

It is not suggested that these figures show the disposal of other districts in an unfavourable light. Other causes directly concerned with the difficulties of administration may have contributed to the higher figures in other districts.

Cases pending for over six weeks—The number of cases pending for over six weeks increased by 1,063 to 5,733. The number of such cases decreased in 14 districts. Agra, Saharanpur, Bareilly, Dehra Dun and Jalaun which had the largest number of such cases in the previous year, reduced their numbers considerably. The most noticeable increases are shown by Ballia, from 113 to 307, Allahabad from 310 to 457, Bulandshahr from 287 to 429, Mainpuri from 240 to 371, and Meerut from 186 to 314. In Ballia the increase is attributed to the shortage of staff and the abolition of honorary magistrates courts, in Bulandshahr, Mainpuri and Meerut to the abolition of honorary magistrates courts; in Allahabad it is attributed partly to the abolition of honorary magistrates courts and partly to the unsettled state of Allahabad and a series of communal riots which necessitated the employment of magistrates in executive work, during what would have been court hours. To the unprecedented floods of 1938 also may be attributed the increase in the number of cases pending for over six weeks.

7. First offenders—The total number of offenders released on probation under section 562 of the Code of Criminal Procedure in magisterial courts decreased from 2,863 to 2,572. Seventeen districts contributed to this decrease, the most noticeable decreases being in Meerut, Saharanpur, Muzaffarnagar and Fatehpur. These figures are disappointing when it is considered that the figures for imprisonment for 15 days and under increased from 1,325 to 1,617. If the provisions of section 562 of the Code of Criminal Procedure were better understood, there would be, and ought to be, a steady increase in the number of offenders released on probation.

Youthful offenders—The number of youthful offenders dealt with under section 31 of Act VIII of 1897 in magisterial courts decreased from 207 to 199.

8. **Punishments**—The number of persons sentenced to *death* by courts of session, including those whose cases were pending since the year 1937, rose from 150 to 165. Fifty-three sentences were confirmed by the High Court, 60 accused were released on appeal, and 34 had their sentences modified. No new trial was ordered. The cases of the remaining 27 were pending at the close of the year. The number of persons executed in the year under review was 24 against 37 in 1937. It is significant to note that the percentage of persons executed to the number of persons whose death sentences were confirmed by the High Court was approximately 70 per cent. in 1937 against about 55 per cent. in 1938. In 1936 the percentage was 87 per cent. The steady increase in offences affecting life over 1936, 1937 and 1938 may bear some relation to these facts.

Judicial
Statement
no. 5.

The number of persons sentenced to *transportation for life* rose by 101 to 314. This is understandable when the increase in offences affecting life together with the comparatively small number of people sentenced to death for such offences are considered. The total number of persons sentenced to *rigorous imprisonment* decreased from 14,273 to 13,925. Of these 1,850 received *imprisonment for periods exceeding two years*. The number persons sentenced to *imprisonment for six months and under* decreased from 7,976 to 7,901, and of those sentenced to *imprisonment for two years and under* decreased from 8,992 to 8,465.

The number of persons sentenced to *imprisonment for 15 days and under* increased from 1,325 to 1,617. This is unsatisfactory and the figures ought to be much lower.

The number of persons sentenced to *whipping* fell from 638 to 546. The percentage of cases in which this form of punishment was inflicted out of those in which it could have been inflicted rose from 17 to 21. These figures therefore call for no comment. Out of the persons sentenced to whipping 90 were juveniles.

9. **Fine**—The total amount of fines imposed in the courts of session rose from Rs.31,396 to Rs.35,100 and the total amount of fines realized in the courts of session also rose from Rs.8,119 to Rs.9,820. In the magisterial courts the amount of fines imposed fell from Rs.8,36,010 to Rs.8,07,959 and the amount of fines realized also fell from Rs.6,23,517 to Rs.5,70,765. The amounts ordered to be paid by way of compensation under section 545 of the Code of Criminal Procedure in courts of session decreased from Rs.950 to Rs.276 and in the magisterial courts from Rs.33,276 to Rs.31,617.

Table D.

10. The total number of appellants before the courts was 27,364, against 25,576 in 1937. The number of applicants for revision increased from 5,884 to 6,837. In magisterial courts the number of appellants rose from 8,819 to 8,843 and in the courts of session from 13,529 to 14,845.

Judicial
Statement
no. 6.

HIGH COURT

The total number of appellants in the High Court increased from 3,068 to 3,517. The number of accused persons before the High Court on appeal by Government decreased from 160 to 159. The average duration of all appeals in the province rose from 37 to 52 days. The duration of appeals in the High Court by persons convicted, rose from

104 to 139 days. The rise in the duration of appeals in the High Court is due mainly to the large number of appeals pending at the beginning of 1938. There were 365 compared with 233 in the previous year. This was due to the delay caused in the appointment of the Assistant Government Advocate which took place in December, 1937. Owing to the absence of the Assistant Government Advocate, no single Judge appeals could be disposed of between 13th September, 1937 and 6th December, 1937. This is the main reason. The increased institution of appeals is unavoidable.

11. The total number of appellants to the High Court including the persons against whom Government filed appeals rose from 3,228 to 3,676. Of 2,426 persons whose appeals were decided during the year under review, 1,516 were completely unsuccessful. Three hundred and sixty-one accused had their sentences modified and 5 persons died. The sentences of 544 persons were reversed. No new trial was ordered in any case. The appeals of 1,250 persons remained pending at close of the year. Two thousand five hundred and eleven persons compared with 2,282 in 1937 filed applications for revision. Applications of 2,032 persons were rejected. Orders were modified in the cases of 628 persons. Cases of 304 persons remained pending at the close of the year. Applications for revision against 505 accused were filed by 119 complainants.

The number of Government appeals before the Court was 37 involving 159 accused persons. Ten appeals involving 36 accused persons were decided during the year. Against 4 persons the appeals were allowed; against 5 persons were partly allowed and partly dismissed; and against 27 persons were dismissed entirely. No new trial was ordered and 27 appeals comprising 122 accused persons remained pending at the end of the year.

12. The system of trial by jury was in force as before in the courts of session at Allahabad, Bareilly, Benares and Cawnpore for the following offences :

(1) *False evidence and offences against public justice*—Sections 194(I), 195, 201(I), 211(III), 213(I), 214(I), 225(III, IV and V) and 226 of Indian Penal Code.

(2) *Offences affecting the public health, safety convenience, decency and morals*—Section 281 of Indian Penal Code.

(3) *Offences relating to religion*—Section 295(a) of Indian Penal Code.

(4) *Offences affecting human body*—Sections 311, 312, 313, 314, 315, 316, 328, 329, 330, 331, 364, 366, 366(a), 366(b), 367, 370, 371 and 376 (Parts II and III), of Indian Penal Code.

(5) *Offences against property*—Sections 395, 397, 398, 399, 402, 412, 413, 414, 433, 437, 438, 439, 449, 450, 459 and 460 of Indian Penal Code.

(6) *Offences relating to documents and to trade or property marks*—Sections 466, 467, 471, 472, 473, 474, 475, 476, 477, 489(a), 489(b), 489(c) and 489(d) of Indian Penal Code.

(7) *Offences relating to marriage*—Sections 493, 495 and 496 of Indian Penal Code, and

(8) Abetment of or attempts to commit any of the above offences, and for the following offences when committed to sessions :

(1) *Contempts of the lawful authority of public servants*—Section 181 of Indian Penal Code.

(2) *Offences relating to false evidence and against public justice*—Sections 193, 196, 197, 198, 199, 200, 201 (Parts II and III), 205, 211 (Part II), 212 (Parts I and II), 213 (Part II), 214 (Part II), 216 (Parts I and II), 216(a), 225 (Part II) and 227 of Indian Penal Code.

(3) *Offences affecting the human body*—Sections 317, 318, 327, 335, 344, 345, 346, 347, 348, 363, 365, 368, 369, 372, 373, 376 and (Part I) and 377 of Indian Penal Code.

(4) *Offences against property*—Sections 381, 382, 393, 394, 401, 404, 406, 407, 408, 409, 411, 418, 419, 420, 429, 430, 431, 432, 440, 451, 454, 456, 457, and 458 and 462 of Indian Penal Code.

(5) *Offences relating to documents and to trade or property marks*—Sections 465, 468, 469, 470, 477(A), 484, 485, 487 and 488 of Indian Penal Code.

(6) *Offences relating to marriage*—Sections 494 and 497 of Indian Penal Code.

(7) *Offences relating to criminal intimidation, insult annoyance*—Sections 506 (Part II) and 507 of Indian Penal Code, and

(8) Abetment of or attempts to commit any of the above offences.

The number of persons tried by jury in these courts increased from 211 to 340. The cases of 15 persons were referred to the High Court under section 307 of the Code of Criminal Procedure compared with 21 in 1937. The High Court dealt with 8 of these references. The Court upheld the verdict of the jury in 6 cases and in the remaining two cases partly upheld and partly set aside the verdict of the jury. The number of persons tried with the aid of assessors rose from 5,761 to 6,221. The Judge agreed with all the assessors in the cases of 3,302 accused, differed from one or more but not from all, in the cases of 1,837 and differed from all in the cases of 1,032.

13. No Hon'ble Judge inspected any criminal court during the year under review.

HONORARY MAGISTRATES

14. Honorary magistrates continued to help in the administration of criminal justice as in previous years, but owing to the abolition of many honorary courts during the latter portion of the year the number of cases which they were able to decide was fewer than last year. A list of honorary magistrates whose work has been specially commended by the district magistrates is given in Statement G.

N. STORR, I.C.S.,
Registrar.

ALLAHABAD :

Dated the 31st August, 1939.

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing the number of judicial divisions and the number of officers during the

Province.	Judges of Chief Court of Province.	Number of Sessions Divisions	Number of Districts.	Sessions Judges.	Other Judges.
1	2	3	4	5	6
Agra	(a) 11	19	36	(b) 23	(c) 48

(a) The number of Judges of the High Court was 11 throughout the year.

(b) Did both Civil and Criminal work.

(c) Of these 41 did both Civil and Criminal work.

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence.	Number of offences reported.		Number returned offences
	In and pending from the previous year.	During the year.	In and pending from the previous year.
1	2	3	4
OFFENCES UNDER THE INDIAN PENAL CODE			
Criminal Conspiracy, Chapter V-A	6	.. .. .
Offences against the State, Chapter VI	24	2
Offences relating to the Army or Navy, Chapter VII	3	.. .. .
Offences against the Public Tranquillity, Chapter VIII	173	142
Offences by or relating to Public Servants, Chapter IX	14	11
Offences relating to elections, Chapter IX-A	86	83
Contempts of the Lawful Authority of Public Servants, Chapter X	76	61
False Evidence and offences against Public Justice, Chapter XI	94	57
Offences relating to Coin, and } Chapter XII	5	5
Government Stamps }	23	.. .. .
Offences relating to Weights and Measures, Chapter XIII	1	1
Offences affecting the Public Health, Safety, Convenience, Decency and Morals, Chapter XIV	33	27
Offences relating to Religion, Chapter XV	74	10
Offences affecting the human body, Chapter XVI. { Offences affecting Life	104	89
Causing of Miscarriage, Injuries to Unborn Children, Exposure of Infants and the Concealments of Births.	4	2
Hurts	1,481	984
Wrongful Restraints and Wrongful Confinements	39	25
Criminal Force and Assault	203	110
Kidnapping, Forcible Abduction, Slavery and Forced Labour	64	50
Rape	19	16
Unnatural Offences	4	3

NO. 1 (CRIMINAL).

revised statements nos. 25 and 26.

exercising original or appellate jurisdiction and the number of cases decided year 1938.

District Magistrates.	Other Magistrates—		Total number of cases decided—			
	Stipendiary.	Honorary.	Original—		Appeals—	
			Regular.	Miscellaneous.	Regular.	Miscellaneous.
7	8	9	10	11	12	13
(d) 52	(e) 489	(f) 338	1,33,179	16,079	11,564	4,288

(d) Of these 2 are entered in Col. 6, who are Deputy Commissioners.

(e) Of these only 60 did both Civil and Criminal work.

(f) Of these 169 are benches.

NO. 2 (CRIMINAL).

revised statement no. 85.

class of offence in the Agra Province during the year 1938.

of offences as true of reported—	Number of cases brought to trial during the year.	Number of persons—					Number of complainants dealt with under section 250 of the Code of Criminal Procedure, 1938.
		Under-trials during the year, including pending from the previous year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred to another province.	Remaining under-trials.	
5	6	7	8	9	10	11	12
3	2	11	..	8	..	3	..
20	22	80	28	40	1	11	..
1,796	1,823	11,223	5,439	4,471	21	1,292	9
115	115	178	101	57	..	20	..
42	83	119	43	72	..	4	..
1,601	1,312	2,373	595	1,703	5	70	..
488	494	687	315	286	4	72	..
54	58	104	21	53	..	30	..
15	15	15	2	7	..	6	..
116	110	136	30	103	..	3	..
1,494	1,563	1,843	406	1,394	..	43	1
76	75	254	176	32	..	46	..
1,773	1,774	6,111	2,665	1,814	16	1,616	1
107	104	155	73	65	..	12	..
16,085	14,258	47,287	37,342	6,313	22	3,560	82
278	261	987	656	169	1	111	1
2,000	1,596	4,799	3,922	610	4	263	9
515	473	1,525	950	354	4	227	4
187	188	360	159	187	1	63	..
75	78	99	36	52	..	11	..

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence.	Number of offences reported—		Number returned as offences
	In and pending from the previous year.	During the year.	In and pending from the previous year.
1	2	3	4
Offences against property, Chapter XVII.			
Theft	612	9,714	416
Extortion	30	360	14
Robbery and Dacoity	99	1,040	55
Criminal Misappropriation of Property	6	177	2
Criminal Breach of Trust	187	1,877	94
Receiving of Stolen Property	37	875	31
Cheating	161	2,451	89
Fraudulent Deeds and Disposition of Property	38	458	21
Mischief	230	3,784	152
Criminal Trespass	660	9,903	344
Offences relating to Documents and to Trade or Property Marks, Chapter XVIII.	20	243	12
Criminal Breach of Contracts of Service, Chapter XIX	1	48	..
Offences relating to Marriage, Chapter XX	268	4,841	141
Defamation, Chapter XXI	43	701	23
Criminal Intimidation, Insult and Annoyance, Chapter XXII	83	2,517	52
Total under the Indian Penal Code	4,848	79,368	3,079
II.—OFFENCES UNDER THE CODE OF CRIMINAL PROCEDURE AND SPECIAL LOCAL LAWS.			
Chapter VIII.—Security for Keeping Peace	364	6,071	277
Ditto Security for Good Behaviour	186	3,547	176
Other laws relating to—			
Arms, Ammunition and Military Stores Act no. XI of 1878	22	411	20
Northern India Canal and Drainage VIII of 1873	54	1,956	36
Cantonment, Military II of 1924	51	2,905	23
Cattle Trespass I of 1871	22	1,010	11
Criminal Tribes VI of 1924	49	1,033	82
Excise IV of 1910	122	3,030	100
Factories XII of 1911	1	20	1
Ferries XVII of 1878	4	114	2
Forest XVI of 1927	8	802	7
Gambling III of 1867	97	1,360	77
Hackney and Stage Carriages XIV of 1879	171	9,386	128
Legal Practitioners XVIII of 1879 .. .. .	..	11	..
Municipalities II of 1916	1,030	41,505	671
Opium I of 1878	11	309	10
Police District V of 1861	626	15,868	253
Town Police XX of 1856	2	489	1
Village and Road Police XVI of 1873 .. .. .	..	22	..

(a) Includes 56 } persons whose cases
 (b) " 33 } under section 123 of
 (c) " 23 }

NO. 2 (CRIMINAL)—(continued).

revised statement no. 35.

class of offence in the Agra Province during the year 1938.

offences tried of reported—	Number of persons—						Number of complain- ants dealt with under section 250 of the Code of Criminal Procedure, 1898.
	Number of cases brought to trial during the year.	Under-trials during the year, including pending from the previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under-trials.	
5	6	7	8	9	10	11	12
7,064	6,986	17,086	10,789	5,085	14	1,198	49
150	143	444	373	40	..	31	..
645	620	8,307	1,804	728	.. 3	777	.. 1
108	93	157	96	54	..	7	..
1,051	942	1,343	894	902	.. 1	146	.. 6
836	874	1,406	425	908	.. 2	76	.. 1
1,141	1,005	1,767	1,248	927	.. 3	189	.. 1
292	286	1,029	826	140	.. 2	61	..
2,280	2,063	7,155	6,014	749	.. 3	389	.. 15
7,306	7,159	19,177	12,682	4,955	.. 8	1,582	.. 21
161	126	257	140	86	.. 4	77	..
18	26	36	32	1	..	8	..
2,121	1,641	8,905	3,468	225	.. 4	208	.. 7
827	302	800	653	64	..	89	.. 3
844	780	2,281	1,902	202	..	177	.. 1
51,194	47,895	1,38,411	94,310	31,556	123	12,422	192
4,039	3,796	28,697	19,410	7,462	10	1,815	..
8,528	8,702	(a)5,256	657	(b)4,225	.. 6	(c)368	..
410	421	489	94	344	.. 3	47	..
1,233	1,242	3,444	1,962	1,359	.. 3	120	..
2,167	1,850	2,017	519	1,496	..	2	..
600	557	1,311	878	860	..	78	..
975	957	1,007	64	906	.. 3	84	..
8,007	8,997	8,611	742	2,717	.. 7	145	..
20	21	90	9	19	..	2	..
78	70	145	92	89	..	14	..
277	283	439	233	197	.. 1	8	..
1,852	1,365	9,570	1,003	7,701	.. 3	663	..
8,728	8,670	8,904	526	8,298	..	80	..
11	11	11	7	4	..	..	..
32,263	27,386	28,514	8,543	19,626	.. 4	341	..
307	303	444	83	349	.. 3	9	..
14,496	13,523	13,672	808	12,809	.. 1	54	..
474	474	479	12	468	..	1	..
22	22	24	7	16	.. 1	..	..

were referred to the courts of session
the Code of Criminal Procedure,

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence.	Number of offences reported—		Number of returned as offences
	In and pending from the previous year.	During the year.	
1	2	3	4
Post Offices Act no. VI of 1898	1	11	..
Prevention of Cruelty to Animals XI of 1890	34	4,219	23
Prisons IX of 1894	..	36	..
Copy Right III of 1914	..	3	..
Sugar Factory Control, M. P. I of 1938	1	172	1
Railways IX of 1890	97	3,692	76
Salt, Indian XII of 1882	..	1	..
Stamp II of 1899	9	342	6
Vaccination XIII of 1890	..	565	..
Press I of 1910	..	2	..
Workmen's Breach of Contract.. .. . XII of 1920	..	3	..
Town Areas II of 1914	20	1,800	19
United Provinces Panchayat VI of 1920	1	1	..
Motor Vehicles VIII of 1914	246	4,597	166
Compulsory Education I of 1926	196	3,419	122
Prevention of Adulteration of Food and Drugs VI of 1912	72	1,669	70
District Boards X of 1922	76	3,907	46
Treasure Trove VI of 1878	1	7	1
Explosive Substances VI of 1908	..	6	..
Insolvency V of 1920	4	10	3
Notified Area II of 1916	9	1,050	3
Water Works I of 1891	..	6	..
Petroleum VIII of 1899	..	8	..
Opium Smoking II of 1925	3	44	3
Protection of Wild Birds and Animals VIII of 1912	..	3	..
Indian Telegraph XIII of 1893	..	3	..
Civil Marriages III of 1912	..	12	..

NO. 2 (CRIMINAL)—(continued).

revised statement no. 35.

class of offence in the Agra Province during the year 1938.

offences true of reported—	Number of cases brought to trial during the year.	Number of persons—					Number of complain- ants dealt with under section 250 of the Code of Criminal Procedure, 1898.
		Under-trials during the year, including pending from the previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under-trials.	
5	6	7	8	9	10	11	12
9	9	11	8	8	..	..	..
3,956	8,891	4,020	118	3,894	1	17	..
36	35	37	7	29	..	1	..
1	1	8	..	8	..	..	..
161	188	165	80	83	..	2	..
2,976	2,942	3,259	523	2,660	1	75	..
1	1	2	..	2	..	..	..
331	309	338	36	294	..	8	..
541	530	564	535	29	..	..	..
1	1	3	3	..	..	..	..
3	3	3	..	3	..	..	..
1,648	1,609	1,711	503	1,194	..	14	..
1	1	1	1	..	..	..	..
4,132	4,033	4,514	662	3,783	2	67	..
2,333	2,586	2,606	743	1,833	..	30	..
1,459	1,451	1,564	190	1,346	4	24	..
3,358	3,518	3,774	1,095	2,659	3	27	..
7	8	14	4	9	..	1	..
6	6	7	1	6	..	..	..
9	8	8	3	5	..	..	..
693	586	604	52	551	..	1	..
6	5	19	8	11	..	..	..
8	7	7	1	6	..	..	..
44	44	129	11	108	..	10	..
3	3	20	1	19	..	..	..
3	3	4	1	3	..	..	..
5	5	8	7	1	..	..	..

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence.	Number of offences reported—		Number of returned as offences
	In and pending from the previous year	During the year	
1	2	3	4
Nalk Girls Protection .. .. .	..	..	1
Improvement Trust	22	98	22
District Boards Primary Education	1	59	..
Indian Company .. .. .	..	7	..
Indian Electricity .. .. .	..	11	..
Cinematograph .. .. .	..	10	..
Child Marriage Restraint	2	736	1
Dangerous Drugs	1	16	1
Gonda	1	11	1
Reformatories .. .. .	..	8	..
Cocaine	1	13	1
Motor Vehicle Taxation	3	12	3
Poisons .. .. .	..	2	..
Entertainment and Betting Tax, U. P.	..	23	..
Income-tax .. .. .	..	1	..
Printing Press .. .. .	..	6	..
Indian Boiler .. .. .	..	4	..
Indian Passport .. .. .	..	1	..
Land Acquisition .. .. .	..	1	..
Village Chaukidari .. .. .	..	4	..
Total, under the Code of Criminal Procedure, Special and Local Laws.	3,621	1,15,221	2,808
Total, under the Indian Penal Code	4,843	79,868	3,079
GRAND TOTAL	8,464	1,94,589	5,473

No. 2 (CRIMINAL)—(concluded)

revised statement no. 35

class of offence in the Agra Province during the year 1933

offences true of reported—	Number of persons—						Number of complainants dealt with under section 250 of the Code of Criminal Procedure, 1898
	During the year	Number of cases brought to trial during the year	Under-trials during the year, including pending from the previous year	Acquitted or discharged	Convicted	Died, escaped or transferred to another province		Remaining under-trials
5	6	7	8	9	10	11	12
1	1	1	..	1	..	..	..
98	50	52	2	50	..	..	..
55	55	55	38	17	..	..	..
7	7	17	9	6	..	2	..
9	8	15	11	2	..	2	..
10	10	14	4	10	..	..	..
383	351	1,047	679	298	1	69	5
14	14	19	3	13	..	3	..
11	9	9	1	7	..	1	..
8	8	8	..	8	..	..	..
12	12	16	5	11	..	..	..
11	13	14	5	9	..	..	..
2	2	2	..	2	..	..	..
20	20	23	4	18	..	1	..
1	..	..	..	..	..	..	..
5	5	6	2	4	..	..	..
4	4	4	..	4	..	..	..
1	1	2	2	..	..	..	..
1	1	1	1	..	..	..	..
4	4	4	..	4	..	..	..
97,165	89,938	1,32,767	40,988	87,336	57	4,336	7
51,184	47,395	1,38,411	94,310	31,556	123	12,422	192
1,48,349	1,67,933	2,71,178	1,85,298	1,18,942	*180	16,753	199

* of these 185 died and 45 escaped.

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JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing the general result of Criminal Trials

Class of tribunals.	Total number of offences reported—		Total number of persons under-trials.	Died, escaped or transferred to another province.	Discharged or acquitted.	Persons whose cases					
	In and pending from the previous year.	During the year.				On regular trial—					
						Sentenced.	Released on probation, section 562, Code of Criminal Procedure, 1898.	Youthful offenders dealt with under section 31 of Act VIII of 1897—		Discharged after admittance.	Delivered to parent or guardian, &c.
								Discharged after admittance.	Delivered to parent or guardian, &c.		
1	2	3	4	5	6	7	8	9	10		
<i>Subordinate magistrates.</i>											
Honorary magistrates sitting singly (section 14).	20,922	(a)10	10,830	6,752	116	12	1		
Stipendiary special magistrates (section 14).	3,848	(b)2	1,983	1,118	2	..	..
Stipendiary Magistrates sitting singly (section 12).	2,23,801	(c)152	1,11,405	65,405	1,324	35	..		
Benches of magistrates (section 15).	21,799	(d)2	7,415	9,058	27	..	..
<i>District and divisional magistrates.</i>											
Cases referred under sections 847, 849 and 562 of the Code of Criminal Procedure, 1898.	88	..	9	33	25	2	..		
Chief magistrates of districts.	424	(e)1	173	140	25	..	..
Total	2,69,832	(f)167	1,31,815	82,501	1,519	49	1		
Courts of session	8,869	(g)13	3,484	3,020	5	..	1		
High Court of Judicature at Allahabad.		
Total	8,869	(h)13	3,484	3,020	5	..	1		
GRAND TOTAL	2,78,751	(i)180	1,45,299	85,521	1,524	49	2		

NO. 4 (CRIMINAL).

revised statement no. 33.

in the tribunals of various classes during the year 1938.

were disposed of—				Committed or referred.	Persons remaining under-trials at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted.	Number of witnesses examined.	Remarks.
victed—									
On summary trial—									
Sentenced.	Released on probation, section 562, Code of Criminal Procedure, 1898	Youthful offenders dealt with under section 31 of Act VIII of 1897— Discharged after admonition.	Delivered to parent or guardian, etc.						
11	12	13	14	15	16	17	18	19	20
980	8	..	..	287	1,926	10,428	18	11,948	(a) of these 6 died and 4 escaped.
72	..	..	..	..	176	1,481	9	1,994	(b) Died.
26,107	959	138	9	7,248	10,519	1,03,175	18	1,75,200	(c) of these 112 died and 40 escaped.
3,424	62	..	..	18	1,798	15,880	5	6,028	(d) of these 1 died and 1 escaped.
13	1	..	..	..	5	49	8	..	
46	23	2	..	7	7	199	15	297	(e) Died.
80,442	1,053	140	9	7,560	14,426	1,31,212	12	1,95,467	(f) of these 122 died and 45 escaped.
..	..	..	..	14	2,332	1,967	64	26,161	(g) Died.
..	
..	..	..	..	14	2,332	1,967	64	26,161	(h) Died.
30,642	1,053	140	9	7,574	16,758	1,33,179	12	2,21,628	(i) of these 135 died and 45 escaped.

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing the punishments inflicted by the

Class of tribunals.	Number of persons executed.	Death.	Number of persons			
			Transportation or penal servitude.	Imprisonment.	Fine or forfeiture.	Whippings.
1	2	3	4	5	6	7
<i>Subordinate magistrates.</i>						
Honorary magistrates, sitting singly (section 14).	788	7,153	5
Stipendiary special magistrates, (section 14).	57	1,184	..
Stipendiary magistrates, sitting singly (section 12).	16,294	72,059	476
Benches of magistrates (section 15)	126	12,405	..
<i>District and divisional magistrates.</i>						
Cases referred under sections 347 and 349 of the Code of Criminal Procedure, 1893.	28	13	1
Chief magistrates of districts	44	114	..
Total	17,285	92,928	482
Courts of session	314	2,548	230
High Court of Judicature at Allahabad.	Cases committed	..	..	..	..	..
	Cases referred ..	24	53	..	..	..
Total	..	24	53	314	2,548	230
GRAND TOTAL	..	24	53	314	19,833	93,158

NO. 5 (CRIMINAL).

revised statement no. 36.

various criminal tribunals during the year 1938.

sentenced to—			Total amount of fine.			Number of persons sentenced to imprisonment of—			
Give security.	Fine of—		Imposed.	Realized.	Paid as compensation.	Fifteen days and under.	Above 15 days to 6 months.	Above 6 months to 2 years.	Above 2 years.
	Rupees 10 and under.	Over Rs.10.							
8	9	10	11	12	13	14	15	16	17
91	6,244	909	48,277	35,096	2,095	90	449	197	..
..	997	187	7,740	6,635	..	26	31	..	..
11,562	56,861	15,198	7,25,871	5,05,239	28,498	1,431	7,104	7,734	25
..	12,147	258	22,469	21,818	509	50	64	12	..
..	..	18	..	..	..	..	16	12	..
1	46	68	3,602	1,977	515	1	35	8	..
11,651	76,295	16,238	8,07,959	5,70,765	31,617	1,598	7,699	7,968	25
9	25	205	35,100	9,820	276	19	202	502	1,825
..
..
9	25	205	35,100	9,820	276	19	202	502	1,825
11,668	76,320	16,838	8,48,059	5,80,565	31,893	1,617	7,901	8,465	1,850

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing the result of appeals and revisions in

Class of tribunals.				Number of		
1				Total number of appellants and applicants for revision before the court.	Died, escaped or transferred to another province.	Appeals or applications rejected.
				2	3	4
<i>Appeals.</i>						
To Chief Magistrates of districts	..	..	..	8,843	*2	739
To Courts of Session	..	..	..	14,845	*1	3,350
High Court of Judicature at Allahabad.	}	By persons convicted		3,517	*4	559
		By Government from judgment of acquittal.		159	*1	..
Total				27,864	*8	4,648
<i>Revisions.</i>						
By Chief Magistrates of districts	..	..	..	(a) 584	*1	2,320
By Courts of Session	..	..	..	(b) 3,742	*12	5,897
High Court of Judicature at Allahabad.	}	By persons convicted		2,511	*1	1,846
		By Government		..	*1	..
Total				6,837	*15	9,563
GRAND TOTAL				34,201	*23	14,211

(a) Excludes 2,476 accused persons whose cases were
 (b) " 4,511 " " "
 (c) " 441 " " "
 (d) " 64 " " against whom

NO. 6 (CRIMINAL).

revised statement no. 84.

criminal cases in the Agra Province for the year 1938.

persons.					Average number of days during which each appeal or revision case lasted.	Remarks.
Sentences or order confirmed.	Sentences altered.	Sentences reversed	Otherwise disposed of	Pending trial.		
5	6	7	8	9	10	11
3,012	1,181	2,190	165	1,604	50	*Died.
4,466	1,870	2,585	144	2,479	41	*Died.
930	..	361	535	1,128	139	*Died.
27	..	..	9	122	202	
8,435	3,001	5,086	853	5,333	52	*Died.
..	..	76	429	234	40	*Died.
..	..	15	805	1,524	45	*Died.
734	52	181	391	247	64	*Died.
2	1	..	3	57	571	*Died.
736	53	272	1,628	2,062	48	*Died.
9,171	3,054	5,359	2,431	7,395	51	*Died.

called for in revision on 691 applications of complainants.

" " 1,632 " "

" " 90 " "

13 applications for revision were filed by Government.

THE

Date	Particulars	Debit	Credit	Balance	Total
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					

THE

JUDICIAL STATEMENT No. 3—(CRIMINAL).

Statement of miscellaneous proceedings in the criminal courts of the Agra Province under the Code of Criminal Procedure during the year 1938.

Nature of proceedings.	Total number of cases before the courts during the year.	Number of persons concerned.	Number of persons discharged.	Number of persons convicted.	Number of persons remaining under trial.	Remarks.
1	2	3	4	5	6	7
1. Proceedings against witnesses, Chapter VI (C), and section 485.	92	264	200	85	29	
2. Proceedings under Chapter VIII—to prevent breach of the peace.	3,948	(a)28,702	19,411	*7,466	1,815	(a) Of these 9 died and 1 escaped.
3. Proceedings under Chapter VIII—security for good behaviour.	3,644	(b)5,202	657	4,192	347	(b) Of these 2 died and 4 escaped.
4. Proceedings against local nuisances, Chapter X.	2,461	7,474	5,831	601	1,492	
5. Possession, Chapter XII ..	6,175	21,380	14,428	2,817	4,085	
6. Frivolous or vexatious accusation summarily dealt with under Chapter XX, section 250.	210	218	10	206	2	
7. Non-attendance of jurors or assessors, Chapter XXIII, section 332.	45	52	28	25	4	
8. Maintenance, Chapter XXXVI.	1,016	1,048	790	146	107	
9. Forfeiture of bail or recognizance, Chapter XLII.	607	828	449	302	77	
10. Proceedings under Chapter XLVI, section 563, against convicted offenders released under section 562.	80	98	34	64	..	
11. Applications against the order of the magistrates refusing bail under sections 100 and 512, Criminal Procedure Code.	18	22	..	22	..	
12. Cases under section 552, Criminal Procedure Code.	4	4	4	..	..
13. Cases under section 144, Criminal Procedure Code.	1	1	1	..	..
14. Objection against the attachment of property in connexion with fine.	1	1	..	1	..	
Total ..	18,302	(c)65,289	41,838	15,877	7,958	(c) Of these 11 died and 5 escaped.

* Includes 4 persons convicted by the courts of session.

JUDICIAL STATEMENT No. 5A—(CRIMINAL).

Statement showing the particulars of whipping inflicted by the criminal tribunals in the Agra Province during the year 1938.

PART I.

SHOWING WHIPPING INFLICTED UNDER SECTIONS 3 AND 4 OF ACT IV OF 1909 IN LIEU OF OTHER PUNISHMENTS.

Offences for which awarded.	Number of persons awarded.	Remarks.
1	2	3
<i>In lieu of other punishments, section 3 of Act IV of 1909.</i>		
1. Theft, as defined in section 378 and 379, Indian Penal Code.	198	
2. Theft, as defined in sections 380 and 381, Indian Penal Code.	71	
3. Theft, as defined in section 382, Indian Penal Code.	4	
4. Lurking house-trespass, as defined in section 443, Indian Penal Code.	10	
5. Lurking house-trespass by night, as defined in section 444, Indian Penal Code.	10	
6. House-breaking, as defined in section 445, Indian Penal Code.	31	
7. House-breaking by night, as defined in sections 446, 457 and 454, Indian Penal Code.	93	
<i>Section 4 of Act IV of 1909.</i>		
8. Abetment, commission or attempt to commit rape, as defined in sections 375 and 376, Indian Penal Code.	14	
9. Compelling or inducing any person by fear of bodily injury to submit to an unnatural offence, as defined in section 377, Indian Penal Code.	12	
10. Voluntarily causing hurt in committing or attempting to commit robbery, as defined in section 391, Indian Penal Code.	6	
11. Receiving stolen property, as defined in section 411, Indian Penal Code.	1	
Total ..	390	
12. Offences under sections 182, 411, 419, and 453, Indian Penal Code.	5	
Total ..	5	
GRAND TOTAL ..	395	

PART II.

Showing whipping inflicted in addition to other punishments, section 4, Act IV of 1909.

Offences for which awarded.	Number of persons awarded.	Remarks.
1	2	3
<i>In addition to other punishments (section 4).</i>		
1. Abetment, commission or attempt to commit rape, as defined in sections 375 and 376, Indian Penal Code.	53	
2. Compelling or inducing any person by fear of bodily injury to submit to an unnatural offence, as defined in section 377, Indian Penal Code.	6	
3. Dacoity, as defined in section 391, Indian Penal Code.	1	
Total ..	60	
4. Offences under section 52 of Act IX of 1894.	1	
Total ..	1	
GRAND TOTAL ..	61	

(31)
PART III.

Showing whipping inflicted under section 5 of Act IV of 1909 on juveniles
in lieu of other punishments.

Offences for which awarded.	Number of juveniles awarded.	Remarks.
1	2	3
1. Theft, as defined in section 379, Indian Penal Code,	32	
2. Theft by clerk or servant of property in possession of master, as defined in section 381, Indian Penal Code.	3	
3. Lurking house-trespass or house-breaking in order to commit offence punishable with imprisonment, as defined in section 454, Indian Penal Code.	8	
4. Lurking house-trespass or house-breaking by night in order to commit offence punishable with imprisonment, as defined in section 457, Indian Penal Code.	14	
5. Gambling Act	3	
6. Cantonment Act, section 237	1	
7. Offences under sections 126/130, 176, 224, 279, 337, 376, 394, 406/511, 411 and 452, Indian Penal Code.	29	
Total ..	90	

PART IV

Showing the relative number of times whipping was awarded as compared with other punishments in cases in which whipping might have been awarded.

Punishment.	Number.	Remarks.
1	2	3
1. Total number of whipping awarded	654	
2. Total number of other punishments in which whipping might have been awarded.	3,179	
3. Total number of all punishments in cases in which whipping might have been awarded (total of headings 1 and 2).	4,033	
4. Percentage of whipping on total number of all punishments (percentage of heading 1 on heading 3).	21	

JUDICIAL STATEMENT No. 7 (CRIMINAL).

Statement showing use of jurors and assessors in the criminal courts of the Agra Province for the year 1938.

Class of courts in which jurors or assessors are employed.	Established or average number of jurors or assessors in each case and prescribed qualification.	Number of accused persons in jury trial.				Number of accused persons in trials with assessors.				Remarks.	
		Tried.	As to whom the Judge—			Tried.	As to whom the Judge—				
			Approved verdict.	Did not approve verdict.	Made reference under section 307 of the Code of Criminal Procedure, 1898.		Agreed with all the assessors.	Differed from one or more, but not from all the assessors.	Differed from all the assessors.		
1	2	3	4	5	6	7	8	9	10	11	
5 Courts of session.	Jurors ..	Number of jurors—5 ..	340	325	..	15	..	..	..	..
	Assessors..	Number of assessors—2 or more.	..	..	..	..	6,221	3,302	1,837	1,032	
	Total ..		340	325	..	15	6,221	3,302	1,837	1,032	

