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# REPORT

ON THE

## JUDICIAL ADMINISTRATION (CRIMINAL)

IN THE

CENTRAL PROVINCES & BERAR

FOR THE

CALENDAR YEAR 1944

NAGPUR

GOVERNMENT PRINTING, C. P. & BERAR

1945

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[ Price—Annas Eight. ]

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# REPORT ON THE JUDICIAL ADMINISTRATION (CRIMINAL) FOR THE CALENDAR YEAR 1944

[ The figures in square brackets are those of the previous year. ]

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## A.—TRIBUNALS (Statement No. 25)

The term of the sixth puisne Judge appointed last year was extended for a further period of two years from the 17th April 1944 and the strength of the High Court and Sessions Judges continued unchanged at 7 and 9, respectively. The number of Additional Sessions Judges further increased to 28 [23]. The number of Magistrates continued to be 564, of whom 202 [203], 287 [273] and 75 [88] exercised first, second and third class powers respectively. Of the first class Magistrates 70 [83] exercised special powers under section 30 of the Code of Criminal Procedure. The number of Subordinate Judges, Tahsildars and Naib-Tahsildars exercising magisterial powers was 51 [53], 77 [81] and 179 [141], respectively. A number of lawyers were appointed during the year as Naib-Tahsildars mainly to do criminal work and give relief to stipendiaries. Of the 135 [166] Honorary Magistrates 56 [52] were empowered to sit singly, 30 exercising first class, 15 second class and 11 third class powers. There were 10 [11] Honorary Women Magistrates. The number of special Magistrates was 5 [7].

## B.—OFFENCES REPORTED (Statement No. 35)

2. The total number of offences reported during the year fell to 61,790 [64,491]. Offences under the Indian Penal Code fell to 25,697 [27,320] and those under Special and Local Laws to 36,093 [37,171]. The fall, though not appreciable, is shared mainly by Nagpur, Wardha, Hoshangabad, Amraoti and Akola districts. Comment will be found in the succeeding paragraphs.

3. **Offences under the Indian Penal Code.**—Offences against property fell to 12,793 [16,457], while those affecting the human body rose to 9,104 [7,540]. The decrease in the former is contributed principally by theft, 6,934 [9,038], and criminal trespass, 3,692 [5,176], and is attributed to better economic conditions reflected in full employment and good prices for agricultural produce. The rise in offences affecting the human body is almost entirely accounted for by the increase in cases of hurt, 6,703 [5,447]. No explanation has been offered in the district reports for this increase. The variations in the figures relating to other offences are slight and call for no comment.

4. **Offences against Special and Local Laws.**—The sub-joined table shows variations in offences under the more important special and local laws :—

	1942	1943	1944
Offences under the Defence of India Act .. .. .	2,484	4,020	4,220
Offences under the Central Provinces Excise Act .. .. .	3,187	3,935	3,905
Offences under the Central Provinces Municipalities Act .. .. .	5,698	7,714	6,506
Offences under the Central Provinces Primary Education Act .. .. .	1,996	2,283	1,918
Offences under the Motor Vehicles Act .. .. .	1,787	2,110	2,401
Offences under the Police Act .. .. .	3,609	5,429	5,323
Offences under the Public Gambling Act .. .. .	1,065	1,645	1,709
Offences under the Railways Act .. .. .	1,479	1,184	1,223
Offences under the Central Provinces Highway Act .. .. .	2,306	1,007	1,100
Offences under the Central Provinces Tobacco Act .. .. .	493	434	149

The above figures for the province as a whole indicate but little variation from year to year except in regard to offences under the Defence of India Act and the Motor Vehicles Act where the tendency is for a steady rise. The increase in the former is due to the larger number of prosecutions for anti-social offences, such as breaches of the various control orders, facilitated by the employment of special staffs and the release of the Police from other pre-occupations. A

truer picture of the extent of the evasion of the control orders is obtained by adding to the figures under the Defence of India Act, the number of cases, 520, under the Hoarding and Profiteering Prevention Ordinance, 1943. The provincial figures of cases under the various local and special laws do not, however, reflect correctly the position in individual districts. If the figures are considered for individual districts, except in respect of cases under the Tobacco Act where the fall is shared by almost all of them indicating that the provisions of the Act are now understood and adhered to widely, the variations are considerable particularly in the figures of cases under the Municipalities Act and the Police Act. In the former, for instance, Nagpur 2,852 [3,921] and Amraoti 793 [1,259] report marked falls, and Jubbulpore 1,088 [380], and Nimar 512 [266], marked increases. Under the Police Act, Nagpur, 1,550 [2,094] and Jubbulpore 1,045 [1,246] report appreciable decreases while Chhindwara 165 [59], Raipur 276 [200], Amraoti 481 [266] and Akola 487 [275] report large increases. The general explanation offered, except in respect of the offences under the Municipalities Act in Amraoti where the fall is attributed to the less strict control by the reconstituted Town Municipal Committee than by the Officer-in-charge, is that the decreases are due to more effective supervision and the deterrent action taken in the past and the increases to the greater vigilance of the authorities. This explanation, however, appears to be only partly correct and the district figures seem to justify an inference that activity in enforcing special and local laws tends to be sporadic, now one evil and now another claiming attention.

**5. Complaints dismissed and complainants fined.**—The total number of complaint cases slightly increased to 20,465 [20,277]. The number dismissed under section 203 of the Code of Criminal Procedure fell to 1,660 [1,886] the percentage of cases so dismissed to complaints disposed of being 8.8 [9.3] and to the total number of offences reported 2.6. The number of cases in which action was taken under section 250 *ibid* also fell from 52 to 37. It is regrettable that the criticism regarding the inadequate use of section 203 which has been repeated in every report since that for the year 1939, has not had any effect in inducing a proper appreciation of the use of the section among the Magistrates. The main explanation offered is that a large number of complaint cases were tried by inexperienced stipendiary and Honorary Magistrates. The remedy appears to lie in the personal guidance of inexperienced Magistrates by senior Magistrates rather than the issue of written instructions. 37 [52] complainants were ordered to pay Rs. 694 [Rs. 1,125] to 85 [117] accused persons under section 250 of the Criminal Procedure Code. Miscellaneous proceedings under the Code of Criminal Procedure fell to 11,624 [12,306]. The number of cases under Chapter VIII *ibid* rose to 1,501 [1,480].

### C.—ORIGINAL JURISDICTION

#### (Statement No. 33)

**6. Disposal of cases by Magistrates.**—The total number of cases disposed of by all Magistrates was 58,432 [59,129] involving 90,945 [88,868] persons. 8,292 [8,055] cases involving 17,843 [16,584] persons were pending at the end of the year. The percentage of cases disposed of by Magistrates of various classes altered as shown below:—

	1943	1944
District Magistrates .. .. .	0.1	0.8
Stipendiary Magistrates .. .. .	77.6	74.3
Honorary Magistrates .. .. .	22.3	24.9
Special Magistrates .. .. .	Nil	Nil

There has been a rise in the disposals of Honorary Magistrates in all districts except Nagpur 36.6 [52.7], and Raipur 15.8 [16.2], the most marked increases being in Hoshangabad 21.2 [5.7], and Chhindwara 21.2 [5.7]. The relief

given by them to the stipendiaries has been appreciable. 19 Subordinate Judges deputed as temporary Extra-Assistant Commissioners continued to help the stipendiaries during the year under report.

**7. Summary trials.**—24,246 [25,855] cases were tried summarily. The percentage fell to 41·4 [43·7]. The fall is shared mainly by Nagpur, Bhandara, Mandla, Hoshangabad, Nimar and Amraoti districts. It was greatest in Amraoti where it fell from 31·9 to 19·9 per cent. Chanda has shown improvement where the percentage rose to 12·7 [5·1]. The explanation offered for the general fall is inadequate time, due to other miscellaneous work in connection with the war, at the disposal of first class Magistrates who are empowered to try cases by summary procedure. To remedy this an experiment is being tried of investing selected Naib-Tahsildars with first class and summary powers, the intention being that they should try summarily second class cases. This experiment, if it is extended, will throw an additional burden on Courts of Sessions, and for this reason one Sessions Judge suggests the amendment of the law to permit the investing of second class Magistrates with summary powers without conferring first class powers on them. The other reason advanced for the fall in the percentage of summary trials, *viz.*, the reluctance on the part of Magistrates to use the summary procedure, seems to indicate that the practice adopted by some District Magistrates of asking for explanations from Magistrates for not trying summarily cases that can be so tried has not been extended as widely as it deserves to be.

**8. Percentage of convictions.**—The percentage of accused persons convicted fell to 62·6 [69·9]. The detailed figures are :—

	1943		1944	
	Total convictions	Percentage	Total convictions	Percentage
Hurt .. .. .	2,256	24·7	2,503	20·6
Criminal force and assault .. .. .	430	26·9	504	20·4
Other offences under the Indian Penal Code	19,240	63·3	15,734	54·1
Offences under Special and Local Laws ..	39,399	83·9	37,871	81·1
All offences .. .. .	61,325	69·9	56,612	62·6

The percentage in Wardha, 72 [75·2], was the highest in the province.

**9. Durations.**—The average duration in days of all kinds of cases rose slightly to 40·1 [39·1]. The duration of Crown cases ranged from 100·3 [67·0] in Drug to 23·5 [14·8] in Nagpur and of complaint cases from 98·3 [82·8] in Drug to 23·6 [34·5] in Jubbulpore. The reason ascribed for the general rise is the pre-occupation of Magistrates with essential war-work.

**10. Witnesses.**—The number of persons attending magisterial Courts as witnesses slightly increased to 147,617 [147,098]. 15,845 [17,586] or 10·7 [11·9] per cent of them were discharged without examination. The lowest percentage of witnesses discharged without examination, 4·5, is reported by Amraoti and the highest, 14·6, by Nimar. The dragging to Court unnecessarily of 15,845 persons cannot be viewed with complacency, and the enforcement of the instructions in Criminal Circular I-11 requires the urgent attention of District Magistrates. The table below shows the length of detention :—

Year	Discharged without examination	Discharged after examination			
		On first day	On second day	On third day	After third day
1943 .. .. .	11·9	67·9	19·5	7·0	5·8
1944 .. .. .	10·7	65·3	20·6	7·9	6·2

11. **Witnesses' expenses.**—The average amount of diet-money and travelling expenses paid to witnesses in 1943 and 1944 is given below:—

Year	Central Provinces	Berar	Central Provinces and Berar
	Rs. a. p.	Rs. a. p.	Rs. a. p.
1943 .. .. .	1 14 9	1 13 0	1 14 4
1944 .. .. .	2 7 8	2 3 0	2 6 7

This is due to the enhanced rates sanctioned to meet the higher cost of living. The highest average is reported by Raipur, Rs. 4-6-0.

12. **Sessions Courts.**—The number of cases disposed of in Sessions Courts during the year was 356 [377]. The percentage of convictions for the province fell to 43·5 [61·7]. No definite reason for this has been given. The fall is particularly noticeable in Nagpur, 32·3 [62·2], and Amraoti, 33·4 [50·1]. The average duration of sessions cases rose to 61·3 [50·5]. The reasons given, as in previous years, are delay in submitting the record of commitment proceedings, non-receipt of articles and reports from the Chemical Examiner and the Imperial Serologist in time, absence of some prosecution witnesses on dates of hearing, receipt of the commitments after the conclusion of the sessions week, and the fact that approvers were involved. It is obvious that the delay is not always unavoidable and that improvement can be expected only if District Magistrates pay special attention to the observance by subordinate Magistrates of the provisions of Criminal Circulars I-14 and I-24. Permission for holding special sessions has been readily granted when asked for, but, as was pointed out in the last report, this is only an expedient for retrieving situations that should not have occurred.

One case from Amraoti was unnecessarily committed to the Court of Sessions.

The Additional Sessions Judges disposed of 278 [255] cases. The scheme of magisterial training for 18 months referred to in the last report is proving successful. Constant guidance is being given by the High Court to these trainees, as also to Subordinate Judges who are working as Extra-Assistant Commissioners, in the writing of criminal judgments, and the results so far achieved have on the whole been gratifying.

13. **Trial by Jury.**—Of the 86 [85] persons tried with a jury the verdict of the jury was accepted in the case of 82 [84]. There were four references to this Court under section 307 of the Criminal Procedure Code in 4 [1] cases, one from Nagpur, two from Amraoti, and one from Akola, which were disposed of during the year under report. The above figures indicate that the jury system is working satisfactorily.

#### D.—PUNISHMENTS

##### (Statement No. 36)

14. **Distribution of punishments.**—The following table compares the figures for the several kinds of punishments awarded during the years 1943 and 1944:—

	1943	1944
Death .. .. .	63	69
Transportation .. .. .	86	92
Imprisonment (excluding imprisonment in default of security for good behaviour).	8,803	7,014
Imprisonment awarded in default of security of good behaviour.	434	393
Fines .. .. .	42,565	42,973
Whipping .. .. .	2,344	1,246
Security taken .. .. .	1,256	1,285
Persons dealt with under the Borstal Act	153	80

The decrease in the total number of offences accounts for the general decrease in the number of persons punished.



**15. Confirmation of death sentences.**—The number of persons sentenced to death whose cases came before this Court was 136 [131]. The cases of 35 [10] persons were pending from last year. 17 [14] sentences of death were set aside, 69 [63] were confirmed, and 21 [22] were commuted to transportation for life. The cases of 17 [35] persons remained pending at the close of the year. The number of persons executed during the year fell to 43 [64].

**16. Previous conviction and solitary confinement.**—The number of previous convicts liable to enhanced punishment under section 75 of the Indian Penal Code fell to 741 [1,233]. The decrease is shared mainly by Nagpur 103 [159], Jubbulpore 109 [137], Chhindwara 106 [152] and Akola 67 [109]. No specific reason has been assigned for it. Of the above number 53 [79] were ordered to notify their residence to the police after release from jail. 3 [1] persons were ordered to suffer solitary confinement.

**17.** The number of sentences of imprisonment for 15 days and under slightly increased to 400 [396]. As usual in the majority of cases the imprisonment was till the rising of the Court, especially in Wardha in cases under the Defence of India Rules. Some cases of inadequate punishment came to the notice of the District Magistrates of Wardha and Hoshangabad and they issued necessary instructions to the Magistrates concerned. The number of persons sentenced to simple imprisonment rose to 470 [308].

**18. Fines.**—The number of persons fined slightly increased to 42,973 [42,565]. The total amount of fine imposed increased to Rs. 9,50,554 [Rs. 6,34,864]. The rise is attributed to more and heavier sentences of fine imposed on well-to-do persons committing breaches of the control orders and this explanation is borne out by the higher percentage of realizations than in previous years. The average amount of fine was Rs. 22.6 [15.0]. Rs. 7,86,033 [Rs. 5,60,646] was realized during the year, the percentage of realization being 82.6 [79.6]. Rs. 17,552 [Rs. 19,373] which could not be recovered was struck off as unrealizable, and Rs. 1,19,853 [Rs. 73,448] was left to be realized at the close of the year.

**19. Adolescents and youthful offenders.**—The number of boys sent to the Reformatory School and the number of adolescents sent to the Borstal Institution, Narsinghpur, decreased to 60 [112] and 78 [142] respectively. The number of juveniles sentenced to whipping further increased to 779 [656]. No specific reason has been assigned for these variations by the District Magistrates.

The provisions of the Central Provinces Probation of Offenders Act (I of 1936) were applied in 99 [128] cases, 29 [86] minor offenders being released on probation. The number of probation officers has decreased from 78 to 75. 30 [42] minor offenders were handed over to their care. The probation officers are reported to have worked satisfactorily.

**20. First offenders.**—4,035 [6,283] persons were released on probation of good conduct under section 562 of the Code of Criminal Procedure, of whom 2,487 [2,602] were dealt with under section 562 (1-A) *ibid*. The fall is shared by almost all the districts. The District Magistrates report that the provisions of the section were made use of in all suitable cases.

#### E.—APPELLATE AND REVISIONAL JURISDICTION (Statement No. 34)

**21. Appeals to Federal Court.**—1 [2] miscellaneous criminal case for leave to appeal to the Federal Court was filed and dismissed. A certificate under section 205 of the Government of India Act was granted in one criminal appeal during the year under report but no further progress was made.

**22. High Court of Judicature at Nagpur.**—The number of convicted persons who appealed to this Court fell to 413 [1,059]. The figure for 1943 was swelled by the large number of appeals from convictions by Special Judges for offences committed during the disturbances of 1942. With the disposal of these appeals the position has returned to normal. The percentage of cases decided in which the findings of the lower Courts were maintained further decreased to 59.0 [73.6], which confirms the criticism made in the last report that the standards of original trials have somewhat fallen. The cases of 1,061 [950] persons were dealt with in revision. In the cases of 17 [24] persons the sentence was enhanced and in 269 [208] it was reduced, modified or set aside. The average duration of appeals and revisions rose to 157.5 [59.9] and 82.9 [64.4] respectively. This abnormal rise is due to the protracted hearings in the appeals arising out of Ordinance cases from, *e.g.*, Chimur, Ashti and Mandla. No Division Bench case under Ordinance II of 1942 was heard during the year under report.

**23. Appeals by the Provincial Government.**—The Provincial Government appealed against the order of acquittal or for enhancement of sentence in 24 [17] cases involving 40 [32] persons. The case of one person was pending from the previous year. The orders of the lower Courts were confirmed in the cases of 13 [14] and set aside or modified in the cases of 21 [22] persons. 6 [1] cases involving 7 [1] persons remained pending at the close of the year.

**24. Sessions Courts.**—The number of persons whose appeals were before the Courts of Sessions decreased to 3,849 [4,834]. The percentage of cases in which the sentences remained unaltered increased to 69.5 [66.5]. The average duration of appeals further rose to 42.9 [38.9]. Nagpur 40.2 [24.8], Jubbulpore 59.9 [30.0], Hoshangabad 47.3 [35.7], Raipur 61.3 [59.9], and Amraoti 53.9 [47.1], share the rise in the average duration. The reason assigned is heavy sessions work which left insufficient time to devote to appellate work. The average duration of revisions also increased to 62.6 [56.6], the highest being 92.8 [51.8] in Jubbulpore and the lowest 15.7 [24.7] in Nimar. The number of appeals dismissed summarily fell to 1,330 [1,917].

**25. Magistrates' Courts.**—The number of persons whose appeals came before the Magistrates slightly increased to 5,700 [5,254]. In 52.3 [61.8] per cent of the appeals disposed of the sentences remained unaltered. The average duration of appeals further increased to 39.2 [37.3] while that of revisions decreased to 49.0 [61.0]. In Bhandara the average duration of revisions fell from 205.1 to 30.9.

#### F.—MISCELLANEOUS

**26. Village Panchayat Benches.**—The number of Village Panchayat Benches working during the year was 1,032 [1,089]. The total number of cases disposed of by these Benches was 5,722 [6,026] involving 9,008 [10,034] persons. 1,142 [1,052] cases, including 498 [551] pending over two months, remained pending at the end of the year. 4,858 [5,439] persons were either acquitted or discharged, 2,435 [3,011] convicted, 110 [110] were the subject of reference, and 80 [62] died or escaped. 1,525 [1,412] persons remained under trial at the close of the year. These figures exclude statistics of the Yeotmal district as they have not yet been supplied by the District Magistrate concerned. The percentage of convictions has further fallen to 32.6 and as no comments have been offered by District Magistrates it appears that the reason for this unsatisfactory state of affairs has not been looked into and the remark in paragraph 26 of last year's report has been overlooked. It is a matter for regret that the

District Magistrates do not take as much interest in the working of the Village Panchayat Benches as they should in view of the appreciable number of persons affected by this jurisdiction.

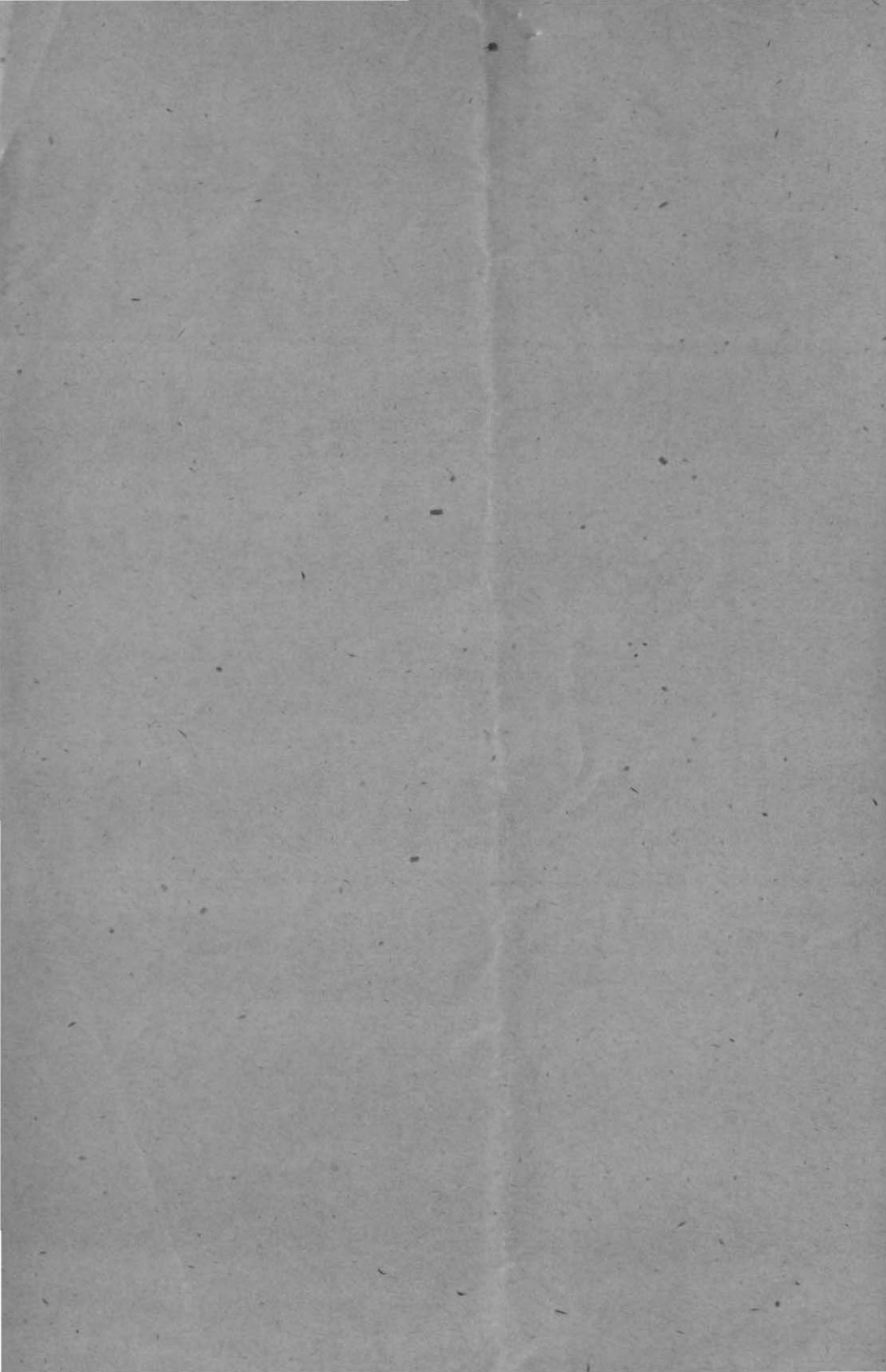
**27. Inspections.**—During the year under report 301 Courts were inspected out of 453 Courts for inspection. Of them 113 were inspected by the Additional District Magistrates or Sub-Divisional Magistrates and the rest by the District Magistrates. The District Magistrate of Yeotmal did not inspect any Court during 1944. The fall in the standards of original trials, inadequate use of section 203 of the Code of Criminal Procedure, the discharge of a large number of witnesses without examination and the unnecessarily long detention of witnesses, delay in the commitment of cases to Courts of Sessions and other defects in procedure referred to in this report can be eliminated only by personal guidance given at the time of the inspections. The Honourable the Chief Justice trusts that brief inspections, as indicated in last year's report, directed to these major points of public welfare will not continue to be omitted.

**28.** All district record-rooms were inspected by the Sessions Judges. Elimination is reported to be up to date. Except at Chhindwara, sufficient rack space is available everywhere.

**29. Copying work.**—Copying work is reported to be up to date throughout the province and copies were delivered promptly. The percentage of copies delivered on the 1st day after application was the highest at Raipur, being 98·0, and lowest at Balaghat, 60·0. The District Magistrate, Balaghat, attributes the low figure to inadequate staff as trained typists are not always available for appointment in leave and other vacancies.

K. RADHAKRISHNAN,

*Registrar, High Court of Judicature at Nagpur.*





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**PRESCRIBED STATEMENTS**

FOR THE CALENDAR YEAR

1944

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22: STATEMENT No. 25 [Criminal].—SHOWING THE NUMBER OF JUDICIAL DIVISIONS, AND THE NUMBER OF OFFICERS EXERCISING APPELLATE OR ORIGINAL JURISDICTION IN THE CENTRAL PROVINCES AND BERAR ON THE 31st DECEMBER 1944. (PARAGRAPH 1)

Name of province (1)	Judges of Chief Court of province (2)	Number of Sessions Divisions (3)	Number of districts (4)	Sessions Judges (5)	Other Judges (6)	District Magistrates (7)	Other Magistrates		Remarks (10)	Grades of Judicial officers	Euro- peans	Indians.
							Stipen- diary (8)	Hono- rary (9)				
Central Provinces (including Berar).	7	9	19	37 (a)	70 (b)	19	340 (c)	135 (d) 1,032 (e)	..	Chief Justice Puisne Judges Sessions Judges Additional Sessions Judges Magistrates, 1st Class Magistrates, 2nd Class Magistrates, 3rd Class	1 2 .. .. 6 1 ..	.. 4 9 28 196 (f) 286 (g) 75 (h)
									Total		10	598

(a) Includes 28 Additional Sessions Judges. All the 37 do both Civil and Criminal work.

(b) Invested with powers under section 30, Criminal Procedure Code.

(c) 108 do both Civil and Criminal work.

(d) 56 Honorary Magistrates sitting singly and 79 Benches.

(e) Represents the number of Village Panchayat Benches.

(f) Includes 30 Honorary Magistrates sitting singly and 2 members of Benches.

(g) Includes 15 Honorary Magistrates sitting singly and 37 members of Benches.

(h) Includes 11 Honorary Magistrates sitting singly and 40 members of Benches.

STATEMENT No. 26 [Criminal].—SHOWING THE NUMBER OF CRIMINAL CASES DECIDED IN THE COURTS IN THE CENTRAL PROVINCES AND BERAR FOR THE YEAR 1944

Name of province	Total number of Criminal cases decided				Remarks
	Original		Appellate		
	Regular	Miscellaneous	Regular	Miscellaneous	
(1)	(2)	(3)	(4)	(5)	(6)
Central Provinces (including Berar)	58,911	11,624	6,426	1,851	

STATEMENT No. 33.—SHOWING THE GENERAL RESULTS OF TRIALS OF CRIMINAL CASES IN THE TRIBUNALS OF VARIOUS CLASSES IN THE CENTRAL PROVINCES AND BERAR FOR THE YEAR 1944. (PARAGRAPHS 6 to 13)

Class of Tribunal (1)	*Number of offences reported (2)	Number of persons under trial (3)	Persons whose cases were disposed of				Persons remaining under trial at the end of the year (8)	Remarks (9)
			Discharged or acquitted (4)	Convicted (5)	Committed or referred (6)	Died, escaped or transferred to another province (7)		
<i>Subordinate Magistrates—</i>								
Special Magistrates under section 14, Criminal Procedure Code.		15	4	5	5	..	1	
Honorary Magistrates sitting singly ..		14,350	4,685	7,516	6	33	2,110	
Stipendiary Magistrates sitting singly ...		82,244	22,924	44,252	1,336	321	13,411	
Benches of Magistrates ..		11,523	5,377	3,810	10	12	2,314	
District and Sub-Divisional Magistrates' cases referred under sections 347 and 349, Criminal Procedure Code.	70,927	592	31	553	..	1	7	
Chief Magistrates of districts ..		30	9	21	..	..	..	
Courts of Session ..		935	346	349	103	4	133	
Superior Courts ..		141	17	106	..	..	18	
Total ..	70,927	109,830	33,393	56,612	1,460	(a) 371	17,994	

\*Includes offences brought forward from 1943.

(a) 240 persons died, 89 escaped, 32 dealt with under section 466, Criminal Procedure Code, and 10 transferred.



STATEMENT No. 34.—SHOWING THE GENERAL RESULTS OF APPEALS AND REVISIONS IN CRIMINAL CASES IN THE CENTRAL PROVINCES AND BERAR FOR THE YEAR 1944. (PARAGRAPHS 21 TO 25)

Class of Tribunal	Number of persons								Remarks
	Number of appellants and applicants for revision before the Courts	Appeals or applications rejected	Sentence or order confirmed	Sentence altered	Sentence reversed	Otherwise disposed of	Died, escaped or transferred to another province	Pending trial	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<i>Appeals to—</i>									
Chief Magistrates of districts ..	5,700	1,950	624	1,033	195	76	45	777	
Courts of Session ..	3,849	1,330	644	508	640	65	2	660	
<i>Superior Courts—</i>									
By persons convicted ..	1,020	164	373	218	152	2	1	110	
By Government from judgments of acquittal ..	41	..	13	..	19	2	..	7	
Total ..	10,610	3,444	1,654	1,759	2,006	145	48	1,554	
<i>Revisions by—</i>									
Chief Magistrates of districts ..	(a) 1,752	1,001	..	..	41	353	..	357	
Courts of Session ..	(b) 1,819	1,320	..	..	7	235	1	256	
Superior Courts ..	(c) 1,306	775	..	74	212	..	..	245	
Total ..	4,877	3,096	..	74	260	588	1	858	
Grand Total ..	15,487	6,540	1,654	1,833	2,266	733	49	2,412	

(a) Includes 1,537 accused persons whose cases were called for in revision on 698 applications of complainants.

(b) Includes 947 accused persons whose cases were called for in revision on 295 applications of complainants.

(c) Includes 188 accused persons whose cases were called for in revision on 79 applications of complainants and 141 accused persons against whom Government took action.

11. STATEMENT No. 35.—SHOWING THE NATURE OF OFFENCES REPORTED AND THE NUMBER OF PERSONS TRIED, CONVICTED AND ACQUITTED OF EACH CLASS OF OFFENCE IN THE CENTRAL PROVINCES AND BERAR FOR THE YEAR 1944 (PARAGRAPHS 2 TO 5)

Description of offences  (1)	Number of cases			Number of persons					Remarks  (10)
	*Offences reported  (2)	Returned as true  (3)	Brought to trial  (4)	Under-trial including pending from previous year  (5)	Acquitted or discharged  (6)	Convicted  (7)	Died, escaped or transferred to another province  (8)	Remaining under-trial  (9)	
Abetting commission of offence by the public or by more than ten persons, Chapter V, Indian Penal Code, section 117.	1	..	1	3	..	..	..	3	
Criminal conspiracy, Chapter V (A) of the Indian Penal Code, section 120-B.	5	4	2	39	13	13	..	13	
Offences against the State, Chapter VI of the Indian Penal Code.	1	..	..	1	..	..	..	1	
Offences relating to the Army and Navy, Chapter VII ..	2	2	2	3	..	3	..	..	
Offences against the public tranquillity, Chapter VIII ..	717	478	373	4,493	1,679	1,330	..	1,484	
Offences by or relating to public servants, Chapter IX ..	84	45	50	111	21	35	1	54	
Contempts of the lawful authority of public servants, Chapter X.	290	249	235	373	81	244	1	47	
False evidence and offences against public justice, Chapter XI.	275	182	164	331	90	145	4	92	
Offences relating to—									
Coin, Chapter XII ..	36	23	20	51	13	16	..	22	
Government Stamps, Chapter XII ..	1	..	1	3	..	..	..	3	
Offences relating to weights and measures, Chapter XIII	389	358	337	404	48	316	1	39	
Offences affecting the public health, safety, convenience, decency and morals, Chapter XIV.	400	354	346	455	40	360	1	54	
Offences relating to religion, Chapter XV ..	34	24	24	57	18	19	2	18	

Offences affecting the human body, Chapter XVI—								
Offences affecting life ..	741	640	600	1,375	421	557	71	326
Causing miscarriage, injuries to unborn children, exposure of infants and the concealment of births. ..	39	32	30	64	28	28	2	6
Hurt ..	8,050	5,804	5,466	15,839	9,610	2,503	44	3,682
Wrongful restraint and wrongful confinement ..	208	154	138	480	278	102	1	99
Criminal force and assault ..	1,619	1,229	1,176	2,998	1,972	504	6	516
Kidnapping, forcible abduction, slavery and forced labour. ..	133	85	80	296	123	60	4	109
Rape ..	87	65	64	116	40	41	1	34
Unnatural offences ..	21	14	16	24	..	15	..	9
Offences against property, Chapter XVII—								
Theft ..	8,209	7,097	6,532	11,732	2,521	7,319	22	1,870
Extortion ..	57	31	34	85	40	16	1	28
Robbery and dacoity ..	220	144	125	665	309	163	10	183
Criminal misappropriation of property ..	152	118	123	199	76	83	..	40
Criminal breach of trust ..	655	516	420	759	260	368	6	125
Receiving of stolen property ..	165	135	128	276	86	156	2	32
Cheating ..	852	594	560	1,048	365	380	10	293
Fraudulent deeds and dispositions of property ..	31	13	15	55	19	11	..	25
Mischief ..	619	409	405	1,121	600	173	2	346
Criminal trespass ..	4,607	3,602	3,385	8,832	3,210	3,493	43	2,086
Offences relating to documents and to trade or property marks, Chapter XVIII.	40	28	26	62	13	21	..	28
Criminal breach of contracts of service, Chapter XIX ..	1	1	1	1	1	..	..	..
Offences relating to marriage, Chapter XX ..	1,135	802	812	2,019	1,382	124	8	505
Defamation, Chapter XXI ..	845	550	584	1,381	974	77	..	330
Criminal intimidation, insult and annoyance, Chapter XXII.	345	231	225	592	391	65	..	135
Offences under special and local laws ..	39,790	33,308	33,155	52,027	8,671	37,871	128	5,357
<b>Total ..</b>	<b>70,927</b>	<b>57,322</b>	<b>55,656</b>	<b>1,08,370</b>	<b>33,393</b>	<b>56,612</b>	<b>(a) 371</b>	<b>17,994</b>

\*This includes 9,137 pending cases brought forward from 1943.

(a) 240 persons died, 89 escaped, 32 dealt with under section 466, Criminal Procedure Code, and 10 transferred.

STATEMENT No. 36.—SHOWING THE PUNISHMENTS INFLICTED BY THE  
FOR THE YEAR 1944

Class of Tribunal	Number of persons executed	Death	Number of persons				
			Transportation or penal servitude	Imprisonment	Fine or forfeiture	Whipping	Give security
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>Subordinate Magistrates—</i>							
Special Magistrates under section 14, Criminal Procedure Code.	..	..	..	..	5	..	..
Honorary Magistrates sitting singly.	..	..	..	406	6,634	63	1
Stipendiary Magistrates sitting singly.	..	..	..	6,605	32,517	1,048	1,280
Benches of Magistrates ..	..	..	..	45	3,738	..	..
District and Sub-Divisional Magistrates' cases referred under section 349, Criminal Procedure Code.	..	..	..	87	44	134	..
Chief Magistrates of districts ..	..	..	..	11	10	..	..
Courts of Session ..	..	..	71	237	25	1	4
Superior Courts ..	43	69	21	16	..	..	..
Total ..	43	69	92	7,407	42,973	1,246	1,285

NOTE.—Thirty five persons were ordered under section 106 Criminal Procedure Code, 1908



