

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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PRE - TRIAL PROCEEDINGS (CRIMINAL)



WE LIKE
STORIES

BECAUSE

A baby is always
hidden in us! !



TRAVELLING GROUP



UNEXPECTEDLY !!



A BIG RIVER BLOCKED THEIR
WAY

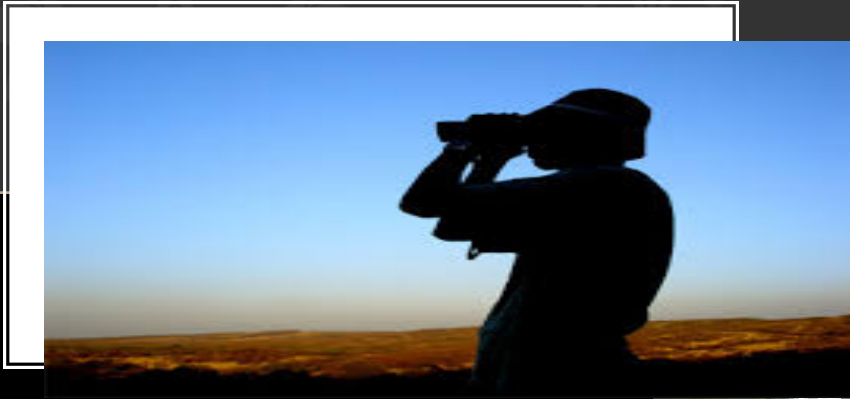
**DECIDED TO CUT
TREES & MAKE
BRIDGE**



CUTTING-STARTED







The man
climbed up a
tall tree, saw
the area &
came down



STOP CUTTING FOREST

PROCEED AHEAD
DOWN THE
STREAM

&

GET A NARROW
FLOW TO CROSS
THE RIVER.



EASY PLACE TO CROSS THE RIVER



RESULT

SUCCESS
IN
SHORTEST
TIME

BECAUSE OF

- **VISION.**
- **LEADERSHIP QUALITIES.**
- **WILL TO WORK.**

INTRODUCTION OF THE TOPIC

Pre-Trial Proceedings of a Criminal Case.

Question:
What are important components
of a Criminal Case ?

**SUB DIVISION OF
CRIMINAL CASES**

S. 4 (f) Cr. P. C.

Read with second schedule



❖ **COGNIZABLE
CASES**

❖ **NON-
COGNIZABLE
CASES**

COGNIZABLE CRIMINAL CASE HAS SIMILARITY WITH HUMAN LIFE

PROMINENT STAGES OF HUMAN LIFE

BIRTH



MAKING



WORKING



END



PROMINENT STAGES OF CRIMINAL CASE

FIR



Investigations



**Challan
Submission**



TRIAL



**TWO MAIN PARTS OF
THE LIFE OF
COGNIZABLE CRIMINAL
CASE**

**PRE-TRIAL
PROCEEDINGS**

FROM FIR TO
SUBMISSION OF
CHALLAN FOR
TRIAL IN
COURT

**TRIAL
PROCEEDINGS**

FROM SUBMISSION
OF CHALLAN TO
ANNOUNCEMENT
OF DECISION

RELEVANT LAW

CRIMINAL PROCEDURE CODE 1898

INSTRUCTIONS OF HIGH COURT & NJPMC

- Chapter XIV: S. 154 to S.173
- Chapter V: S. 46 (ARREST)
- Chapter XXIV: S.344 (REMAND)
- Chapter XXXIX: S. 496 - 497 (BAIL)

- JUDICIAL ESTACODE – 2011
Pages: 269- 388- 474-
485- 486- 487- 488-518
- Registrar PHC Letter
No:5437-57 Dated: 13-04-
2012

KEY ISSUE

**UN- NECESSARY DELAY
IN INVESTIGATION
&
THE RESULTANT DELAY
IN DISPENSATION OF
JUSTICE**

**JUSTICE DELAYED IS JUSTICE
DENIED.**

MISUNDERSTANDING

INVESTIGATION IS
THE JOB OF
INVESTIGATION
OFFICER & THE
MAGISTRATE HAS
NO or LEAST
CONCERN.

TOTALLY
WRONG
CONCEPT

WHAT IS THE CORRECT UNDERSTANDING OF LAW ?

Investigation is under the direct supervision of the Magistrate:

- 1: Because, copy of FIR is supplied to Magistrate, no sooner it is registered, so that he may note registration of case.
- 2: Accused, when arrested , is produced before the Magistrate within 24 hours, so that liberty of citizens is not abused.
- 3: If police requires custody of accused for interrogation & investigation, permission of the Magistrate is necessary to guard against its misuse.

WHAT IS THE CORRECT UNDERSTANDING OF LAW ?

- 4: Because, accused can be released on bail , by the order of court.
- 5: Because, accused is kept in prison, during investigation, by the order of Magistrate, he is in fact in the custody of Magistrate.
- 6: Because, fortnightly production of accused before Magistrate is to keep constant supervision of the Magistrate over the investigation.
- 7: Because, Submission of Challan within 14 days, is to ensure completion of investigation, at the earliest.

UPDATE ON CASE LAW

- ❑ Hardships to litigants and “Miscarriage of Justice” caused by delays in courts. See: PLD-1991 Journal – 103
- ❑ Speedy Justice How ? See: PLD 1988 Journal – 228
- ❑ Laws Delays – A Study, Diagnosis and Cure. See: PLD 1976 Journal : 64-67.

PRACTICAL PROBLEM



SOLUTION

STUDY CIRCLE



PTP- PLAN

WEBSITE!!!!!!!!!!!!

**DISTRICT JUDICIARY, MARDAN
PTP-PLAN**

6 Months Progress Report About
"Pre Trial Pursuit" - Plan

Donated to
KP Judicial Academy Peshawar
by
Syed Yahya Zahid Gilani

PTP - PLAN

DISTRICT JUDICIARY MARDAN

*Six months Progress Report
of
“Pre Trial Pursuit Plan”
(PTP-PLAN)*

relating to the period,

from 1st January, 2007 to 30th June , 2007.

**HOW PTP-PLAN
WORKED**

**RECOGNITION OF
PTP - PLAN**

PHC REGISTRAR LETTER No. 5437-

57/Admin

Dated: 13-04-2012

THE END

THANK YOU