

THE SECOND SCHEDULE

(See section 476)

FORM No. 32

CHARGES

(See sections 211,212 and 213)

I. CHARGES WITH ONE-HEAD

(1) (a) I, \_\_\_\_\_ (name and office of Magistrate, etc.),  
hereby charge you \_\_\_\_\_ (name of accused person) as follows:—

(b) **On section 121**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, waged war against the Government of India and thereby committed an offence punishable under section 121 of the Indian Penal Code, and within the cognizance of this Court.

(c) And I hereby direct that you be tried by this Court on the said charge.

(Signature and seal of the Magistrate)

[To be substituted for (b)]:—

(2) **On section 124**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, with the intention of inducing the President of India [or, as the case may be, the Governor of \_\_\_\_\_ (name of State)] to refrain from exercising a lawful power as such President (or, as the case may be, the Government) assaulted President (or, as the case may be, the Governor), and thereby committed an offence punishable under section 124 of the India Penal Code, and within the cognizance of this Court.

(3) **On section 161**—That you, being a public servant in the \_\_\_\_\_ Department, directly accepted from \_\_\_\_\_ (state the name) for another party \_\_\_\_\_ (state the name) gratification other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 162 of the Indian Penal Code, and within the cognizance of this Court.

(4) **On section 166**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, did (or omitted to do, as the case may be) \_\_\_\_\_, such conduct being contrary to the provisions of \_\_\_\_\_ Act \_\_\_\_\_, section \_\_\_\_\_, and known by you to be prejudicial to \_\_\_\_\_, and thereby committed an offence punishable under section 166 of the Indian Penal Code, and within the cognizance of this Court.

(5) **On section 193**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, in the course of the trial of \_\_\_\_\_ before \_\_\_\_\_, stated in evidence that “\_\_\_\_\_” which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of this Court.

(6) **On section 304**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed culpable homicide not amounting to murder, causing the death of \_\_\_\_\_, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of this Court.

(7) **On section 306**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, abetted the commission of suicide by A.B., a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Indian Penal Code, and within the cognizance of this Court.

(8) **On section 325**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, voluntarily caused grievous hurt to \_\_\_\_\_, and thereby committed an offence punishable under section 325 of the Indian Penal Code, and within the cognizance of this Court.

(9) **On section 392**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, robbed \_\_\_\_\_ (*state the name*), and thereby committed an offence punishable under section 392 of the Indian Penal Code, and within the cognizance of this Court.

(10) **On section 395**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed dacoity, an offence punishable under section 395 of the Indian Penal Code, and within the cognizance of this Court.

## II. CHARGES WITH TWO OR MORE HEADS

(1) (a) I, \_\_\_\_\_ (*name and office of Magistrate, etc.*), hereby charge you \_\_\_\_\_ (*name of accused person*) as follows:—

(b) **On section 241**—*First*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, knowing a coin to be counterfeit, delivered the same to another person, by name, A.B., as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the Court of Session.

*Secondly*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, knowing a coin to be counterfeit attempted to induce another person, by name, A.B., to receive it as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the Court of Session.

(c) And I hereby direct that you be tried by the said Court on the said charge.

(*Signature and seal of the Magistrate*)

[*To be substituted for (b)*]:—

(2) **On sections 302 and 304**—*First*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed murder by causing the death of \_\_\_\_\_, and thereby committed an offence punishable under section 302 of the Indian Penal Code, and within the cognizance of the Court of Session.

*Secondly*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, by causing the death of \_\_\_\_\_, committed culpable homicide not amounting to murder, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the Court of Session.

(3) **On sections 379 and 382**—*First*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the Court of Session.

*Secondly*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the Court of Session.

*Thirdly*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the Court of Session.

*Fourthly*—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, having made preparation for causing fear of hurt to a person in order to the restraining of property taken by such theft and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the Court of Session.

(4) **Alternative charge on section 193**—That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, in the course of the inquiry into \_\_\_\_\_, before \_\_\_\_\_, stated in evidence that “\_\_\_\_\_”, and that you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, in the course of the trial of \_\_\_\_\_, before \_\_\_\_\_, stated in the evidence that “\_\_\_\_\_”, one of which statements you either knew or believed to be false, or did not believe to be true, and thereby

committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the Court of Session.

*(In cases tried by Magistrates substitute “within my cognizance” for “within the cognizance of the Court of Session”.)*

III. CHARGES FOR THEFT AFTER PREVIOUS CONVICTION)

I, \_\_\_\_\_ (name and office of Magistrate, etc.)  
hereby charge you \_\_\_\_\_ (name of accused person) as follows: —

That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the Court of Session (or Magistrate, as the case may be). And you, the said (name of accused), stand further charged that you, before the committing of the said offence, that is to say, on the day of \_\_\_\_\_, had been convicted by the \_\_\_\_\_ (state Court by which conviction was had) at \_\_\_\_\_ of an offence punishable under Chapter XVII of the Indian Penal Code with imprisonment for a term of three years, that is to say, the offence of house-breaking by night \_\_\_\_\_ (describe the offence in the words used in the section under which the accused was convicted), which conviction is still in full force and effect, and that you are thereby liable to enhanced punishment under section 75 of the Indian Penal Code.

And I hereby direct that you be tried, etc.

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