



HOLY FAITH PRESENTATION SCHOOL

RAWALPORA SRINAGAR KASHMIR

TERM- I ASSIGNMENT

(Class: - 8th – S.St)

SOCIAL AND POLITICAL LIFE III

CHAPTER :06 (UNDERSTANDING OUR CRIMINAL JUSTICE SYSTEM)

GLOSSARY:

Accused: this refers to the person who is tried by a court for a crime.

Cognizable: this refers to an offence for which the police may arrest a person without the permission of the court.

Cross-examine: this refers to the questioning of a witness who has already been examined by the opposing side in order to determine the veracity of his/her testimony.

Detention: this refers to the act of being kept in illegal custody by the police.

Impartial: the act of being fair or just and not favouring one side over another.

Offence: any act that the law defines as crime.

To be charged of a crime: this refers to the trial judge informing the accused, in writing, of the offence for which he/she face trial.

Witness: this refers to the person who is called upon in court to provide a first-hand account of what he/she has seen , heard or knows.

Q. What is the role of police in investigating a crime?

Ans. One important function of the police is to investigate any complaint about the commission of a crime. An investigation includes recording statements of witnesses and collecting different kinds of evidence. If the police think that the evidence points to the guilt of the accused person, then they file a chargesheet in the court. Therefore, police investigations always have to be conducted in accordance with law and with full respect for human rights.

Article 22 of the Constitution and criminal law guarantee to every arrested person the following Fundamental Rights:

- 1. The Right to be informed at the time of arrest of the offence for which the person is being arrested.**
- 2. The Right to be presented before a magistrate within 24 hours of arrest.**



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3. The Right not to be ill treated or tortured during arrest or in custody.
4. Confessions made in police custody cannot be used as evidence against the accused.
5. A boy under 15 years of age and women cannot be called to the police station only for questioning.

Q. What is the role of public prosecutor?

Ans. A criminal offence is regarded as a public wrong. In court, it is the Public Prosecutor who represents the interests of the state. The role of the prosecutor begins once the police has conducted the investigation and filed the chargesheet in the court. He/She has no role to play in investigation. The Prosecutor must conduct the prosecution on behalf of the State.

Q. What is the role of judge?

Ans. The judge is like an umpire in a game and conducts the trial impartially and in an open court. The judge hear all the witnesses and any other evidence presented by the prosecution and the defence. The judge decides whether the accused person is guilty or innocent on the basis of the evidence presented and in accordance with the law.

Q. What is a Fair Trial?

Ans. Every citizen, irrespective of his class, caste, gender, religious and ideological backgrounds should get a fair trial when accused. That means a judge cannot jump to the conclusion, instead, he have to remain impartial and then decide on the basis of the evidences.