



REPORT  
ON THE  
JUDICIAL ADMINISTRATION  
(CRIMINAL)  
IN THE  
CENTRAL PROVINCES & BERAR  
FOR THE  
CALENDAR YEAR 1940

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NAGPUR  
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1941

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## REPORT ON THE JUDICIAL ADMINISTRATION (CRIMINAL) FOR THE CALENDAR YEAR 1940

[The figures in square brackets denote corresponding numbers in the previous year]

### A—TRIBUNALS

(*Statement No. 25*)

There was no change in the strength of the High Court of Judicature and in the number of Sessions Judges. The number of additional Sessions Judges increased to 24 [23], the second additional District Judge, Amraoti, being invested with sessions powers during the year. The magistracy increased in number to 426 [398] of whom 168 [176], 197 [182] and 61 [40] exercised first, second and third class powers respectively. Of the first class magistrates 51 [48] 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 39 [57], 85 [85] and 158 [119] respectively. The number of Honorary Magistrates, all of whom were authorised to sit singly, fell to 5 [6] but the number of Special Magistrates remained unchanged at 5.

### B—OFFENCES REPORTED

(*Statement No. 35*)

2. The total number of offences reported during the year fell slightly to 52,799 [52,930]. Offences under the Indian Penal Code decreased to 24,702 [24,983] but those under the Special and Local Laws rose to 28,097 [27,947].

3. **Offences under the Indian Penal Code.**—The fall in offences under the Indian Penal Code was noticeable mainly in cases of theft 5,709 [6,092], contempt of the lawful authority of public servants 265 [423] and criminal trespass 3,765 [3,875] which is attributed to better economic conditions and greater police vigilance. There is, however, a rise under the offences relating to hurt 6,268 [6,163], cheating 745 [654], defamation 742 [654] and marriage 1,000 [898]. Variations under other heads are minor and require no comment.

4. **Offences against Special and Local Laws.**—The subjoined table shows variations in offences under the more important Special and Local Laws :—

	1938	1939	1940
Offences under the Excise Act .. .. .	3,115	3,012	3,385
Offences under the Municipalities Act .. .. .	7,660	7,935	5,715
Offences under the Opium Smoking Act .. .. .	426	818	691
Offences under the Primary Education Act .. .. .	1,123	1,315	1,574
Offences under the Hackney Carriage Act .. .. .	982	273	379
Offences under the Motor Vehicles Act .. .. .	4,082	3,778	2,824
Offences under the Police Act .. .. .	4,015	3,657	3,796
Offences under the Public Gambling Act .. .. .	700	892	1,240
Offences under the Vaccination Act .. .. .	461	25	45
Offences under the Railways Act .. .. .	1,179	1,340	1,712

Contributory factors to the decrease in offences under the Municipalities Act are said to be (1) the apathy of local authorities ; (2) their inability to incur expense in launching prosecutions. The rise in offences under the Excise Act, Primary Education Act, Police Act and Railways Act is ascribed to greater watchfulness in the Departments concerned. One District Magistrate considers that the fall in cases under the Motor Vehicles Act is due to the complexity and difficulty of the new Motor Vehicles Act and rules which are not yet properly comprehended by the police. A marked increase is noticed in the cases under the Central Provinces and Berar Prohibition Act, Tobacco Act, and Highway Act, *viz.*, 546 [301], 749 [2] and 450 [Nil] respectively. The Tobacco Act became operative at the close of 1939 and the Highway Act of 1936 remained inoperative until rules under the Act were framed. 166 [6] cases under the Defence of India Act were a special feature of the year.

**5. Complaints dismissed and complainants fined.**—The total number of complaint cases and the number of complaints dismissed under section 203, Criminal Procedure Code, fell to 20,375 [21,515] and 2,545 [2,872] respectively ; the percentage of cases so dismissed to complaints filed being 12.5 [13.3]. In past years attention has been drawn to the need to make more use of the powers conferred by this section and it is a matter for comment that the percentage instead of increasing has dropped.

One hundred and sixteen [99] complainants were ordered to pay Rs. 2,991 [Rs. 2,111] to 278 [215] accused persons under section 250, Criminal Procedure Code. Miscellaneous proceedings under Criminal Procedure Code rose to 14,782 [14,739] the rise being noticeable in cases under Chapter VIII, Criminal Procedure Code, 1,428 [1,288].

## C—ORIGINAL JURISDICTION

(Statement No. 33)

**6. Disposal of cases by Magistrates.**—The total number of cases disposed of by all Magistrates was 51,504 [49,818] involving 80,352 [75,783] persons and 5,778 [6,219] cases involving 12,107 [13,402] persons were pending at the end of the year. The percentages of cases disposed of by the Magistrates of various classes in the year 1939 and 1940 are shown below :—

			1939	1940
District Magistrates	..	..	0.1	0.1
Stipendiary Magistrates	..	..	99.1	98.9
Honorary Magistrates	..	..	0.8	1.0
Special Magistrates	..	..	..	..

**7. Summary trials.**—18,981 [17,490] or 36.8 [35.1] per cent of the total number of cases disposed of were tried summarily. The rise in the percentage, which continues last year's rise, is slight. The remarks in the 1939 report do not appear to have been noted. These remarks are accordingly repeated :

“ It is amazing that at a time when defect after defect is explained as due to the heavy pressure on Magistrates and Revenue Officers and in the face of repeated references in the

Annual Reports it still seems impossible in some districts to make anything like adequate use of the procedure. It does not appear to be realised that the trial by regular procedure of cases which could suitably be tried by summary procedure leads to considerable loss to Government in the wasted time of its servants and the payment of detention allowances to witnesses and also is unfair to the public. The failure, in certain districts, to effect improvement in this as in other matter to which attention has at one time or another been drawn, is disquieting and symptomatic of the increasingly ineffective control by the District Magistrates."

In Nagpur where the number of cases under Special and Local Laws is high the percentage was 75.4 [74.3] while in Chanda it fell to 5.2 [6.2] due to inadequate use of summary powers by Magistrates exercising them. The District Magistrate explains that he has recently issued orders to ensure trial of suitable cases by summary procedure. In Yeotmal district where the percentage has fallen to 6.0 [10.2] cases under the Excise Act though triable by summary procedure were tried regularly to avoid short term imprisonment. In Wardha district the increase in percentage, 49.5 [26.2] is the result of the standing order that no case triable by summary procedure should be tried as a regular case. In other districts variations in percentages do not call for any comment.

**8. Percentage of convictions.**—The percentage of accused persons convicted during the year rose to 62.6 [60.9]. The variations in the percentages of convictions of various classes of crimes are as follows :—

	1939		1940	
	Total convictions	Percentage	Total convictions	Percentage
Hurt .. .. .	2,932	28.6	2,781	25.9
Criminal force and assault .. ..	595	33.5	622	32.8
Other offences under the Indian Penal Code.	14,614	56.4	15,616	56.2
Offences under Special and Local Laws	27,151	74.4	30,418	78.1
All offences .. .. .	45,292	60.9	49,437	62.6

Nagpur again shows the highest percentage 79.2 [75.8] possibly due to the large number of cases disposed of under Special and Local Laws in that district.

**9. Durations.**—The average duration (in days) of all kinds of cases disposed of fell slightly to 39.2 [40.1]. The duration of Crown Cases was highest in Bhandara 73.8 [49.1] and lowest in Nagpur 21.0 [16.6]. The increase in Bhandara is attributed to frequent changes in the Magistracy and unavoidable touring by Magistrates. The duration in complaint cases ranged from 103.0 [95.9] in Bilaspur to 28.7 [49.0] in Nagpur. The abnormal duration in Bilaspur is attributed to increase in number of cases, transfer of Magistrates and their engagement on administrative duties arising

out of floods, scarcity and communal and other disturbances. The Bilaspur figures for the previous year and the year 1938 were already regrettably high, and it is to be hoped that the figures for that district and Bhandara will show a considerable improvement in future.

**10. Witnesses.**—The number of persons attending magisterial courts as witnesses increased to 161,046 [154,540] of whom 18,002 [16,474] or 11.2 [10.7] per cent were discharged without examination. The table below shows the length of detentions :—

Year	Discharged without examination	Discharged			
		On 1st day	On 2nd day	On 3rd day	After 3rd day
1939 .. ..	10.7	70.9	19.0	6.0	4.1
1940 .. ..	11.2	71.1	18.8	6.1	4.0

Proper observance of the provisions of sections 244 (2) and 257, Criminal Procedure Code, would reduce the number of witnesses recklessly summoned, and save much expense.

**11. Witnesses' expenses.**—The following table shows the average amount of diet-money and travelling expenses paid to witnesses in the years 1939 and 1940 :—

Year	Central Provinces		Berar	Central Provinces and Berar		
	Rs.	a. p.		Rs.	a. p.	
1939 .. ..	1	7 0	1	4 8	1	6 5
1940 .. ..	1	7 4	1	5 5	1	6 11

**12. Sessions Courts.**—During the year 331 [343] cases were disposed of by the Sessions Courts, of which 216 [236] or 65.2 [68.8] per cent were disposed of by Additional Sessions Judges. The percentage of convictions fell to 59.0 [61.7]. The fall was shared by all sessions divisions except Nagpur, Wardha, Hoshangabad, where the percentage rose to 50.0 [45.3], 76.5 [61.9] and 64.4 [49.4] respectively. The average duration for the province as a whole decreased to 52.1 [52.7], improvement being noticed in Hoshangabad 40.1 [67.3], Chhindwara 44.5 [48.1] and Nimar 50.4 [53.6]. The higher duration in Nagpur 60.3 [52.8] is reported to be due to the two long sessions cases which occupied 145 and 88 days respectively. Two cases, one from Nagpur and the other from Nimar, were unnecessarily committed to the Court of Sessions.

**13. Trial by Jury.**—During the year under report the Jury system was extended to the Wardha revenue district. Of the 176 [154] persons tried, the verdict of the Jury was accepted in the cases of 159 [143] persons. In cases of 17 [11] persons references were made to this Court under section 307, Criminal Procedure Code. References dealt with by this Court involved 16 persons of whom 12 were acquitted and 4 convicted. Two cases involving three

persons were pending at the end of the year. In all the districts except Nagpur the Jury system is not animadverted upon. The Sessions Judge, Nagpur, however, considers their bias is against conviction except in rape cases. The figures for Nagpur district show as follows :—

Of seven persons involved in jury trials, five were tried by a jury alone, and two by a jury sitting also as assessors. On the latter two persons the jury's verdicts were not accepted. On the former five the jury's verdicts were accepted, being three of guilty of rape and two of not guilty of attempted murder.

#### D—PUNISHMENTS

(Statement No. 36)

**14. Distribution of punishments.**—The figures for several kinds of punishments awarded during the years 1939 and 1940 are compared below :—

	1939	1940
Death .. .. .	54	45
Transportation .. .. .	99	102
Imprisonment (excluding imprisonment awarded in default of security for good behaviour).	7,169	6,790
Imprisonment awarded in default of security for good behaviour.	374	383
Fines .. .. .	32,264	36,003
Whipping .. .. .	1,058	1,054
Security taken .. .. .	1,034	1,200
Persons dealt with under the Borstal Act .. .. .	182	165

**15. Confirmation of death sentence.**—The cases of 95 [104] persons sentenced to death were referred to this Court for confirmation of sentence. The cases of 13 [1] persons were pending from previous year. Forty-five [51] sentences of death were confirmed, 35 [15] set aside and 16 [25] were commuted to transportation for life or imprisonment. The cases of 12 [13] persons remained pending at the close of the year. Forty-one [34] persons were executed during the year under review. It is disturbing to find that so many convictions for serious crimes have to be upset on appeal.

**16. Previous conviction and solitary confinement.**—The number of persons convicted of offences under Chapter XII or XVII and liable to enhanced punishment under section 75 of the Indian Penal Code increased to 996 [835], the rise being notable in Wardha 61 [35], Raipur 132 [93], Akola 142 [86], and Buldana 73 [17]. Of these 9 [6] persons were ordered to suffer solitary confinement, 94 [94] to notify their residence to police after release from jail.

**17.** During the year short-term imprisonment for 15 days and under numbered 111 [136]. A large majority were technical imprisonments till the rising of the court. No case is reported in which a short sentence was incorrectly imposed. The number of persons sentenced to simple imprisonment decreased to 234 [295].



**18. Fines.**—The total amount of fines imposed during the year further increased to Rs. 4,15,698 [Rs. 3,74,240] and the number of persons fined rose to 36,003 [32,264]. The increase in the number of persons involved left the average fine almost unaltered at Rs. 11.5 [Rs. 11.6]. Rs. 3,35,539 [Rs. 2,78,138] was realized during the year, the percentage of realization being 65.2 [60.5]. Rs. 39,191 [Rs. 38,055] which could not be recovered owing to prevailing adverse economic conditions was struck off as unrealizable and Rs. 78,739 [Rs. 98,748] remained to be realized at the close of the year. There are still heavy outstandings in Nagpur Rs. 13,678 [Rs. 17,346] and Akola Rs. 5,889 [Rs. 10,216].

**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, increased to 92 [51] and 157 [154] respectively. The number of juveniles sentenced to whipping also increased to 291 [243]. The Borstal Act was applied in the cases of 165 [182] persons.

The provisions of the Central Provinces Probation of Offenders Act (C. P. I of 1936) were applied in 96 [76] cases. 132 [63] minor offenders were released on probation under the provisions of the Act. Nineteen part-time paid probation officers were newly appointed during the year, which increased their number from 65 to 84. 82 [65] minor offenders were handed over to their care. The supervision exercised by probation officers is reported to be satisfactory. It is hoped that the increased use made of this Act in the year under report will be maintained.

**20. First Offenders.**—4,525 [4,207] persons were released on probation of good conduct under section 562 of the Code of Criminal Procedure, of whom 1,408 [1,209] were dealt with under section 562 (1-A) *ibid*.

## E—APPELLATE AND REVISIONAL JURISDICTION

(Statement No. 34)

**21. High Court of Judicature at Nagpur.**—The number of convicted persons who appealed to this Court decreased to 453 [466]. In 64.1 [83.4] per cent of the cases decided the finding of the lower court was maintained. The cases of 1,363 [913] persons were dealt with by this Court in revision. In the cases of 15 [27] persons the sentences were enhanced and in 430 [265] either reduced, modified or set aside. The average durations of appeals and revisions increased to 52.4 [36.6] and 60.0 [46.4] respectively. The percentage of the number of appellants in this Court the findings in respect of whom was maintained in appeal is the lowest since the inauguration of this Court, and indeed for *at least* twenty years. This emphasises the deterioration in the standard of criminal work noticed in paragraph 29 of last year's report, and this deterioration in which both the police, the prosecuting counsel and the courts share responsibility has been referred to in divisional Sessions reports. Unless the

preparation and presentation of cases improves and the Courts are more vigilant in their scrutiny of evidence, its relevance and admissibility, the reputation of the criminal administration is bound to suffer.

**22. Appeals by the Provincial Government.**—During the year the Provincial Government appealed against an order of acquittal or for enhancement of sentence in 13 [7] cases involving 45 [9] persons. The orders of the lower courts were confirmed in the cases of 24 [2] and set aside or modified in the cases of 20 [6] persons. Three [2] cases involving 5 [4] persons remained pending at the close of the year.

**23. Sessions Courts.**—The number of persons whose appeals were before the Courts of Sessions during the year increased to 4,060 [3,489]. The percentage of cases in which the sentences remained unaltered increased to 70.2 [69.1]. The average duration of appeals increased to 32.5 [30.1]. The highest duration was in Raipur, where a rise to 51.5 [41.3] is unexplained and the lowest was in West Berar 19.9 [26.7]. The average duration of revisions in Sessions Courts slightly decreased to 56.0 [56.2], the highest being at Nagpur 81.7 [83.3] and lowest at Jubbulpore 33.2 [35.1], the reason assigned for high duration in Nagpur being the trial of the two cases already mentioned in paragraph 12.

**24. Magistrates' Courts.**—The number of persons whose appeals were before the Magistrates' Courts slightly increased to 5,999 [5,943]. In 60.8 [64.5] per cent of the appeals disposed of the sentences remained unaltered. The average duration of appeals increased to 30.3 [26.1].

#### F—MISCELLANEOUS

**25. Village Panchayat Benches.**—The number of Village Panchayat Benches has further increased during the year to 1,056 [1,003]. The total number of cases disposed of by these Courts was 6,547 [6,850] involving 10,266 [11,865] persons. 929 [924] cases, including 449 [429] pending over two months, remained pending at the end of the year. 7,329 [7,584] persons were either acquitted or discharged, 2,603 [2,585] convicted, 281 [225] were the subject of reference and 53 [74] died or escaped. 1,369 [1,397] persons remained under trial at the close of the year. These figures exclude statistics of 64 Benches in the Yeotmal revenue district. The high proportion of acquittals and discharges before tribunals which cannot dismiss summarily (Section 50 of the Central Provinces Village Panchayat Act, 1920) suggests that the use made of Section 24 is insufficient.

**26. Inspections.**—During the year under report the District Magistrates inspected 107 Courts of Sub-Divisional Magistrates and first class Magistrates out of 143 Courts and 192 other Courts out of 253. Inspections are particularly inadequate in Nagpur, Jubbulpore, Saugor, Bilaspur and Akola. A similar comment was made

on Nagpur, Saugor, and Akola districts in last year's report. The District Magistrate of Akola did not record inspection notes on the Courts he inspected. His attention was drawn to rule 4 of Criminal Circular IV-21. In Jubbulpore communal tension, the political situation and agricultural scarcity matters have not left the District Magistrate time for adequate inspection. The District Magistrate, Bilaspur, gives similar reasons for his own inadequate inspections. The need for inspections has been already stressed in this report, and the absence of inspections is only too likely to add to the number of matters which call for anxious attention.

27. All district Criminal record-rooms were inspected by Sessions Judges. Only ten District Magistrates have inspected their district record-rooms. Five record-rooms were inspected by Commissioners of divisions. Elimination is reported to be up to date. Sufficient rack space is available everywhere except at Chhindwara where the record-room is reported to be congested and ill-ventilated.

28. Copying Work.—Copying work is reported to be up to date in all the districts and copies are promptly delivered. In Mandla, Betul, Balaghat, Raipur, Bilaspur and Drug districts the proportion of copies delivered on the first day after application is above 90, while in others it ranges from 33 to 90.

E. A. A. SNELSON,

*Registrar,*

*High Court of Judicature at Nagpur.*

NAGPUR :

*The 12th July 1941.*

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# PRESCRIBED STATEMENTS

FOR THE CALENDAR YEAR

1940

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II: 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 1940. (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)			
							Stipendiary (8)	Honorary (9)				
Central Provinces (including Berar).	6	9	19	33 (a)	51 (b)	19	351 (c)	5 (d) 1056 (e)	Grades of Judicial officers		Europeans	Indians
									Chief Justice	..	1	..
									Puisne Judges	..	3	2
									Sessions Judges	..	4	5
									Additional Sessions Judges	..	..	24
									Magistrates, 1st Class	..	11	157 (f)
									Magistrates, 2nd Class	..	1	196 (g)
									Magistrates 3rd Class	..	2	59
Total	..	22	443									

- (a) Includes 24 Additional Sessions Judges. All the 33 do both Civil and Criminal work.  
 (b) Invested with powers under section 30, Criminal Procedure Code.  
 (c) 155 do both Civil and Criminal work.  
 (d) Five Honorary Magistrates sitting singly.  
 (e) Represents the number of Village Panchayat Benches.  
 (f) Includes 1 Honorary Magistrate sitting singly.  
 (g) Includes 4 Honorary Magistrates sitting singly.

*STATEMENT No. 26 [Criminal].—SHOWING THE NUMBER OF CRIMINAL CASES DECIDED IN THE COURTS IN THE CENTRAL PROVINCES AND BERAR FOR THE YEAR 1940.*

Name of province  (1)	Total number of Criminal cases decided				Remarks  (6)
	Original		Appellate		
	Regular  (2)	Miscel- laneous  (3)	Regular  (4)	Miscel- laneous  (5)	
Central Provinces (including Berar)	51,940	13,354	7,049	2,360	

AI.

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 1940. (PARAGRAPHS 6 TO 13)

Class of Tribunal	*Number of offences reported	Number of persons under trial	Persons whose cases were disposed of				Persons remaining under trial at the end of the year	Remarks
			Dis-charged or acquitted	Convicted	Com-mitted or referred	Died, escaped or trans-ferred to another province		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
<i>Subordinate Magistrates—</i>								
Special Magistrates under section 14, Criminal Procedure Code.		18	10	6	..	..	2	
Honorary Magistrates sitting singly ..		926	233	614	18	1	60	
Stipendiary Magistrates sitting singly ..		90,405	28,908	47,436	1,791	232	12,038	
Benches of Magistrates ..		..	..	..	..	..	..	
District and Sub-Divisional Magistrates' cases referred under sections 347 and 349, Criminal Procedure Code.	60,579	1,014	112	898	..	..	4	
Chief Magistrates of districts ..		96	35	58	..	..	3	
Courts of Session ..		980	328	360	112	1	179	
Superior Courts ..		127	47	65	..	..	15	
Total ..	60,579	93,566	29,673	49,437	1,921	(a) 234	12,301	

\*Includes offences brought forward from 1939. Eighteen cases were wrongly shown as pending at the end of the year 1939.  
(a) 170 persons died, 57 escaped, 7 dealt with under section 466, Criminal Procedure Code.

STATEMENT No. 34.—SHOWING THE GENERAL RESULTS OF APPEALS AND REVISIONS IN CRIMINAL CASES IN THE CENTRAL PROVINCES AND BERAR FOR THE YEAR 1940. (PARAGRAPHS 21 TO 24)

Class of Tribunal  (1)	Number of persons								Remarks  (10)
	Number of appellants and applicants for revision before the Courts (2)	Appeals or applications rejected (3)	Sentence or order confirmed (4)	Sentence altered (5)	Sentence reversed (6)	Otherwise disposed of (7)	Died, escaped or transferred to another province (8)	Pending trial (9)	
<i>Appeals to—</i>									
Chief Magistrates of districts ..	5,999	2,432	840	1,032	946	125	9	615	
Courts of Session ..	4,060	1,947	697	582	500	40	..	294	
<i>Superior Courts—</i>									
By persons convicted ..	530	162	136	68	97	2	..	65	
By Government from judgments of acquittal ..	49	..	24	3	17	..	..	5	
Total ..	10,638	4,541	1,697	1,685	1,560	167	9	979	
<i>Revisions by—</i>									
Chief Magistrates of districts ..	(a) 2,294	1,445	..	..	52	525	..	272	
Courts of Session ..	(b) 2,414	1,750	..	..	10	322	3	329	
Superior Courts ..	(c) 1,579	918	..	91	206	148	..	216	
Total ..	6,287	4,113	..	91	268	995	3	817	
Grand Total ..	16,925	8,654	1,697	1,776	1,828	1,162	12	1,796	

(a) Includes 2,070 accused persons whose cases were called for in revision on 796 applications of complainants.

(b) Includes 998 accused persons whose cases were called for in revision on 407 applications of complainants.

(c) Includes 226 accused persons whose cases were called for in revision on 77 applications of complainants and 269 accused persons against whom Government took action.



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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 1940 (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	1	6	..	6	..	..	
Criminal Conspiracy, Chapter V (A) of the Indian Penal Code, section 12 -B.	1	1	1	2	..	2	..	..	
Offences against the State, Chapter VI of the Indian Penal Code.	2	..	..	30	..	..	..	30	
Offences relating to the Army and Navy, Chapter VII ..	..	..	..	..	..	..	..	..	
Offences against the public tranquillity, Chapter VIII ..	830	544	462	5,057	1,847	1,684	11	1,515	
Offences by or relating to public servants, Chapter IX	48	41	24	60	18	34	..	8	
Contempts of the lawful authority of public servants, Chapter X.	304	261	247	512	173	272	..	67	
False evidence and offences against public justice, Chapter XI.	331	236	206	365	108	179	2	76	
Offences relating to—									
Coin, Chapter XII ..	36	31	28	54	12	39	..	3	
Government Stamps, Chapter XII ..	14	12	13	15	1	12	..	2	
Offences relating to weights and measures, Chapter XIII ..	471	433	393	482	72	373	2	35	
Offences affecting the public health, safety, convenience, decency and morals, Chapter XIV.	574	532	523	699	79	573	2	45	
Offences relating to religion, Chapter XV ..	26	19	19	56	19	31	..	6	

Offences affecting the human body, Chapter XVI—								
Offences effecting life ..	740	630	613	1,249	426	497	9	317
Causing miscarriage, injuries to unborn children, exposure of infants and the concealment of births. ..	43	40	39	69	17	48	..	4
Hurt ..	7,283	5,215	5,129	12,983	7,918	2,781	29	2,255
Wrongful restraint and wrongful confinement ..	187	131	126	401	212	111	..	78
Criminal force and assault ..	1,480	1,048	1,027	2,247	1,266	622	7	352
Kidnapping, forcible abduction, slavery and forced labour. ..	142	91	94	286	132	77	5	72
Rape ..	113	94	87	137	46	72	..	19
Unnatural offences ..	42	38	38	50	5	38	..	7
Offences against property, Chapter XVII—								
Theft ..	6,525	5,734	5,453	8,814	1,745	6,120	27	922
Extortion ..	51	31	32	82	57	8	1	16
Robbery and dacoity ..	197	148	136	543	187	259	3	94
Criminal misappropriation of property ..	120	97	97	128	63	60	..	5
Criminal breach of trust ..	853	631	592	919	240	483	12	184
Receiving of stolen property ..	176	155	143	269	60	184	2	23
Cheating ..	872	624	637	1,068	364	470	8	226
Fraudulent deeds and dispositions of property ..	9	6	3	9	7	1	..	1
Mischief ..	566	392	392	1,102	647	232	2	221
Criminal trespass ..	4,382	3,437	3,316	7,449	2,774	3,373	27	1,275
Offences relating to documents and to trade or property marks, Chapter XVIII. ..	53	35	39	73	35	13	..	25
Criminal breach of contracts of service, Chapter XIX ..	..	..	..	..	..	..	..	..
Offences relating to marriage, Chapter XX ..	1,160	802	758	1,953	1,393	169	3	388
Defamation, Chapter XXI ..	901	568	610	1,480	995	136	1	348
Criminal intimidation, insult and annoyance, Chapter XXII. ..	299	173	195	437	286	60	3	88
Offences under special and local laws ..	31,747	28,831	27,887	42,559	8,469	30,418	78	3,594
Total ..	60,579	51,062	49,360	91,645	29,673	49,437	†234	12,301

\*This includes 7,780 pending cases brought forward from 1939. Eighteen cases were wrongly shown as pending during the last year.

†170 persons died, 57 escaped, 7 dealt with under section 466, Criminal Procedure Code.

(a) 35 persons were wrongly shown as pending against this side-head instead of against the side-head "Offences relating to marriage, Chapter XX" during the last year.

*STATEMENT No. 36.—SHOWING THE PUNISHMENTS INFLICTED BY THE  
FOR THE YEAR 1940.*

Class of Tribunal (1)	Number of persons executed (2)	Death (3)	Number of persons				
			Transportation or penal servitude (4)	Imprisonment (5)	Fine or forfeiture (6)	Whipping (7)	Give security (8)
<i>Subordinate Magistrates—</i>							
Special Magistrates under section 14, Criminal Procedure Code.	..	..	..	..	6	..	..
Honorary Magistrates sitting singly.	..	..	..	121	441	8	..
Stipendiary Magistrates sitting singly.	..	..	..	6,557	35,418	889	1,195
Benches of Magistrates ..	..	..	..	..	..	..	..
District and Sub-Divisional Magistrates' cases referred under section 349, Criminal Procedure Code.	..	..	..	226	63	150	..
Chief Magistrates of districts ..	..	..	..	19	34	5	..
Courts of Session ..	..	..	90	239	41	2	5
Superior Courts ..	41	45	12	8	..	..	..
Total ..	41	45	102	7,170	36 003	1,054	1,200

NOTE.—77 persons were ordered under section 136, Criminal Procedure Code.

VARIOUS CRIMINAL TRIBUNALS IN THE CENTRAL PROVINCES AND BERAR  
(PARAGRAPHS 14 TO 20)

sentenced to		Total amount of fines			Number of persons sentenced to imprisonment of				Remarks  (18)		
Fine of		Im- posed	Re- alized	Paid as com- pen- sation	Fifteen days and under	Above 15 days to six months	Above six months to two years	Above two years			
Rs. 10 and under	Over Rs. 10									(9)	(10)
		Rs.	Rs.	Rs.							
5	1	48	48	..	..	..	..	..	..	..	..
288	153	6,336	6,290	389	..	113	8	..	..	..	..
27,238	8,180	4,03,776	3,23,340	16,648	107	4,665	1,534	251	..	..	..
..	..	..	..	..	..	..	..	..	..	..	..
10	53	1,475	1,555	..	1	167	52	6	..	..	..
21	13	823	653	90	1	1	14	3	..	..	..
1	40	3,240	3,653	70	2	22	68	147	..	..	..
..	..	..	..	..	..	..	..	8	..	..	..
27,563	8,440	4,15,698	3,35,539	17,197	111	4,968	1,676	415	..	..	..

give security to keep the peace on conviction of offences involving a breach of the peace.