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| Summons | Warrant |
| If Judiciary is optionally calling someone, then it means that you have got summons from court.  E.g. ‘C’ is the witness for case between ‘A’ and ‘B’. Court will send summons to ‘C’ stating at which time and date ‘C’ should be available in front of court to state evidences in the court. It is not necessary that ‘C’ should obey summons and go to court to state evidences. Irrespective of C’s decision of going to court and not going to court, the summons will stay expired after the time and date stated in it. | If Judiciary is compulsory calling someone, then it means that he/she has got warrant from court.  E.g., ‘A’ has robbed B’s house. ‘A’ was absconding when the case came in front of court. As ‘A’ is “wanted” in the case, judiciary will issue warrant on ‘A’. In warrant, time and date will not be stated. Warrant is the directions to police to find ‘A’ and produce him/her in front of court. Warrant stays expired when:   * ‘A’ him/herself surrenders to judiciary * Police finds ‘A’ and produces him/her in front of judge * ‘B’ takes back the case |

|  |  |
| --- | --- |
| Judge | Magistrate |
| Settlement Case Example:  ‘A’ and ‘B’ are fighting for a piece of land. In this case, judge will decide to whom the land should belong to. No one will get punishment. One who gives judgement in settlement cases or civil cases in district courts is called Civil Judge / Judge | Criminal Case:  ‘A’ does robbery in ‘B’s house. In this case ‘A’ gets punishment. One who gives judgement in criminal cases in district courts is called Magistrate |

* Only in District courts, there will be separate civil judge and magistrate and hence two separate courts. In high courts and supreme court there will not be separate civil judge and magistrate. A judge in high courts and supreme court will handle both civil and criminal cases.
* Sometimes, a case will have both civil and criminal aspects as well.

E.g. ’A’ physically assaults ‘B’ for land issue. ‘A’ files violence case in magistrate court and settlement case in civil court. Two cases will go parallelly in both the courts. Land settlement will happen in civil court and punishment to ‘B’ will be decided in magistrate court.

* Judges has power to conduct court anywhere (in his/her house, restaurant, etc.) at any time (24/7)

**Indian Penal Code (IPC)**

* It was first designed by British in 1860
* As of today, it contains 23 chapters and 511 sections
* Court uses IPC to decide on amount of punishment to be given to a criminal

**Criminal Procedure Code (CrPC)**

* It was designed in 1973 and was deployed to production on 1st April, 1974.
* There are two types of procedure in CrPC:
  + Procedure for victims
  + Procedure for suspects
* CrPC describes the procedure in following 4 chapters:
  + Investigation of crimes
  + Treatment of suspects
  + Evidence collection process
  + Concluding if suspect is criminal or not. The concluding remarks will be documented and such a documentation is called “Charge Sheet”. The charge sheet mentions the people on whom the charges should be made

In short,

* Policemen will use CrPC to investigate the case
* Judges will use IPC to give punishment/judgement