



#### Question-6

What is a FIR?

Solution:

FIR stands for First Information Report. The police have to file a FIR whenever a person gives information about a known offence. This information can be given to the police either orally or in writing. A FIR is necessary for the police to begin their investigations into a crime.

The FIR should mention the date, time and place of the offence, details about the offence, including a description of the events. The FIR should also state the name and address of the complainant. There is a prescribed form in which the police register an FIR and it is signed by the complainant. The complainant also has a legal right to get a free copy of the FIR from the police.

#### Question-7

Who is a Prosecutor?

Solution:

'The Prosecutor' is a lawyer representing the state or the people of the state in a criminal trial.

#### Question-8

Why is the Prosecutor called a Public Prosecutor?

Solution:

The Prosecutor who represents the State is called a Public Prosecutor as a criminal offence is regarded as a public wrong, which has been committed not only against the victim, but also against the society as a whole.

#### Question-9

What is the role of the judge in the Criminal Justice System?

Solution:

The judge conducts the trial impartially and in an open court. The judge hears 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.

If the accused is convicted, then the judge pronounces the sentence. He may send the person to jail or impose a fine or both, depending on what the law prescribes.

#### Question-10

What are the procedures that have to be followed if the criminal trial has to be a Fair Trial?

Solution:

A copy of the charge sheet and all other evidence has to be given to the accused.

The trial has to be held in an open court, in public view and should be in the presence of the accused. The accused has to be given a lawyer to defend himself in case he cannot afford to employ a lawyer.

The Prosecution has to prove beyond doubt the guilt of the accused and the Judge has to pass the judgement only on the basis of the evidence before the court.

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