

**Security Sections 125 to 143
BNSS (106CrPC to 124CrPC)
Various reports - Draft formats
including Summary sheets**

For 77RR (2024 – 2025)

**- Radhika G, IPS
AD(CoE)
SVPNPA
Hyderabad**

INDEX

S. No.	Topic Name	Page No.
1.	Format of Report submitted u/s 126 BNSS (107 CrPC)	1-3
2.	Format of Report submitted u/s 127 BNSS (108 CrPC)	4-6
3.	Format of Report submitted u/s 128 BNSS (109 CrPC)	7-9
4.	Format of Report submitted u/s 129 BNSS (110 CrPC)	10-12
5.	Format of Order under Section 130 BNSS (111 CrPC)	13
6.	Format of Report submitted u/s 135(3) BNSS (116 (3) CrPC)	14
7.	Format of order passed under Section 135(3) BNSS {116(3) CrPC}	15
8.	Format of Order when refused to sign interim bond / failed to give Security as per the order under 135(3) BNSS {116(3) CrPC}	16
9.	Format of the order to be passed u/s 136 BNSS (117 CrPC) when the opponent accepts his guilt	17-18
10.	Format of Oder u/s 136 BNSS (117 CrPC) when the opponent doesn't plead guilty and his guilt is proved after the inquiry	19-22
11.	Format of Order u/s 137 BNSS (118 CrPC) when the opponent case is not proved	23-25
12.	Format of application submitted u/s 141(1)(b) BNSS {122(1)(b) CrPC} for forfeiting the bond	26-27
13.	Format of order done by the Magistrate in section 141(1)(b) BNSS {122(1)(b) CrPC}	28-31
14.	Format of the note sheet	32-43
15.	Summary chart of complete chapter (125 to 143)	44

- Reference Book- Preventive cases and proceedings under section 107 to 110 CrPC- Smt. Uma Mahesh Vaidya

Format of Report submitted u/s 126 BNSS (107 CrPC)

Tahsildars and Executive Magistrates

-----Taluk, to

MAG No. -----/20

Applicant:

Against

Opponent 1)

Age.....Year.....Occupation.....

2)

3)

4)

Application seeking action under Section 126 of the Bharatiya Nagarik Suraksha Sanhita (107 CrPC)

The applicant----- hereby submits the application as below

- 1) Opponent is a permanent resident of the village-----, He has enough movable and immovable assets and is financially strong. (**Descriptions of immovable assets of the opponent desirable to be given**).
- 2) Opponent being the resident of the village-----, his recent behaviour has revealed that he may bring disturbance to public peace and harmony. (In this paragraph, the acts which may be committed by the opponent which disturb the public peace and harmony to be mentioned in detail)
- 3) The **Beat Constable** -----of this village/ city area has given his report regarding possible disturbance of public peace & harmony that may be caused by the opponent. Also, as per the information collected by the Special Branch constable (**Intelligence gathering staff of the Police Station**) ----- in this regard has also revealed that there is a high possibility of disturbance to public peace and harmony by this person (in view of the forthcoming election/ fair/procession/ protest/ etc.)
- 4) When checked whether there are any **cases registered** against the opponent in this station? The following cases are found to be registered-

Sr.No	FIR no.	CC no.	Sections under which the cases are registered	Remarks (Conviction/acquittal detail)

5) When checked whether there are any entry/cases registered in **VCH PART-4** against the opponent in this station? The following entry/cases are found to be registered

Sr. No	Date of Entry	Details	Remarks

6) When checked whether there are any entry/cases registered in **Station House Diary (SHD)** against the opponent in this station? The following entry/cases are found to be registered

Sr.No	Date of Entry	Details	Remarks

7) When checked whether there is any report from **Beat/SB/Crime constables** against the opponent in this station? The following cases are recorded.

Sr. No	Date on which the report was made	Details	Note/Opinion

In this background, trial was done in the court on the above cases against the opponent and the following cases are convicted/the above cases were acquitted as the opponent turned the witnesses hostile by intimidating them as per the statement given by the **Court PC**-----
 (This shows that the opponent is of the nature of intimidating people and knows the tricks of the court to escape from the punishment)

(Applicant should clearly mention the above details in their application as per the above points/table. If there are no details in any of the points/table above it should be deleted but should never be left blank)

In view of the above, as there is a possibility of endangering public peace and harmony by the opponent by his conduct, there is an urgent need to take immediate appropriate action against the opponent as a preventive measure.

8) Jurisdiction:

The opponent being the resident of, Taluk.... Village, by his misconduct, as there is a possibility of threat to public peace and harmony in -----Taluk/ District/ City limits, this Court has jurisdiction to hear this application and take appropriate action.

9) Prayer:

For the reasons cited above, the applicant prays as below-

It is submitted to accept the application, and get a bond signed by the opponent for the period from-----to----- (or one year) for not causing any disturbance and for maintaining public peace and harmony during this period. Also, it is submitted to take self-bond of Rs ----- along with two sureties for the same amount and accordingly pass the order under Bharatiya Nagarik Suraksha Sanhita 136 (117 CrPC).

Date:
Place:

Signature of the applicant

LIST OF DOCUMENTS SUBMITTED ALONG WITH THE ABOVE APPLICATION:

- 1) FIR/ other necessary documents.
- 2) Statements of SB, PC and Beat PCs.
- 3) Petition Inquiry Documents.
- 4) Civil court records.

Format of Report submitted u/s 127 BNSS (108 CrPC)

Tahsildars and Executive Magistrates,

-----Taluk, to

MAG No. -----/20

Applicant:

against

Opponent- 1)

Age.....Year.....Occupation..... .

2)

3)

4)

Application seeking action under Section 127 (108 CrPC) of the Bharatiya Nagarik Suraksha Sanhita

The applicant----- hereby submits the application as below

- 1) Opponent is a permanent resident of the village------. He has enough movable and immovable assets and is financially strong. **(Descriptions of immovable assets of the opponent desirable to be given).**
- 2) Opponent being the resident of the village-----, his recent behaviour has revealed that he is indulging in activities of inciting hatredness among communities / inciting hatredness related to place of worship/making statements prejudicial to national integrity,/insulting religious beliefs of any class with hatredness or intimidating and defaming the judges related to their official work or deliberately attempts to propagate or misrepresents propaganda or is found to defame and is involved in sale of obscene books etc and through this he may bring disturbance to public peace and harmony.**(In this paragraph, the acts which may be committed by the opponent which disturb the public peace and harmony to be mentioned in detail)**
- 3) The **Beat Constable** -----of this village/ city area has given his report regarding possible disturbance of public peace & harmony that may be caused by the opponent. Also as per the information collected by the Special Branch constable **(Intelligence gathering staff of the Police Station)** ----- in this regard has also revealed that there is high possibility of the opponent using WhatsApp and Facebook to spread hate messages against communities or may get involved in selling obscene books etc. and by this he may disturb public peace and harmony.
- 4) When checked whether there are any **cases registered** against the opponent in this station? The following cases are found to be registered **(Particularly to consider those cases registered u/s 194, 195, 297, 292 BNSS ((153A, 153B, 295A and 292 IPC)**

Sr.No	FIR no.	CC No.	Sections under which the cases are registered	Remarks (Conviction/acquittal details)

5) When checked whether there are any entry/cases registered in **VCH PART-4** against the opponent in this station? The following entry/cases are found to be registered

Sr. No	Date of Entry	Details	Remarks

6) When checked whether there are any entry/cases registered in **Station House Diary(SHD)** against the opponent in this station? The following entry/cases are found to be registered

Sr. No	Date of Entry	Details	Remarks

7) When checked whether there is any report from **Beat/SB/Crime constables** against the opponent in this station? The following cases are recorded.

Sr.No	Date on which the report was made	Detail	Note/Opinion

In this background, trial was done in the court on the above cases against the opponent and the following cases are convicted/the above cases were acquitted as the opponent turned the witnesses hostile by intimidating them as per the statement given by the **Court PC**-----
(This shows that the opponent is of the nature of intimidating people and knows the tricks of the court to escape from the punishment)

(Applicant should clearly mention the above details in their application as per the above points/table. If there are no details in any of the points/table above it should be deleted but should never be left blank)

Opponent through his bad behaviour may indulge in making accusations which are prejudicial to national integrity, creating hatredness among communities through his hateful messages or dissemination of obscene books, circulation, sale etc. As there is possibility of such threat from him, there is an urgent need to take appropriate action against him under preventive measure, hence the need to register this petition.

8) Jurisdiction:

The opponent being the resident of, Taluk.... Village, by his misconduct, as there is a possibility of threat to public peace and harmony in -----Taluk/ District/ City limits, this Court has jurisdiction to hear this application and take appropriate action.

9) Prayer:

For the reasons cited above, the applicant prays as below-

It is submitted to accept the application, and get a bond signed by the opponent for the period from -----to----- (or one year) for not causing any disturbance by inciting hatredness among communities, causing enmity between religions etc, and for maintaining good behaviour during this period. Also, it is submitted to take self-bond of Rs ----- along with two sureties for the same amount and accordingly pass the order under Bharatiya Nagarik Suraksha Sanhita 136 (117 CrPC).

Date:

Signature of the applicant Place:

LIST OF DOCUMENTS SUBMITTED ALONG WITH THE ABOVE APPLICATION:

- 1) FIR/ other necessary documents.
- 2) Statements of SB, PC and Beat PCs.
- 3) Petition Inquiry Documents.
- 4) Civil court records.

- As the offence u/s 194, 195, 297, 292 BNSS (153A, 153B, 295A and 292 IPC) are cognizable offence, the applicant police officer u/s 127 BNSS (108 CrPC) can arrest the respondent as a preventive measure under Section 170 BNSS (151 CrPC).
- If it is not possible to carry out preventive arrest, after first filing an application against the opponent, by obtaining a warrant from the Executive Magistrate against the opponent under Section 132 BNSS (113 CrPC) he may be arrested.

Format of Report submitted u/s 128 BNSS (109 CrPC)

Tahsildars and Executive Magistrates

-----Taluk, to

MAG No. -----/20

Applicant:

against

Opponent: 1)

Age.....Year.....Occupation.....

2)

3)

4)

Application seeking action under Section 128 of the Bharatiya Nagarik Suraksha Sanhita (109 CrPC)

The applicant----- hereby submits the application as below

- 1) Opponent is a permanent resident of the village-----, He has enough movable and immovable assets and is financially strong. (**Descriptions of immovable assets of the opponent desirable to be given**).
- 2) Opponent being the resident of the village-----, through his suspicious behavior is clearly showing that he may commit a cognizable offence (**Describe in detail what type of cognizable offence he is trying to do**) by concealing his presence (**Describe in detail how he is trying to conceal himself and for what reason he has to be bound over under the preventive section- to bring in all the ingredients of section 128 BNSS (109 CrPC) with the similar kinds of words used in the section**)
- 3) When checked whether there are any **cases registered** against the opponent in this station? The following cases are found to be registered-

Sr. No	FIR no.	CC no.	Sections under which the cases are registered	Remarks (Conviction/ acquittal details)

- 4) When checked whether there are any entry/cases registered in **VCH PART-4** against the opponent in this station? The following entry/cases are found to be registered

Sr. No	Date of Entry	Details	Remarks

- 5) When checked whether there are any entry/cases registered in **Station House Diary (SHD)** against the opponent in this station? The following entry/cases are found to be registered

Sr. No	Date of Entry	Details	Remarks

- 6) When checked whether there is any report from **Beat/SB/Crime constables** against the opponent in this station? The following cases are recorded.

Sr. No	Date on which the report was made	Details	Note/Opinion

In this background, trial was done in the court on the above cases against the opponent and the following cases are convicted/the above cases were acquitted as the opponent turned the witnesses hostile by intimidating them as per the statement given by the **Court PC**-----
(This shows that the opponent is of the nature of intimidating people and knows the tricks of escaping from the punishment of the court).

(Applicant should clearly mention the above details in their application as per the above points/table. If there are no details in any of the above points/table it should be deleted but should never be left blank)

The opponent was trying to conceal his presence to commit a cognizable offence and through this bad behavior he may commit cognizable offence and escape. Hence as a precautionary measure it is found necessary to bind him for his good behavior under preventive measure and hence this application was required to be submitted.

8) Jurisdiction:

The opponent being the resident ofTaluk....Village, by his bad behavior as there is a possibility of him committing cognizable offence by concealing his presence in -----Taluk/ District/ City limits, this Court has jurisdiction to hear this application and take appropriate action.

9) Prayer:

For the reasons cited above, the applicant prays as below-

It is submitted to accept this application for getting the bond signed by the opponent for the period from -----to----- (or one year) for showing good behavior and for not doing any such bad behavior of committing cognizable offence and also for not concealing his presence for committing such cognizable offence during this period. Also, it is submitted to take self-bond of Rs ----- along with two sureties for the same amount and accordingly it is prayed to pass the order under Bharatiya Nagarik Suraksha Sanhita 136 (117 CrPC).

Date:

Signature of the applicant Place:

LIST OF DOCUMENTS SUBMITTED ALONG WITH THE ABOVE APPLICATION:

1. FIR/ other necessary documents.
 2. Statements of SB, PC and Beat PCs.
 3. Petition Inquiry Documents.
 4. Civil court records.
- The applicant police officer can arrest the opponent u/s 170 BNSS (151 CrPC) as a preventive measure under section 128 BNSS (109CrPC)
- In case if it is not possible to arrest u/s 170 BNSS (151 CrPC), then first application of the above kind may be filed against the opponent and warrant may be taken from executive magistrate u/s 132 BNSS (113 CrPC) and then arrest him.

Format of Report submitted u/s 129 BNSS (110 CrPC)

Tahsildars and Executive Magistrates

-----Taluk, to

MAG No. -----/20

Applicant:

against

Opponent: 1)

Age.....Year.....Occupation..... .

2)

3)

4)

Application seeking action under Section 129 of the Bharatiya Nagarik Suraksha Sanhita (110 CrPC)

The applicant ----- hereby submits the application as below

- 1) Opponent is a permanent resident of the village----- . He has enough movable and immovable assets and is financially strong. **(Descriptions of immovable assets of the opponent desirable to be given).**
- 2) Opponent is a habitual offender. **(Give details about how he is a habitual offender by providing the details of the cases registered against him and the type of conviction that he has got)**
- 3) Opponent by his bad behavior (to provide details pertaining to him as per the subsection(a) to (g). **For example, if it is subsection (e – that is – habitually commits, or attempts to commit, or abets the commission of, offences, involving a breach of the peace) then –** as per the information collected, opponent through his bad behavior (Here provide details about suspicious type of crime he may commit) may indulge himself in criminal activities. As a consequence of this he may commit crime or attempts to commit crime or abets the commission of crime which affects the public peace and harmony. All the information collected so far against him prima facie reveals the above facts. Hence it is found necessary to bind him over under preventive section as a precautionary measure to prevent him from committing crime or attempting to commit crime or abetting the commission of crime which affects the public peace and harmony.

For example, if it is subsection (g – that is – he is so desperate and dangerous as to render

his being at large without security hazardous to the community) **then** – Opponent is a dangerous person. Presently he is free from any punishment/conviction and is also not in any bail, and through the present behavior collected against him it is found that he is so desperate and dangerous to the public. (The details of this behavior to be explained which is affecting the public peace and harmony).

- 4) When checked whether there are any **cases registered** against the opponent in this station? The following cases are found to be registered

Sr. No	FIR no.	CC no.	Sections under which the cases are registered	Remarks (Conviction/acquittal details)

- 5) When checked whether there are any entry/cases registered in **VCH PART-4** against the opponent in this station? The following entry/cases are found to be registered

Sr. No	Date of Entry	Details	Remarks

- 6) When checked whether there are any entry/cases registered in **Station House Diary (SHD)** against the opponent in this station? The following entry/cases are found to be registered

Sr. No	Date of Entry	Details	Remarks

- 7) When checked whether there is any report from **Beat/SB/Crime constables** against the opponent in this station? The following cases are recorded.

Sr. No	Date on which the report was made	Details	Note/Opinion

For this criminal background he has, trial was done in the court on the above cases against the opponent and the following cases are convicted/the above cases were acquitted as the opponent turned the witnesses hostile by intimidating them as per the statement given by the

Court PC----- (This shows that the opponent is of the nature of intimidating people and knows the tricks of escaping from the punishment of the court).
(Applicant should clearly mention the above details in their application as per the above points/table. If there are no details in any of the above points/table it should be deleted but should never be left blank)

The opponent through his behavior may indulge in criminal activities. He may commit or attempt to commit or abet the commission of crime which may affect the public peace. All the information collected against him reveals the above facts. In view of the above it is found necessary to take all precautions by binding over him under the preventive section in order to prevent him for doing any crime or attempting to do any crime or abetting the commission of any crime.

Opponent is a dangerous person. Presently he is free from any type of punishment/conviction of any case and is also not in any bail, and hence is found to be very desperate and dangerous to the community and through his bad behavior he may indulge into such desperate and dangerous activities which affects the public peace and harmony. In view of the above it is found necessary to take all precautions by binding over him under the preventive section in order to maintain good behavior.

8) Jurisdiction:

The opponent being the resident of Taluk.... Village, by his bad behavior as there is a possibility of him committing cognizable offence by concealing his presence in --- -----Taluk/ District/ City limits, this Court has jurisdiction to hear this application and take appropriate action.

9) Prayer:

For the reasons cited above, the applicant prays as below-

It is submitted to accept this application for getting the bond signed by the opponent for the period from -----to----- (or one year) for showing good behavior and for not doing any such bad behavior of committing cognizable offence and also for not concealing his presence for committing such cognizable offence during this period. Also, it is submitted to take self-bond of Rs ----- along with two sureties for the same amount and accordingly it is prayed to pass the order under Bharatiya Nagarik Suraksha Sanhita 136 (117 CrPC).

Date:

Signature of the applicant Place:

LIST OF DOCUMENTS SUBMITTED ALONG WITH THE ABOVE APPLICATION:

- 1) FIR/ other necessary documents.
 - 2) Statements of SB, PC and Beat PCs.
 - 3) Petition Inquiry Documents.
 - 4) Civil court records.
- The applicant police officer can arrest the opponent u/s 170 BNSS (151 CrPC) as a preventive measure under 129 BNSS (110 CrPC).
 - In case if it is not possible to arrest u/s 170 BNSS (151 CrPC), then first application of the above kind may be filed against the opponent and warrant may be taken from executive magistrate u/s 132 BNSS (113 CrPC) and then arrest him.

Format of Order under section 130 BNSS (111 CrPC)

The applicant has mentioned in his application that the opponent may be using social media, WhatsApp and trying to incite religious hatredness and hurting the religious sentiment of certain communities and may spread it in such a way which may affect the peace and harmony in the society, Hence the applicant has submitted a petition u/s 10. In view of this it is ordered that why a bond for Rs----- with -----(one/two) surety for the period from ----- to----- to be taken from you for ensuring peace and harmony in the society for not indulging into such activities.

Format of Report submitted u/s 135 (3) BNSS {116(3) CrPC}

To – The Tahsildars and Executive Magistrates

-----Taluk,

MAG No. -----/20

Applicant:

against

Opponent· Opponent· 1)

Age.....Year.....Occupation.....

2)

3)

4)

Application seeking interim bond u/s 135(3) of the Bharatiya Nagarik Suraksha Sanhita (116(3) CrPC)

- 1) An application u/s 126/127/128/129 BNSS { 107/108/109/110 CrPC } (whichever is applicable) is submitted for obtaining a bond in section 117CrPC against the Opponent for maintaining peace.
- 2) Opponent was taken into custody as a precautionary measure as per rules under Section 170 BNSS (151 CrPC) on Date ___ at ___ time ___ place _____ and produced before this court.
- 3) As the procedure and passing the final order u/s 136 BNSS (117 CrPC) takes time, it is found that till that time for ensuring peace/good behavior from the opponent, it is required to take the interim bond. By this it can be ensured that the opponent is not involved in any such activities which breaches the peace and harmony of the society/not indulging in any hate speeches, any criminal activities etc. (Mention the specific and relevant terms). In view of the above, it is prayed for the following:

" Under Section 135 BNSS {116(3) CrPC}, it is requested to obtain from the opponent, a personal interim bond for Rs.and a surety for the same sum till the conclusion of the inquiry. If the opponent fails to furnish a personal bond or a surety in compliance with the order directing him to give the interim bond, it is requested that the opponent may be remanded in judicial custody until he gives the bond/surety/till the inquiry is completed, whichever is early"

Place
Date:

Signature of the applicant

Format of order passed under section 135 (3) BNSS {116(3) CrPC}

Order

On perusal of the facts of the case (the facts should be briefly stated), it is found that the respondent till the enquiry is completed is required to sign a bond for Rs _____ along with _____ surety. A prima facie case appears to be necessary to order the grant of interim relief. The contentions of the responded are not competent to refute the petitioner's claim. Moreover, by ordering the interim bond to respondent till the completion of the enquiry no interest of him would be prejudiced and on the other hand it would help in preventing the disturbance of public peace and harmony which may be caused by him. Hence the petitioner prayer is allowed. Respondent is required to sign an interim bond for Rs----- and give surety of ----- respectable person for the same amount till the completion of enquiry.

Date:

Signature

Format of Order when refused to sign interim bond / failed to give Security as per the order under 135 (3) BNSS {116(3) CrPC}

Opponent refused to obey the order/failed to give security as per the order passed under 135(3) BNSS {116(3) CrPC} dated_____. He was clearly explained about the consequences of not following the order. In spite of this, Respondent refused to sign the interim bond/refused to provide surety. In view of this he is ordered Judicial Custody till the enquiry is over or till the time he signs bond/provides security as per the order under section 135(3) BNSS {116(3) CrPC}, whichever is earlier.

Opponent is given to the custody of Police officer/constable no.____ who produced him. It is ordered to get the jail warrant and produce the opponent before the jail authorities and remand him in judicial custody.

The case is adjourned to date _____.

Signature

Date

Inquiry is taken up under section 135(1) BNSS {116(1) CrPC} to ascertain the truth of allegations made, the case is adjourned on date _____ for petitioner's inquiry.

Directed the superintendent of jail to produce the Respondent before the court on the date of hearing.

Format of the order to be passed u/s 136 BNSS (117 CrPC) when the opponent accepts his guilt

Hon'ble Court of Executive Magistrates, Bangalore

MAG No. -----/20

Presiding officer

Date: 00/00/0000

Sri _____

Applicant:

Age.....Year.....Occupation.....

against

Respondent · 1)

Age.....Year.....Occupation.....

1. Date of Application and section:
2. Prayer in application
3. Date of order under section 111.
4. Date of commencement and termination of inquiry:

Order

Under Section 136 BNSS of the Bharatiya Nagarik Suraksha Sanhita(117 CrPC)

- 1) The petitioner has filed an application against the respondent under Section ____ of the Criminal Procedure Code, the summary of the facts of the application is as follows

- 2) On examination of the facts in the said application, it was apparent that there were reasonable grounds to proceed further and hence cognizance was taken and the case was registered. As requested by the applicant, an order under section 130 BNSS (111CrPC) was passed asking the opponent why a bond for Rs ____ and for the period of ____ should be taken against him.

3) As the opponent was arrested under Section 170 BNSS (151 CrPC) and produced, the contents under section 130 BNSS (111 CrPC) was read out to him. The Respondent admitted and is ready to give surety and sign the bond. To find out whether his acceptance was without any fear, pressure and other temptations, he was once again asked for his consent. Since he again confirmed that he has admitted the guilt, the following order is passed.

Order

Petitioner's application is allowed. Respondent is ordered to give bond for Rs _____ and for period _____ along with two sureties of eminent persons. During this period, Respondent is hereby ordered not to indulge in any such activities which disturb public peace and harmony/shouldn't do any cognizable offence and abscond/should not habitually indulge in any criminal activities/shouldn't endanger the public peace and order/should not become dangerous and exhibit good behaviour.

Place: _____

Date: _____

Sd-
Executive Magistrate

- After pronouncing the order, the last part of the order should be reproduced in the note sheet as it is.

Format of Order u/s 136 BNSS (117 CrPC) when the opponent doesn't plead guilty and his guilt is proved after the inquiry

COURT OF HONORABLE EXECUTIVE OFFICER, _____

MAG No. -----/20

Presiding Officer

Sri _____

Date:

Applicant:

Age.....Year.....Occupation.....

against

Opponent· Opponent· 1)

Age.....Year.....Occupation.....

2)

3)

4)

1) Date of Application and section:

2) Prayer in application:

3) Date of order under section 130 BNSS (111CrPC):

4) Date of commencement and closure of inquiry:

Order

Section 136 BNSS of the Bharatiya Nagarik Suraksha Sanhita (117 CrPC)

1) The petitioner has filed an application against the respondent under Section ____ of the Criminal Procedure Code, the summary of the facts of the application is as follows

2) On examination of the facts in the said application, it was apparent that there were reasonable grounds to proceed further and hence cognizance was taken and the case was registered. As per the applicant's prayer, an order under section 130 BNSS (111CrPC) was passed asking the opponent why a bond for Rs _____ and for the period of ____ should be taken against him.

- 3) Issued summons under section 132 BNSS (113 CrPC) to the respondent and copy of order under section 130 BNSS (111 CrPC) on date _ _ _ _ _ Opponent was present with his lawyer. The order under Section 130 BNSS (111 CrPC) was read out to the respondent and the respondent denied the allegation made by the petitioner against him and replied that the case should be inquired. Accordingly, inquiry under Section 135(1) BNSS {116(1) CrPC} was taken up.
- 4) In favor of the petitioner, examination of the prosecution witnesses PW1 to PW__ has been done and exhibits P1 to P__has been marked. In favor of opponents, examination of defense witnesses DW1 to DW____has been done and exhibits A1 to A____has been marked.
- 5) Both parties arguments were heard.
- 6) The facts of the case, examination of witnesses have given rise to the following determinable points –
 - A) Do the allegations made by the petitioner including disturbance to public peace and harmony/conspiracy of making a criminal plan and absconding/ habitually indulging in criminal activities and causing threat to public peace, /endangering behavior exist of the opponent?
 - B) Is the applicant's application worthy of acceptance?
 - C) Is it necessary to take bond for the period from ____to____for surety amount of Rs_____?
 - D) What Order?

The answer to the above determinable points is as follows-

- A) Positively;
- B) Positively;
- C) Positively;
- D) As per the final order

:Reasons:

1) Determinable factor 1 and 2:

Since these two factors are interdependent, both are considered together. The applicant in his application----- (Summary of the application) has shown that the opponent by his conduct, in the upcoming function/election/protest/etc./ he is likely to commit acts of disturbance of public peace and harmony/Plans to commit some crime and then abscond/ Indulge in habitual criminal activity and endanger public peace and order. To confirm this, the applicant has submitted various documents as evidence like the Intelligence report, Report of beat PC, the cases registered against the opponent, the chargesheet filed., rowdy sheet details etc. These documents are taken as exhibits and have been marked as P1 to P_____. In the upcoming ceremony/ election/protest, there is all possibilities of the committing crime and disturbing public peace and harmony. Therefore, the petitioner's application and the evidence presented to support them apparently prove the facts that are necessary to obtain security to maintain

good behavior of the opponent to prevent the criminal acts that may occur by him. On the other hand, as the stand taken by the respondent to refute the allegations against him and also the documents and witnesses produced have failed to refute the facts proved by the petitioner and therefore the petition of the petitioner is worthy of acceptance. **Hence Point 1 and 2 are answered in the affirmative.**

- 2) By the facts of the petition and the evidences produced in favour of this, when analyzed whether it is required to take a bond for a maximum period of 1 year/ 3 years under section 126/127/128/129 BNSS {107/108/109/110 CrPC}, it was found that if we take the bond for a lesser period, the opponents activities and his criminal behaviour can't be effectively controlled. Hence if we take this for the maximum period, it is possible to maintain public interest and since the opponent will be restrained for a long period of time and obeying the conditions of the bond there is a possibility of improvement in his behavior with the attitude of obeying the law. The argument of the petitioner that by fixing the bond period for maximum time, repeated filing of the application and hearing the case can be avoided, also seems to be valid contentions.

To prove the financial condition of the respondent, petitioner has produced immovable property documents which are marked as P____ to P____. The Respondent doesn't disprove this. Also, Petitioner has given in his statement that the monthly and yearly income of the opponents is Rs..... The opponent on the other hand has not produced any documents to prove that his income/salary is only this much. Hence as confirmed by the petitioner, the opponent is financially sound and it is required to get a bond signed for Rs _____. As the bond amount is more, it will increase his responsibility of keeping himself away from his bad behavior and also it will increase the responsibility of the guarantor to ensure that the opponent will maintain good behaviors without indulging in any criminal activities. All these arguments of the petitioner are positively taken and **hence this point is also determined in a positive way.**

- 3) **As per final order**

ORDER

Petitioner's application is allowed. Respondent is ordered to give bond for Rs____ and for period _____ along with two sureties from eminent persons. During this period, Respondent is hereby ordered not to indulge in any such activities which disturb public peace and harmony/shouldn't do any cognizable offence and abscond/should not habitually indulge in any criminal activities/shouldn't endanger the public peace and order/should not become dangerous and exhibit only good behaviour.

Place: _____

Date: _____

Sd-
Executive Magistrate

LIST OF WITNESSES

In favour of the applicant

- 1) PW1_____
- 2) PW2_____

In favour of the
Respondent

- 1) DW1_____
- 2) DW2_____

LIST OF RECORDS

In favour of the petitioner

- 1) EP1_____
- 2) EP2_____

In favour of the Respondent

- 1) ED1_____
- 2) ED2_____

Place

Date

Signature

Executive Magistrate

Format of Order u/s 137 BNSS (118 CrPC) when the opponent case is not proved

COURT OF HONORABLE EXECUTIVE OFFICER, _____

MAG No. -----/20

Bench

Sri _____

Date:

Applicant:

Age.....Year.....Occupation.....

against

Opponent· 1)

Age.....Year.....Occupation.....

- 1) Date of Application and section:
- 2) Prayer in application:
- 3) Date of order under section 130 BNSS (111 CrPC):
- 4) Date of commencement and closure of inquiry:

Order

Under Section 137 of the Bharatiya Nagarik Suraksha Sanhita(118 CrPC)

- 10) The petitioner has filed an application against the respondent under Section ____ of the criminal procedure Code, the summary of the facts of the application is as follows

- 11) On examination of the facts in the said application, it was apparent that there were reasonable grounds to proceed further and hence cognisance was taken and the case was registered. As per the applicant's prayer, an order under section 130 BNSS (111CrPC) was passed asking the opponent why a bond for Rs _____ and for the period of _____ should be taken against him.
- 12) Issued summons under section 132 BNSS (113 CrPC) to the respondent and copy of order under section 130 BNSS (111 CrPC) on date ____ Opponent was present with his lawyer. The order under section 130 BNSS (111 CrPC) was read out to the respondent and the respondent denied the allegation made by the petitioner against him and replied that the case should be inquired. Accordingly, inquiry under Section 135 BNSS {116(1)} was taken up.

- 13) In favour of the petitioner, examination of the prosecution witnesses PW1 to PW__ has been done and exhibits P1 to P___ has been marked. In favour of opponents, examination of defence witnesses DW1 to DW_____ has been done and exhibits A1 to A___ has been marked.
- 14) Both parties arguments were heard.
- 15) The facts of the case, examination of witnesses have given rise to the following determining points –
- A) Do the allegations made by the petitioner including disturbance to public peace and harmony/conspiracy of making a criminal plan and absconding/ habitually indulging in criminal activities and causing threat to public peace, /endangering behaviour exist of the opponent?
- B) Is the applicant's application worthy of acceptance?
- C) Is it necessary to take bond for the period from _____ to ____ for surety amount of Rs _____?
- D) What Order?

The answer to the above determinable points is as follows-

1. Negatively;
- 2 Negatively;
3. Negatively;
4. As per final order

:Reasons:

1) Determinable factor 1 and 2:

Since these two factors are interdependent, both are considered together. The applicant in his application----- (Summary of the application) has shown that the opponent by his conduct, in the upcoming function/election/protest/etc./ he is likely to commit acts of disturbance of public peace and harmony/Plans to commit some crime and then abscond/ Indulge in habitual criminal activity and endanger public peace and order. But it seems that in the upcoming ceremony/ election/protest, there is no such possibilities of the committing any crime and disturbing public peace and harmony. Also, the petitioner's application and the evidence presented to support them apparently do not prove the facts that are necessary to obtain security to maintain good behavior of the opponent. On the other hand, as the stand taken by the respondent to refute the allegations against him and the documents and witnesses produced to refute the facts presented by the petitioner is successful and convincing, hence the petition of the petitioner is not worthy of acceptance. **Hence Point 1 and 2 are answered negatively.**

2) Determinable factor 3:

Since point 1 & point 2 are answered negatively, this factor is obviously answered negatively.

3) **As per final order**

ORDER

Petitioner's application is rejected.

(If the opponent has given interim bond, the interim bond given by the opponent and the surety should be cancelled forthwith.)

(If the opponent is in judicial custody without interim bond, his release should be ordered immediately.)

Place: _____

Date: _____

Sd-
Executive Magistrate

LIST OF WITNESSES

In favour of the applicant

3) PW1 _____

4) PW2 _____

In favour of the Respondent

3) DW1 _____

4) DW2 _____

LIST OF RECORDS

In favour of the petitioner

3) EP1 _____

4) EP2 _____

In favour of the Respondent

3) ED1 _____

4) ED2 _____

Place

Date

Signature
Executive Magistrate

**Format of application submitted u/s 141(1)(b) BNSS
{122(1)(b) CrPC} for forfeiting the bond**

Tahsildars and Executive Magistrates,

-----Taluk, To

MAG No. -----/20

Applicant:

Age.....Year.....Occupation.....

against

Opponent 1)

Age.....Year.....Occupation.....

(Original Opponent)

2)

3)

Age.....Year.....Occupation.....

(Surety of Opponent)

**Application seeking action under Section 141(1)(b) of the
Bharatiya Nagarik Suraksha Sanhita {122(1)(b) CrPC}**

The applicant----- hereby submits the application as below

- 1) On the basis of the petition submitted by the petitioner, MAG case no. ____ was registered against the opponent 1. After the due inquiry, on date _____ order in 136 BNSS (117 CrPC) was pronounced and he was ordered to sign bond for Rs ____ and for period from ____ to ____ along with one surety for the same bond amount.
- 2) As per this, the first opponent signed a self-bond for Rs ____ on date ____ .Opponent 2 who was given as surety by opponent 1 was accepted and the surety Sri ____ also signed bond for the same amount.
- 3) Respondent 1 through his self-bond had agreed to maintain public peace and harmony/ not indulging

in any criminal activities and not absconding himself/will not habitually involve in any criminal activities/will not endanger public peace and order/will not become dangerous to society and accordingly had agreed and signed bond to Government and citizens of the entire country. In addition to this, the second respondent has given a bond to ensure that the 1st respondent remains in good conduct, and as per these conditions, the respondents were required to conduct themselves in good conduct and obey the order.

- 4) Respondent 1, in the jurisdiction of police station _____ date _____ (Explain the contents of the criminal case). As he committed this crime, Sri _____ has registered a complaint against him in the police station in crime no _____/2024 under section _____. Because of this the respondent now is absconding/arrested/on bail presently. Considering the nature of the complaint and nature of the criminal case registered, it is clearly apparent that the bond signed on date _____ wherein he had agreed to maintain good behavior, knowingly has violated the conditions of the bond.
- 5) It is clearly seen that the Respondent 1 has deliberately violated the conditions of the bond signed by him, also violated the orders and directions given by this Hon'ble Court. Hence it is necessary to confiscate the bond amount signed by him to the Govt. Also to prevent him from committing further violation of the bond condition, it is required to keep him in judicial custody for the remaining bond period. Hence this application was necessary to be filed.
- 6) **Jurisdiction** – As this Hon'ble court has got MAG Case no. _____ registered and pronounced the order under section 136 BNSS (117 CrPC) and got self-bond and surety signed, it is fully within the jurisdiction to hear this case by this court.
- 7) **Prayer** –

For the above reasons the applicant requests that-

- a) As per the order pronounced in section 136 BNSS (117CrPC) in MAG case no. ___ dated _____ the Respondent self-bond is to be confiscated. By confiscating the security given, the bond amount of Rs _____ should be recovered. In case if Respondent doesn't pay the bond amount, Respondent's movable and immovable property should be confiscated as land revenue and recovered.
- b) In the interests of justice it is requested that the 1st respondent be kept in judicial custody for the remaining period of the bond period i.e. till date _____.

Date:
Place:

Signature of the applicant

LIST OF WITNESSES

1) Applicant

2) _____ Police Station Crime no. _____ Complainant Sri _____

Place

Date:

Signature of the applicant

**Format of order done by the Magistrate in section 141(1)(b) BNSS
{122(1)(b) CrPC}**

Court of Honorable Executive Magistrates, Bangalore

MAG. Case no./ 20

Applicant: Shri _____

against

Respondent: Shri _____ And another

LIST OF RECORDS

Sl.no.	Details of Records	Date
1	MAG-----Order Copy	00/00/0000
2	A copy of the bond signed by the Respondent	00/00/0000
3	_____Police Station Crime no._____ First Information Report	00/00/0000

Place- _____

Date _____

Hon'ble Court of Executive Magistrates, Bangalore

MAG No. -----/20

Presiding officer

Sri _____

Date: 00/00/0000

Applicant:

Age.....Year.....Occupation.....

against

Respondent · 1)

Age.....Year.....Occupation.....

2)

Age.....Year.....Occupation.....

- 1) Date of Application and section:
- 2) Prayer in application
- 3) Date of order under section 130 BNSS (111 CrPC).
- 4) Date of commencement and termination of inquiry:

ORDER

1. The petitioner has filed an application against the respondent under section 141(1)(b)BNSS {122(1)(b) CrPC} of the Code of Criminal Procedure seeking forfeiture of the bond, the summary of the facts of the application is as follows _____
2. On perusal of the facts in the said application, as prima facie grounds for inquiry were found, notice was issued to the respondents.
3. The Respondent was present through his advocate. Adequate time was given to the respondents to file objections to the Section 141 (1)(b) BNSS { 122(1)(b) CrPC } application, after which the respondents filed objections. Along with it submitted the _____ documents. (if submitted).
4. Applicant as a witness has submitted his affidavit. All the documents submitted by him were marked as exhibit P1 to P-----.

The Respondent affidavit is also received. (If received). The documents submitted by him were marked as exhibit A1 to A-----

5. Both the parties' arguments were heard.
6. Considering the facts of the case and the evidences of the case, the following determinable points are established –
 - a) As alleged by the petitioner, has the Respondent violated the bond condition which was signed as per the order passed by this court under section 136 of BNSS (117 CrPC) on date-----?
 - b) Is the applicant's application worthy of acceptance?
 - c) What order?

The answer to the above-mentioned considerations is as follows-

- a) Positively;
- b) Positively:
- c) Positively

Reasons

1) Determinable factor 1 and 2:

Since these two factors are interdependent, both are considered together. The applicant through his application (summary of the application) Respondent 1 on date _____ as per the order under section 136 BNSS (117 CrPC) had signed bond for Rs. _____ and for the period _____. Also the surety who is the second Respondent Sri _____ has also signed the bond for the same amount and for the same period that Respondent 1 will be in good behaviour with the Government and to all the citizens of India. In spite of knowing this, 1st Respondent on date _____ in the _____ Police Stations limits has indulged himself in criminal activities, and hence a case in crime no. _____ under section in _____ Police station is registered against him.

The FIR copy and the petition submitted by the petitioner which is in exhibit P1 to P----clearly shows the facts that the Respondent has disturbed the public peace and harmony and is involved in criminal activities. Through this he has violated the bond condition signed by him in which he had clearly mentioned that he will not indulge in any criminal activities and maintain good behavior. The second Respondent has also failed to carry out his responsibility as a surety. **Hence the determinable point no. 1 is answered positively.**

- 2) Bond was taken from the Respondent 1 as a preventive measure to prevent any further criminal activities by him and for maintaining good behavior with the public. The Respondent 2 had the responsibility of ensuring good behavior of the Respondent 1 all the time. In spite of Respondents knowing that they are bound by the bond conditions, Respondent 1 has violated them and has got involved in criminal activities and has showed bad behavior. It is apparently seen and also through the arguments cited by the petitioner that if the Respondent 1 is left free for the remaining period of the bond, there is every possibility of he becoming danger to public peace, order and public life. The respondents have not produced any relevant evidence to refute the Petitioner's contentions & allegations and their statements of accepting their mistakes and requesting that they would not repeat the same, shall be sufficient to allow the petition seeking appropriate action against the Respondents.

In this background, it is found necessary to take action against the Respondents as per the prayer made by the petitioner. **Therefore, the determinable point 2 is answered in the affirmative.**

- 3) As per order

ORDER

The Petition of the petitioner is allowed. The bond signed by the Respondent on date _____ in MAG case no. _____ dated _____ as per the order under section 136 BNSS (117 CrPC), is confiscated to the Government. Consequent to this the Respondent is ordered to pay the bond amount of Rs within _____ days. In case if the Respondent doesn't pay the bond amount, it is ordered that this file to be forwarded to the District Collector to confiscate the Respondent's movable and immovable property and collect the bond amount as land revenue.

- 4) Ordered that the Respondent 1 to be remanded in judicial custody for the remaining period of the bond that is till date _____.

Place : _____
Date : _____

sd/-
Executive Magistrate

LIST OF WITNESSES

In favour of the applicant

- 1)
- 2)

In favour of the Respondent

- 1)
- 2)

LIST OF RECORDS

In favor of the applicant

- 1)
- 2)

In favour of the Respondent

- 1)
- 2)

Place : _____ Date : _

sd/- Executive Magistrate

FORMAT OF THE NOTE SHEET

1. "On examination of the application submitted by the applicant and the facts therein, satisfactory grounds have been found to inquire into the allegations made against the respondent. Hence Ordered to register in the MAG Case register".

Call on

Signature Date

Date	<p>Having examined the application submitted by the petitioner and the facts therein, satisfactory grounds have been found to inquire into the allegations made against the respondent, and hence Ordered to register in the MAG Case register.</p> <p style="text-align: center;">call on -</p> <p style="text-align: right;">Signed,</p>
Date	For order under CrPC Section 130 BNSS (111 CrPC)
Date	<p>Section 130 BNSS (111 CrPC) Order</p> <ul style="list-style-type: none"> ➤ A brief description of the complaint/application filed by the applicant earlier in this order. ➤ The amount of security required, period and details of surety required by the respondent should appear. ➤ Why the above should not be taken by Respondent should be mentioned in the order <p>(Until now, Executive Magistrates have been issuing show cause notices and not orders. Issuing show cause notices is not the right course of action.)</p> <p>The amount, period and surety mentioned in the 130 BNSS (111 CrPC) order, should not exceed while passing final order under 136 BNSS (117 CrPC),</p>

2. It shall not be mentioned that the police officers have arrested and produced the opponent until the Executive Magistrate has made an order under section 130 BNSS (111 CrPC).

3. After making the order under section 130 BNSS (111 CrPC), the Magistrate shall check if the respondent is present. In case if the respondent is present then steps to be taken as per section 131 BNSS (112 CrPC). That means following steps should be taken-

Date	<p>Order under 130 BNSS (111 CrPC)_____</p> <p>After the order,</p> <ul style="list-style-type: none"> ➤ If the petitioner has submitted the report for interim order and if arrested the opponent u/s 170 BNSS (151 CrPC), then Magistrate should record whether any violence has been inflicted on the opponent party and document it. ➤ Should record the attendance. Should read out the 130 BNSS (111 CrPC) order to opponent and ask him whether he agrees to the allegations made and ready to give security and surety? Or else whether he requires inquiry to be done? After getting the opponent reply should record the same in the note sheet and get his signature
------	---

4. In case if the opponent is not arrested and produced, then Magistrate should take steps as per section 132 BNSS (113 CrPC)

Date	<p>Order u/s 130 BNSS (111 CrPC)-----</p> <p>After the above order;</p> <p>Summons has been issued to the respondent, Hence SHO _____ of the police station should get the summons and the order u/s 130 BNSS (111 CrPC) to be served to the respondent. Case is adjourned to Date----- for the respondent's presence.</p> <p style="text-align: center;">Date Signature</p> <hr/> <ol style="list-style-type: none"> 1. Along with summons copy original copy of order u/s 130 BNSS (111 CrPC) should compulsorily given to the police to be served on the respondent 2. After the police officer get them served to the Respondent, then the police officer should specifically ensure that the entry is clearly made about the serving of summons and order u/s 130 BNSS (111 CrPC) to the respondent in the report submitted to the magistrate. 3. Similar type of procedure to be followed if the Magistrates issues warrant in place of summons
------	--

5. When the respondent appears in front of Magistrate based on the summons/warrant issued to him, then the respondent should take the following steps:

<p>Date (Summons/Warrant and order u/s 130 BNSS (111 CrPC) has been served on the Respondent)</p>	<p>Respondent is present along with Advocate and have submitted the Vakkalath . Order u/s 130 BNSS (111 CrPC) was read out to the respondent. After this respondent was asked whether he accepts the allegations and is ready to give the security and surety or else he requires an inquiry to be done.</p> <ul style="list-style-type: none"> ➤ The reply given by the respondent will be recorded and his signature will be taken in the note sheet. ➤ In case if the opponent agrees to the allegations made and agrees to give security and surety, then the magistrate should pass the order as under. <p>“Respondent has agreed to the allegations made against him u/s 130 BNSS (111 CrPC) and has agreed to give the security and surety as per the order. Respondent was clearly told about the consequences of he accepting the allegations and signing the bond. Respondent confirmed that he has willingly accepted it. It is confirmed that respondent has accepted it willingly without any pressure, fear or incentives. Hence court is adjourned to Date _____ for passing the final order u/s 136 BNSS (117 CrPC)</p> <p>Signature _____ Date _____ Respondent Signature</p> <p>Signature of the Advocate of the Respondent</p>
<p>Date</p> <p>As the respondent agreed to the allegations and is ready to give security and surety as per order u/s 130 BNSS (111 CrPC), final order u/s 136 BNSS (117 CrPC) is made.</p>	<p style="text-align: center;">Order</p> <p>The petition of the petitioner is allowed. Respondent to give security for Rs _____ and _____ for period along with surety of one eminent person. During this bond period Respondent should not disturb the public peace and harmony /not to indulge in any cognisable offence, not to obscond/not to indulge any habitual criminal activities and not to disturb the public tranquility and not to become threat to the society. Hence ordered him to behave in a good manner.</p> <p>Date _____ Signature _____</p> <p>Respondent Signature</p> <p>Respondent Advocate’s signature</p>

<p>Respondent has submitted the affidavit and the list of immovable properties of Sri _____ as surety. Hence order u/s 139 BNSS (120 CrPC) for acceptance of the surety</p>	<p>Surety Sri ----- is present and has submitted a certificate agreeing to be the surety along with documents of immovable properties. He confirmed that he is aware of the order passed u/s 136 BNSS (117 CrPC) and knows about the consequences of the violation of the order. On enquiry, it is found that he is the respectable person and is willingly agreed to become the surety and hence this surety is accepted.</p> <p>Date _____ Signature _____</p> <p>Respondent Signature _____</p> <p>Surety Signature _____</p> <p>Respondent's Advocate Signature _____</p>
<p>Respondent and surety have given the undertaking as per order u/s 136 BNSS (117 CrPC).The same copy is provided the petitioner</p>	
	<p>If the respondent after hearing the order u/s 130 BNSS (111 CrPC)), denies the allegations and request for the trial to be held, then the case to be dealt as under.</p> <p>“Respondent is present along with his advocate and submitted the vakkalat. Order u/s 130 BNSS (111 CrPC) was read out for the respondent and was asked whether he is ready to accept the allegations and provide surety and security as desired? Or an inquiry should be held? Respondent denied the order and the allegations made and requested for his case to be heard.</p> <p>During this time if the petitioner submits one more petition for taking interim bond u/s 135(3) BNSS (116(3) CrPC) from the respondent. This copy is given to the Respondent. Listened to the arguments from both the side. Order is made as below:</p> <p style="text-align: center;">Order u/s 135 BNSS {116(3) CrPC}</p> <p>On perusal of the facts of the case (the facts should be briefly stated), it is found that the respondent till the enquiry is completed is required to sign a bond for Rs _____ along with _____ surety. A prima facie case appears to be necessary to order the grant of interim relief. The contentions of the responded are not competent to refute the petitioner's claim. Moreover by ordering the interim bond to respondent till the completion of the enquiry no interest of him would be prejudiced and on the other hand it would help in preventing the disturbance of public peace and harmony which may be caused by him. Hence</p>

	<p>the petitioner request is allowed. Respondent Should sign an interim bond for Rs----- and give surety of ----- respectable person till the completion of enquiry.</p> <p>Date Signature</p> <p>Respondent signature</p> <p>Respondent Advocate's signature</p>
	<p>As per this when Respondent comes forward to give self bond and surety, then surety should be accepted after due verification as per section 139 BNSS (120 CrPC) of the certificate furnished along with the property documents submitted, it should be ordered that the above surety is accepted.</p> <p>Magistrate's case worker should take the interim bond and keep it in the note sheet.</p> <p>In case, the respondent refuses to comply with the order made under section 135 BNSS {116(3) CrPC} to give the interim bond and fails to give surety, then the magistrate will take steps as below:</p> <p>“The order made u/s 135 BNSS {116(3) CrPC} dated ----- is not obeyed by the respondent and he refuses to comply/failure to give surety, he was explained about the consequences of non-compliance of such order. In spite of this also, respondent fails to give interim bond/surety as per the above order and hence till the completion of the enquiry or till the respondent gives interim bond/surety as per the order 135 BNSS {116(3) CrPC}, he is ordered to be kept in judicial custody.</p> <p>The respondent was handed over to the custody of the police officer/constable no-----present, and directed to take the jail warrant against the respondent and produce him before the jail authorities to take him under judicial custody.</p> <p>Case is adjourned date ---- for inquiry.</p> <p>Signature Date:</p>
<p>As per the order u/s116(3), interim bond and surety is taken. Or on refusal Jail warrant was given for Judicial custody</p>	
	<p>To ascertain the truth of the allegations made, inquiry in 135 BNSS {116(1) CrPC} is to be done. Hence court adjourned date---- for conducting the inquiry.</p>

	<p>Jail Superintendent is directed to produce the respondent on the day of the enquiry.</p> <p>Signature _____ Date _____</p>
<p>Date _____</p> <p>Hearing of the petition</p> <p>(If Respondent is in jail, he should be called for the inquiry)</p>	<p>Petitioner, Respondent/Advocate of Respondent are present. Petitioner has requested to consider his petition and the presented documents to be considered as the evidence in his favour. It is verified</p>
	<p>Ordered for examining the petitioner.</p> <p>Petitioner was examined as PW1 and all the documents submitted by him was marked as P1 to P -----. Respondent did the cross examination of the petitioner and petitioner enquiry is concluded.</p> <p>Petitioner confirms that he doesn't have any further evidence leading in his favour.</p> <p>This case is adjourned for next day on _____ for inquiring the respondent.</p> <p>Date _____ Signature _____</p> <p>Petitioner signature _____ Respondent Signature _____</p> <p>Respondent Advocate's signature _____</p> <p>During the time of inquiry, Magistrate should conduct the examination of chief, cross examination and Re-examination in the open court.</p> <p>Just like summary case, should make note of the brief point and not each and every question and answer. This much of details are not required.</p> <p>Instead of chief examination can take the affidavit also in this case</p>
<p>Date _____</p> <p>Inquiry of the Respondent</p>	<p>Petitioner, Respondent/Advocate of Respondent are present.</p> <p>Respondent requested to consider his contention and the presented documents to be considered as the evidence in his favour. It is verified.</p> <p>(In case if Respondent wishes to be examined as witness, then proceedings given below will follow)</p>

	<p>not to disturb the public tranquility and not to become threat to the society. This order is made by exercising the Power conferred u/s 136 BNSS (117 CrPC). (Detailed order is enclosed separately)</p> <p>Date Signature</p>
<p>Have taken Respondent and his surety bond as per the format.</p> <p>A copy of it is provided to the petitioner.</p>	<p>Respondent is present. As a surety shri-----has submitted the affidavit along with the property documents, who was examined u/s 139 BNSS (120 CrPC) for his eligibility of the surety. Sri_____representation of being the surety is accepted.</p> <p>Date Signature</p> <p>Petitioner signature</p> <p>Respondent Signature</p> <p>Respondent Advocate's signature</p>

This concludes one complete cycle of carrying out the binding over.

In case if the respondent has **breached the bond** and if petitioner files a petition in 141(1)(b) BNSS {122(1)(b) CrPC}, then the following steps is to be taken.

<p>Date:</p> <p>Petitioner has filed an application along with the documents u/s 141(b) BNSS {122(b) CrPC}. For further orders</p>	<p>The applicant has filed an application and ---documents u/s 141(1)(b) {122(1)(b) CrPC}.</p> <p>Petitioner in the petition has mentioned that the Respondent has violated the bond which was signed by him on date -----. Hence the bond and the surety given to be forfeited and ---- months which is the remaining period of the bond, the respondent to be ordered to be kept in judicial custody. Also confiscation of the property to be done to recover the bond amount. This has been requested by the petitioner.</p> <p>To issue notice to the opponent to submit his contention. Hence ordered to issue notice to the Respondent through ----- Police station either through himself or his sibbandi .</p> <p>The case is adjourned to date-----</p> <p>Date Signature</p> <p>Petitioner signature</p> <p>Along with the notice, report u/s 141(1)(b) BNSS {122(1)(b) CrPC} and the documents filed to be served to the Respondent The serving officer should serve the notice along with the 141(b) BNSS {122(b) CrPC} application & documents copy to the respondent and get his signature which is then to be communicated to the Magistrate office.</p>
<p>Date: (The report confirming the serving of the notice to the respondent along with 141 BNSS {122(b) CrPC} report is submitted)</p>	<p>The opponents and their advocates were present and requested time to file objections. Time permitted to file objections.</p> <p>The case is adjourned to date-----</p> <p>Date Signature</p> <p>Signature of Petitioner</p> <p>Signature of Opponent</p> <p>Signature of Counsel for Opponent</p>

<p>Date (submission of objections by the opponent)</p>	<p>Opponent and his counsel are present. They have submitted objection for 141(b) BNSS {122(b) CrPC} petition.</p> <p>The documents submission by the petitioner are public authenticated documents and they are not disputed by the opponent and hence to be marked as evidence and accordingly these exhibits are marked as P1 to P..... Similarly, the documents submitted by opponents are taken as exhibits and marked as A1 to A....</p> <p>Heard the argument of both the parties.</p> <p>Case is adjourned for orders on date ---</p> <p>Date Signature</p> <p>Applicant's signature</p> <p>Opponent's signature</p> <p>Signature of counsel for the opponent</p>
<p>Date (for order)</p>	<p style="text-align: center;"><u>ORDER</u></p> <p>The petitioner 141(1)(b) BNSS {122(1)(b) CrPC} petition is allowed. The opponent signed bond on date _____ as per the order u/s 136 BNSS (117 CrPC) is hereby forfeited to the Govt. He is also ordered for judicial custody for the remaining period of the bond. Also, he is ordered to pay the bond amount of Rs..... In case the respondent fails to pay the bond amount, it is hereby ordered to recover this amount by the district collector ----</p> <p>-district by forfeiting his immovable property and collecting it as land revenue and depositing it to the government.</p> <p>(Detailed order attached separately)</p> <p>The opponentis given to the police officer ----- ---present to hand him over to Jail authority.</p> <p>Date Signature</p> <p>Signature of Applicant</p> <p>Signature or Opponent Signature or opposing counsel.</p> <p>Opponent's signature</p> <p>Signature of counsel for the opponent</p>

<p>The office staff immediately prepared the jail warrant addressed to the prison authority to send the opponent to the prison and gave the warrant copy to the police officer present.</p> <p>Accordingly the police officer left the opponent to the jail and has submitted the executed order copy to this office on date.....</p>	
<p>The opponent has not paid the bond amount.</p>	<p>As the respondent has been placed under judicial custody as per the order, but has failed to pay the bond amount, the certified copy of the order to be sent to District Collector to forfeit his immovable and movable property and collecting it as land revenue and depositing it to the government.</p> <p>Date Signature</p>
<p>Date:</p> <p>The letter has been sent to the District Collector---- enclosing the order copy to confiscate his movable and immovable Property and to collect them as land revenue and depositing it to the Government and to provide compliance to this office.</p>	

<p>Date: The district collector----- has submitted a report to this office mentioning that the opponent movable and immovable property is confiscated and is collected as land revenue and is deposited to the Government</p>	
<p>Date: (A report has been submitted by the Jail authorities that the period of judicial custody of the respondent has ended and he has been released from prison. For further orders)</p>	<p>The report of the District Collector and the report of the jail authority is seen. The confiscation order made on Date is fully complied and hence the case is concluded as being closed</p> <p>Date: Signature</p>