

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.