**Application seeking exemption from personal apperance of Complainant/Accused**

IN THE COURT OF …………..………………………….LD.

METROPOLITAN MAGISTRATE/ Addl.Sessions Judge,

CRIMINAL COMPLAINT NO. \_\_\_\_\_\_\_OF 2015, or

FIR No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Police Station\_\_\_\_\_\_\_\_\_\_\_\_

Under Section\_\_\_\_\_\_\_\_\_\_\_\_

IN THE MATTER OF:

Mr. ………………                                                                                                                                                                   …….COMPLAINANT

VERSUS

State and XYZ                                                                                                                                                                       ..……ACCUSED

APPLICATION FOR EXEMPTION OF THE PERSONAL APPEARANCE OF THE COMPLAINANT / ACCUSED

MOST RESPECTFULLY-

1.  That the above-mentioned matter is pending before this Hon’ble Court and is listed today for hearing.

2. That the Complainant / Accused is busy in some inevitable administrative work/ is unwell/ is out of station and ishus unable to appear before this Hon’ble’ court today.

3. That the absence of the applicant is neither intentional nor deliberate, but due to the bonafide reason mentioned above.

PRAYER: –
It is, hence, most respectfully prayed that this Hon’ble Court may be pleased to exempt the Complainant / Accused from the personal appearance for today through his Counsel in the interest of justice.

COMPLAINANT/ACCUSED
THROUGH

COUNSEL

Place  : Delhi

Dated : ………, 2015

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Regular Bail Application before Court of Metropolitan Magistrate u/s 437CrPC

IN THE COURT OF SH.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_METROPOLITAN MAGISTRATR, NEW DELHI

APPLICATION FOR REGULAR BAIL UNDER SECTION 437 Cr.PC BEFORE METROPOLITAN MAGISTRATE

State

vs

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Accused

FIR NO. \_\_\_\_\_

UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC,

P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

MOST RESPECTFULLY SHOWETH:-
1- That the petitioner belongs to a respectable family and he has clean antecedents.
2- That the petitioner has been framed up and falsely implicated in the above noted case by the complainant on extraneous grounds and he is in custody since \_\_\_\_\_\_\_\_\_\_\_\_\_.
3- That the police does not require further custody of the petitioner for the purpose of investigation in the case and the petitioner has therefore been remanded to judicial custody.
4- That the petitioner has been framed up in the case because \_\_\_\_\_\_\_\_\_\_\_\_\_ daughter of Sh.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ complainant was deeply in love with the petitioner and her marriage was
solemnized with Sh.\_\_\_\_\_\_\_\_\_\_\_\_\_ son ofSh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,R/o House No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ against her wishes on \_\_\_\_\_\_\_\_\_\_. Even after marriage \_\_\_\_\_\_\_\_\_\_\_\_\_ wanted the petitioner to continue friendly relationship with her due to attachment but the petitioner always advised her that since she has been married to another person, she should try to forget her past
relationship with the petitioner.
5- That the investigation of the case and thereafter the trial shall take a considerable time and the petitioner shall suffer unbearable hardship of imprisonment if he remains confined to Jail during this period.
6- That the petitioner is ready and willing to furnish bail bonds to the satisfaction of this Hon’ble court for his being released on bail.
7- That the witnesses of the prosecution are relatives of the complainant and they can not be influenced by the petitioner. The petitioner gives an undertaking to the Hon’ble court, that if he is released on bail, he shall not temper with the evidence or influence the witnesses of the prosecution and he shall abide by any condition imposed by the Hon’ble court for releasing him on bail.

It is, therefore, prayed that the petitioner/applicant may kindly be released on bail. Applicant shall abide by any direction or condition this court may pass.

Dated: \_\_\_\_\_\_\_\_\_

Applicant/petitioner.

Advocates

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Regular bail Application before Court of Sessions Court u/s 439 CrPC

**APPLICATION FOR REGULAR BAIL UNDER SECTION 439 Cr.PC BEFORE SESSIONS COURT**

State

vs

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Accused

FIR NO. \_\_\_\_\_

UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC,

P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

MOST RESPECTFULLY SHOWETH:-
1- That the petitioner belongs to a respectable family and he has clean antecedents.
2- That the petitioner has been framed up and falsely implicated in the above noted case by the complainant on extraneous grounds and he is in custody since \_\_\_\_\_\_\_\_\_\_\_\_\_.
3- That the police does not require further custody of the petitioner for the purpose of investigation in the case and the petitioner has therefore been remanded to judicial custody.
4- That the petitioner has been framed up in the case because \_\_\_\_\_\_\_\_\_\_\_\_\_ daughter of Sh.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ complainant was deeply in love with the petitioner and her marriage was
solemnized with Sh.\_\_\_\_\_\_\_\_\_\_\_\_\_ son ofSh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,R/o House No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ against her wishes on \_\_\_\_\_\_\_\_\_\_. Even after marriage \_\_\_\_\_\_\_\_\_\_\_\_\_ wanted the petitioner to continue friendly relationship with her due to attachment but the petitioner always advised her that since she has been married to another person, she should try to forget her past
relationship with the petitioner.
5- That the investigation of the case and thereafter the trial shall take a considerable time and the petitioner shall suffer unbearable hardship of imprisonment if he remains confined to Jail during this period.
6- That the petitioner is ready and willing to furnish bail bonds to the satisfaction of this Hon’ble court for his being released on bail.
7- That the witnesses of the prosecution are relatives of the complainant and they can not be influenced by the petitioner.

8- The petitioner gives an undertaking to the Hon’ble court, that if he is released on bail, he shall not temper with the evidence or influence the witnesses of the prosecution and he shall abide by any condition imposed by the Hon’ble court for releasing him on bail.

9- Applicant shall abide by any direction or condition this court may pass.

It is, therefore, prayed that the petitioner/applicant may kindly be released on bail.

Dated: \_\_\_\_\_\_\_\_\_

Applicant/petitioner.

Advocates

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**Application for anticipatory bail under Section 438 CrPC**

IN THE COURT OF SH.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ LD. SESSIONS JUDGE, NEW DELHI

Criminal Misc. Case No. ...... of ......
In the matter of,

AB .................................. Petitioner
versus
State ... Respondent

FIR NO. \_\_\_\_\_

UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC,

P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Application for anticipatory bail under section 438 of the Code of Criminal Procedure 1973

Respectfully showeth:-
1. That petitioner being a senior citizen is living a retired life.
2. That even though applicant is not keen in selling his house, some local Property dealers have conspired with some criminals/anti-socials to pressurise him for sale of his house.
3. That some criminals of area, namely,...............conspired to malign/harass the petitioner publicly by implicating him and lodging an FIR at the Police Station at..........
4. That petitioner being a senior citizent can not hide and if compulsory he shall co-operate in police investigation. Anticipatory bail be granted to petitioner. :
5. That if anticipatory bail is not allowed petitioner suffer irreparable injury.
6. That petitioner undertakes to obey all terms/conditions on passing order of bail.
Hence prayed that Your Honour will be pleased to allow the petitioner anticipatory bail and other order /orders as
Your Honour deem fit and proper.
And for this act of kindness your petitioner shall ever pray.

Petitoner/Accused

through

Advocate

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**Application seeking Anticipatory Bail Under Section 438 CrPC**

IN THE HIGH COURT OF JUDICATURE OF DELHI
(Criminal Original Jurisdiction)
Crl..P.No. of 2012
In
Crime.No. Not known of 2015
(On the file of the Inspector of Police. \_\_\_\_ Police Station, Mandir Marg, New Delhi)

Mr.\_\_\_\_\_\_...Petitioner/Accused
Versus
GNCT Delhi,
Rep. by its Inspector of Police,
Mandir Marg Police Station,
New Delhi

Crime.No. Not known of 2015
...Respondent/Complainant

PETITION FOR ANTICIPATORY BAIL FILED UNDER SECTION 438 OF Cr.P.C

The petitioner states as follows:
1. The petitioner apprehends arrest at the hands of the Respondent Police for the alleged offences punishable under Sec. \_\_\_\_, \_\_\_\_ of IPC.
2 The address for service of all processes and notices on the petitioner is that of his counsel M/S. \_\_\_\_\_\_, advocate, \_\_\_\_\_\_\_\_\_\_\_.
3. The address for service of all processes and notices on the Respondent is as set out in the cause title above.
4. --------- Brief fact -----
5. It is submitted that \_\_\_\_\_\_ has given a false complaint to the Respondent Police which has been taken on the file of the Respondent Police (crime No. not known) due to the influence of \_\_\_\_\_\_\_\_.
6. It is submitted that the petitioner apprehends arrest by the Respondent Police on the basis of the complaint taken on file (Crime No. not known). The petitioner is the only son to take care of his
parents. The petitioner is innocent and has not committed any offence. \_\_\_\_\_ is abusing the criminal process and falsely accusing the petitioner.

It is, therefore, prayed that this Hon`ble Court may be pleased to enlarge the petitioner on bail in the event of his arrest by the Respondent Police (Crime No. not known) as this Hon`ble Court may
deem fit and proper in the facts and circumstances of the case and render justice.

Dated at New Delhi on this the \_\_th day of \_\_\_ 2012.
Counsel for Petitioner
Note:
1.
This is the first application by the petitioner.
2.
Bail to the satisfaction of the
\_\_\_\_\_\_\_\_\_
Magistrate, \_\_\_\_\_\_\_\_.

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**Application seeking Bail Under Section 167 CrPC**

BEFORE THE HONOURABLE \_\_\_METROPOLITAN  MAGISTRATE COURT AT NEW DELHI

CC.No. of 2015
State
Vs
1.
..Accused

FIR NO. \_\_\_\_\_

UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC,

P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

APPLICATION FOR BAIL U/S 167 OF Cr.P.C FILED BY THE COUNSEL FOR THE ACCUSED

1. That the accused in the above numbered case has been arrested by the\_\_\_\_\_\_police on \_\_\_\_\_\_\_\_ on charges of U/S \_\_\_\_ of IPC and he is in custody since then.
2. That the police has been reluctant to conduct investigation and submit its report in time. They have not filed the charge sheet in Court even after the completion of statutory time period of \_\_\_\_\_\_\_(60 or 90 as applicable) days.
3. The accused is not related to the above offences and he is ready to furnish bail.

Hence it is most respectfully prayed that this Honourable Court may be pleased to release the acccused on bail.

Dated atNew Delhi on this the \_\_\_ day of \_\_ 2015.

Counsel for Accused

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Application Under Section 320 CrPC for Compounding of Case

BEFORE THE HONOURABLE \_\_\_\_\_\_\_ Metropolitan Magistrate at New Delhi

CC.No. of 2012

--------Cause title-------

PETITION FILED UNDER SECTION 320 OF THE CODE OF CRIMINAL PROCEDURE

1. The petition is filed by the complainant/defacto complainant/CW1 and accused in the above numbered case.
2. The above numbered case has been chargesheeted against the accused under sections\_\_\_\_\_ of IPC
3. That the matters related to the case has been settled and compromised between the parties in the presence of mediators/counsels. There is no need for the case to be proceeded with.

Hence it is prayed that this Honourable Court may accept and effect the compromise between the parties by allowing this petition.

Dated at New Delhi on this the \_\_\_\_day of \_ 2015

Complainant                                         Identefied by Counsel

Accused                                               Identefied by Counsel

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Affidavit of Surety in support of Bail Bond

Surety Affidavit

Affidavit
I, \_\_\_\_ son of \_\_\_\_ ,R/o \_\_\_\_, do hereby solemnly affirm and declare as under:-

1- That the deponent is the permanent resident of the above said address.

2- That I have never stood any surety in any other case and the documents produced by the deponent are genuine

3- That the accused namely \_\_\_ is my real \_\_\_\_ and I have full controll over him/her.

4- That I am standing surety on behalf of the accused in the above mentioned case.

5. That accused shall appear on each and every date of hearing without fail.

6. That I have understood that in case of a sngle breach of bond I shall be liable tp pay to the statean amount equivalent to this Bond's amount.

Deponent

Verification:-

Verified that the above contents of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Verified at \_\_\_\_ on \_\_\_\_

Deponent

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Application Under Section. 311 Cr.P.C.for Recalling of Witness

IN THE COURT OFSh.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Ld. METROPOLITAN MAGISTRATE, New Delhi

C. C. No. of 20
............................ PETITIONERS/ACCUSED.
VS
.. ...........................RESPONDENT/COMPLAINANT.

FIR NO. \_\_\_\_\_

UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC,

P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

APPLICATION UNDER SEC. 311 Cr.P.C.FOR RECALLING OF WITNESS

The petitioner above named states as follows:

1. The petitioner states that his counsel on record was unable to appear before this Hon’ble Court on.................. for the reason that he was down with fever.

2. The petitioner states that it is neither willful nor wanton but due to the reason stated above.

3. The petitioner states that the balance of convenience lies in his favour, further to get rebuttal evidence from the PW –................ it is just and necessary to cross-examine the PW –..................as this is an important witness of fact and absence of cross examination by defence would be detrimental to the petitioner's case . Hence the petitioner shall be permitted to cross-examine the PW – .....................

4. The applicant is ready to bear the cost of PW-.......reappearance in the Court.

In these circumstances it is therefore prayed tha this Hon’ble Court may be pleased to permit the petitioner to reopen and recall the PW – ......and cross examine in the interest of justice and thus render justice.

Dated at , this the day of , 2015
Counsel for Applicant

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Application seeking adjournment under Sec. 256 of Cr. P.C.

IN THE COURT OF MS.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ METROPOLITAN MAGISTRATE,NEW DELHI

C.C. No. of 20

...Petitioner/ Complainant.
Versus
...Respondent/ Accused.

FIR NO. \_\_\_\_\_

UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC,

P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Application seeking adjournment under Sec. 256 of Cr. P.C.

The Petitioner/ Complainant / Accused above named states as follows;

1. The petitioners state that the above case is coming up today for further proceedings.

2. The petitioners state that the petitioner could not appear before this Hon’ble Court as he is............................................or his Counsel is down with fever.

3. The absence of the petitioners/ his counsel is neither willful nor wanton but due to the reasons stated above.

In these circumstances it is therefore prayed that this Hon’ble Court may be pleased to dispense with the personal appearance of the petitioners/ Complainant and allow them to appear through their counsel Under Sec. 256 Cr.P.C. for today only and thus render justice.

Dated at this the day of, 2015

Counsel for

...Petitioner/ Complainant.

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Criminal Complaint of an offence before the Court of Metropolitan Magistrate

Introduction

As per S. 190 of Cr PC, any Magistrate can take cognizance of any offence upon receiving a complaint, or upon a police report, or upon information received from any person other than a police officer, or upon his own knowledge.

As per S. 193 of Cr PC, a Court of  Session cannot directly take cognizance of any offence. The Magistrate may "commit" the case i.e. transfer the case to Court of Session if the offence is trialable only by Court of Session (S. 209).

S. 200 CrPC specifies the procedure for complaining to a magistrate of any offence.

There is no prescribed form of a complaint. The term Complaint is defined inSection 2 (wa) CrPC. It ca even be oral.

In general:

The complaint can either be for a non-cognizable offense or for a congizable offence, if the police refuses to register FIR

It must be addressed to Court of Magistrate

It should state facts relating to the offence

The Complaint must pray for action against the prepetrators of Crime

Format of a Crimnal Complaint before the Court of Metropolitan Magistrate

In the Court of Chief Metropolitan Magistrate, New Delhi

Criminal Complaint No. ... / 2009

Name of Complainant
.................New Delhi                                .........................................  Complainant

Vs.

Name of Accused
................New Delhi                         .........................................  Accused

Police Station................................

Under Section..............................

District.........................................

Complaint of Offence under offences....................................IPC

The aforementioned complainant begs to state as under:-

That the complainant is a resident of ......................................New Delhi

That the accused is a resident of .............................., which is in the neighbour hood.

Since ...............................date, the accused and his friends have started harrassing the complainant,..............................(details of offence) house every evening and late night.

The accused and his friends ...........................................Additional details.

Due to this behavior the complainant and his family is not able to life peacefully in his house.

The complainant has requested the accused several times to stop playing in front of or near his house but to no avail.

The complainant also gave the respondent a written notice in this respect.

The complainant, therefore, prays that –
(a)  appropriate proceeding be initiated against the accused under Cr P C.
(b)  the accused be stopped from continuing the.........................................offence details.
(c)  the accused be summoned, tried and convicted of the offence underSection................IPC
(d)  the accused be ordered to pay compensation for medical treatment, mental agony to the amount of 10,000/-

Place: ………………….                                                                            (Signature of the Complainant)
Date: …………………..

Annexures-

1. List of witnesses

2. List of documents

3. Memo of addresses