Subject Name: Code of Criminal Procedure
Topic Name: Summary Trial

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Chapter XXI (Secs. 260-265) of the Criminal Procedure Code outlines the procedure for conducting summary trials, characterised by their expeditious nature. Unlike complex cases requiring extensive inquiry, summary trials are designed for swift resolution, ensuring the essentials of a fair trial while minimising procedural intricacies.

Objective and Scope

The primary aim of a summary trial is expeditious resolution without compromising justice. These proceedings are tailored to maintain a record sufficient for adjudication yet concise enough to facilitate speedy disposition (41st Report).

Despite the expedited nature of record-keeping, the conduct of proceedings adheres to standard criminal trial protocols.

Power to Try Summarily

Empowered by Sec. 260(1), designated magistrates, including Chief Judicial Magistrates, Metropolitan Magistrates, or specially authorised First Class Magistrates, may opt for summary trials for specified offences. However, if deemed unsuitable during trial, the magistrate can revert to a conventional trial format (Sec. 260(2)).

Offences Eligible for Summary Trials

Sec. 260(1) delineates offences suitable for summary trials, including those not warranting severe penalties such as death or lengthy imprisonment. Offences like theft, house trespass, and intimidation, among others, qualify for summary adjudication. The magistrate's discretion determines the applicability of summary trial based on offence nature and complainant testimony.

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Procedure and Record Keeping

In summary trials, the summons-case procedure is universally applied (Sec. 262(1)), with specific provisions ensuring concise record-keeping. Notably, sentences exceeding three months' imprisonment are prohibited (Sec. 262(2)). The magistrate meticulously records case details, accused's plea, and trial findings (Sec. 263), ensuring transparency and accountability.

Judgement and Record Maintenance

In cases where the accused pleads not guilty, the magistrate records evidence substance and provides a concise judgement with brief reasoning (Sec. 264). All records and judgments are penned in the court's language and duly signed by the magistrate (Sec. 265). Any deviation from prescribed procedures renders the trial illegitimate, emphasising the importance of meticulous adherence.

Summary trials serve as an effective mechanism for swiftly addressing minor offences, balancing procedural efficiency with the imperative of fair trial standards. While expedited record-keeping is pivotal, it's crucial to uphold due process, ensuring the integrity of judicial proceedings.