

## **SPECIFIC TIME LINES**

### **Training Material-cum-Ready Reckoner**

BNSS introduces a comprehensive timeline for every stage of criminal proceedings, creating a structured framework for legal processes. Some most important features are in a brief mentioned hereunder:

#### *FIR Registration :*

FIR to be recorded within three days for complaints submitted through electronic communication, expediting the initial phase of criminal cases.

#### *Medical Examination Reports :*

Medical examination reports for sexual offenses to be forwarded within seven days, ensuring timely collection of crucial evidence.

#### *Victim/Informant Updates :*

Regular updates to victims/informants about investigation status within 90 days, fostering transparency and keeping stakeholders informed.

#### *Charge Framing :*

Competent magistrates required to frame charges within 60 days from document supply, streamlining the trial initiation process.

#### *Trial in Absentia :*

Courts empowered to initiate trial in absentia against declared offenders within 90 days from framing charges, expediting proceedings.

#### *Judgment Declaration :*

Criminal court to declare judgments within 45 days post the trial's conclusion, ensuring a prompt legal resolution.

#### *Court Decision :*

Court decisions on acquittal or conviction within 30 days post-argument completion, with an extension of up to 45 days for recorded reasons.

### **Benefits of Timeline Implementation:**

#### *Swift Justice:*

Expedited criminal proceedings ensure timely resolution, reducing the burden on the legal system.

*Transparency:*

Regular updates to victims and stakeholders foster a transparent legal process, promoting public trust.

*Efficiency:*

Streamlined timelines enhance the efficiency of legal proceedings, minimizing delays.

Almost an exhaustive list of different specific timelines provided in Bharatiya Nagarik Suraksha Sanhita, 2023 is given in a table hereunder:

Topic	Provision Highlight	In CrPC	In BNSS
Initiation of criminal proceeding	Procedure for recording an FIR if information relating to the commission of a cognizable offence is received by the police through electronic communication	No time prescribed Section 154	FIR to be taken on record if informant signs it within 3 days Section 173(1)(ii)
Initiation of criminal proceeding	Preliminary enquiry to ascertain prima facie case of commission of cognizable offence punishable between a minimum of 3 years and a maximum of 7 years	No time prescribed Section 154	Preliminary enquiry to be conducted within 14 days Section 173(3)
Initiation of criminal proceeding	Police to forward daily diary reports in non-cognizable cases to the Magistrate	No time prescribed Section 155	Once in 14 days Section 174(1)(ii)
Arrest	Arrested person to be entrusted to the police or nearest police station, where arrest has been conducted by a private person	Without unnecessary delay Section 43	Arrest without unnecessary delay, but within six hours from such arrest Section 40
Investigation	Forward of inquest report the District Magistrate or Sub-divisional Magistrate	Shall be forthwith forwarded CrPC 174(2)	Shall be forwarded within 24 hours BNSS 194(2)
Investigation	Medical practitioner to forward the medical examination report to the Police	No time prescribed Section 53	Without any delay Section 51(3)
Investigation	Forward of medical examination report (of a victim of rape) by a medical practitioner to the	Without delay Section 164A (6)	Within 7 days Section 184(6)

	investigating officer		
Investigation	Copy of search records to be forwarded to the nearest Magistrate empowered to take cognizance of the offence	Shall forthwith be sent Section 165(5)	Shall forthwith be sent, but not later than 48 hours Section 185(5)
Investigation	Audio video recording of search and seizure procedure to be forwarded by the police officer to the District Magistrate, Sub-divisional Magistrate or Judicial Magistrate of first class	No time prescribed	Without delay Section 105
Investigation	Show cause notice period for person to appear before any court/Magistrate before the attachment of property alleged to be proceeds of crime	No time prescribed	14 days Section 107(2)
Investigation	Distribution of proceeds of crime, from attached or seized property, by the District Magistrate	No time prescribed	60 days Section 107(7)
Investigation	Information on status of investigation to victims/informant	No time prescribed Section 173	Within 90 days Section 193(3)(ii)
Chargesheet	Further investigation during trial (post filing of chargesheet), on grant of permission from the trial court	No time prescribed Section 173(8)	Further investigation to be completed within 90 days, but may be extended with the permission of the Court Section 193(9)
Commencement of proceedings before Magistrate	Further investigation during trial (post filing of chargesheet), on grant of permission from the trial court	No time prescribed Section 173(8)	14 days within date of production or appearance of accused Section 193(9)
Cognizance	Bar to taking cognizance after lapse of <b>limitation period</b> , for certain offences	6 months for offences punishable with fine Section 468(2)	6 months from the date of filing complaint before Magistrate or FIR for offences punishable with fine Section 514(2)
Cognizance		1 year for offences punishable not exceeding 1 year of imprisonment	1 year from the date of filing complaint before Magistrate or FIR for offences punishable with 1 year of Imprisonment
Cognizance		3 years for offences punishable	3 years from the date of from the date of filing complaint before

		with more than 1 and a maximum of 3 years of imprisonment	Magistrate or FIR for offences punishable with more than 1 and a maximum of 3 years of imprisonment
Cognizance	Grant of sanction by the Government for prosecution of Judges, public servants etc.	No time prescribed Section 197(1)	If no decision taken within 120 days, sanction will be deemed to have been granted Section 218(1)
Commitment of case to Court of Session	Proceedings undertaken by the Magistrate to Commitment of case to the Sessions Court, where the offences are exclusively triable by the Sessions Court	No time prescribed Section 209	Committal proceedings to be completed within 90 days, extendable up to 180 days for reasons in writing Section 232
Charge	Framing of charges by the Magistrate (for offences the Magistrate is competent to try and punish)	No time prescribed Section 240(1)	Within 60 days from first hearing on charge Section 263(1)
Charge	Procedure for an accused to file application for discharge (in cases triable by a Sessions Court)	No time prescribed Section 227	Within 60 days from committal Section 250(1)
Charge	Procedure for discharge by Magistrate in case of absence of complainant on date fixed for hearing in a complaint case, for offences that are non-cognizable and compoundable	No time prescribed Section 249	Granting 30 days opportunity to complainant to appear in court Section 272
Plea Bargaining	Procedure for application for plea bargaining by the accused, in court where trial for said offence is pending	No time prescribed Section 265B (1)	Within 30 days from the date of framing of charge Section 290(1)
Appoint of APIO	Procedure for appointment of Assistant Public Prosecutor by the District Magistrate in case of non-availability of Assistant Public Prosecutor, for a particular case. The District Magistrate is bound to give notice to the State government prior to such appointment	No time prescribed Section 25(3)	Notice period of 14 days to the State government before appointment of Assistant Public Prosecutor Section 19(3)
Trial	Procedure for admission and denial of genuineness of documents by the defence and prosecution	No time prescribed Section 294(1)	Soon after supply of documents, and no later than 30 days, unless the Court relaxes the time limit with written reasons Section 330(1)

Trial	Procedure for examination of the accused in custody, through electronic means, by Magistrate or Sessions Court	No time prescribed Section 281	Signature of the accused to be taken within 72 hours of such examination Section 316
Trial	Commencement of in absentia trial against proclaimed offenders by a court	No time prescribed Section 299	After a period of 90 days has lapsed from the framing of charge Section 356(1)
Trial	Issuance of two consecutive arrest warrants by a court against proclaimed offenders, before commencing in absentia trials	No time prescribed	Execution of 2 consecutive arrest warrants within the interval of 30 days Section 356(2)(1)
Trial	Publication of notice to proclaimed offender to appear before court, in a newspaper	No time prescribed	Notice period of 30 days 356(2)(ii)
Bail	Maximum period in which an accused can be placed in undertrial detention before the applicability of default bail (exclusive of cases punishable with death and life imprisonment) 2	½ of the sentence period Section 436A	1/3 of the sentence period for first time offenders and 1/2 of the sentence period in all other cases Section 479(1)
Judgement and sentence	Pronouncement of judgment after termination of trial in any criminal court	Immediately after the termination of trial or at some subsequent Section 353 (1)	Not later than 45 days Section 392 (1)
Judgment and sentence	Judgment of acquittal or conviction by Court of Sessions	No time prescribed Section 235(1)	30 days from the completion of arguments. Extendable up to 45 days for reasons in writing Section 258(1)
Judgement and sentence	Court to upload a digital copy of the judgment	No time prescribed Section 353(4)	7 days from pronouncement, as far as practicable Section 392(4)
Mercy Petitions	Filing of mercy petition before Governor or President by person under a sentence of death	No time prescribed	60 days from the date of rejection by Governor Section 472(1)
Mercy Petitions	Filing of mercy petition to the President by a person under sentence of death post the rejection of their petition by the Governor	No time prescribed	Within 60 days from date of receipt of comments from the State government and records from the Jail Superintendent Section 472(2)
Mercy	Central Government to make		Section 472(4)

Petitions	recommendations on the mercy petition to the President		
Mercy Petitions	Central Government to communicate the President's order on the mercy petition to Home Department of the State and Superintendent of the Jail	No time prescribed	Within 48 hours of receipt of order of the President Section 472(6)
Miscellaneous	Procedure for custody or disposal of property produced before a Court/Magistrate during investigation, inquiry or trial. The Court is bound to prepare a statement of property produced before it	No time prescribed Section 451	Within 14 days of production of property before the court Section 497(2)