

## National Judicial Academy

**P-1246: Workshop on Criminal Trials in Serious Offences**  
3<sup>rd</sup> – 4<sup>th</sup> April, 2021

**Programme Coordinator** : Mr. Sumit Bhattacharya and Mr. Prasadh Raj Singh, Faculty  
**No. of Participants** : 44  
**No. of forms received** : 28

<b>I. OVERALL</b>				
<b>PROPOSITION</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
a. The objective of the Program was clear to me	<b>100.00</b>	-	-	23. Objective was good and relevant. 28. Knowledgeable.
b. The subject matter of the program is useful and relevant to my work	<b>96.43</b>	<b>3.57</b>	-	28. Knowledgeable.
c. Overall, I got benefited from attending this program	<b>92.86</b>	<b>7.14</b>	-	28. Will help during trials.
d. I will use the new learning, skills, ideas and knowledge in my work	<b>96.43</b>	<b>3.57</b>	-	28. Effective.
e. Adequate time and opportunity was provided to participants to share experiences	<b>75.00</b>	<b>17.86</b>	<b>7.14</b>	28. Participation based.
<b>II. KNOWLEDGE</b>				
<b>PROPOSITION</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
The program provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	<b>89.29</b>	<b>10.71</b>	-	28. Effective.
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>85.71</b>	<b>14.29</b>	-	28. In depth details.
c. Up to date	<b>89.29</b>	<b>10.71</b>	-	28. In depth details.

d. Related to Constitutional Vision of Justice	<b>75.00</b>	<b>25.00</b>	<b>-</b>	28. In depth details.
e. Related to international legal norms	<b>46.43</b>	<b>46.43</b>	<b>7.14</b>	28. Details provided.
<b>III. STRUCTURE OF THE PROGRAM</b>				
<b>PROPOSITION</b>	<b>Good</b>	<b>Satisfactory</b>	<b>Unsatisfactory</b>	<b>Remarks</b>
a. The structure and sequence of the program was logical	<b>92.59</b>	<b>7.41</b>	<b>-</b>	28. No.
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>88.89</b>	<b>11.11</b>	<b>-</b>	28. Material & case laws.
(ii) Interactive sessions were fruitful	<b>80.77</b>	<b>19.23</b>	<b>-</b>	28. Were consent to topic?
(iii) Audio Visual Aids were beneficial	<b>74.07</b>	<b>22.22</b>	<b>3.71</b>	28. Use of slide helpful.
<b>IV SESSIONS WISE VETTING</b>				
<b>Parameters</b>				
<b>Session</b>	<b>Discussions in individual sessions were effectively organized</b>		<b>The Session theme was adequately addressed by the Resource Persons</b>	
	Effective and Useful	Satisfactory	Effective and Useful	Satisfactory
1	<b>92.86</b>	<b>7.14</b>	<b>95.65</b>	<b>4.35</b>
2	<b>89.29</b>	<b>10.71</b>	<b>91.30</b>	<b>8.70</b>
3	<b>92.86</b>	<b>7.14</b>	<b>92.65</b>	<b>4.35</b>
4	<b>89.29</b>	<b>10.71</b>	<b>91.30</b>	<b>8.70</b>
<b>V. PROGRAM MATERIALS</b>				
<b>PROPOSITION</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
a. The Program material is useful and relevant	<b>92.86</b>	<b>7.14</b>	<b>-</b>	21. Need to be developed further. 28. Assigned properly
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>89.29</b>	<b>10.71</b>	<b>-</b>	21. Need to update the content. 28. Assigned properly

c. The content was organized and easy to follow	<b>82.14</b>	<b>14.29</b>	<b>3.57</b>	21. It must be clear and easy way to search the content. 28. Easy to follow.
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<b>VIII. GENERAL SUGGESTIONS</b>	
1. Three most important learning achievements of this Programme	<p>1. 1. Importance about framing of charge; 2. Appreciation of evidence; 3. Compensation to victim.</p> <p>2. 1. Special session guided for better supervision of the courts; 2. Knowledge updated with important citations; 3. Common witness while framing charges; 4. Grant of adequate compensation.</p> <p>3. 1. Helped to have a more pragmatic approach on sessions trial; 2. Helped to understand the jurisprudential perspective of fair trial; 3. Helped to become more enlightened about the dynamic role of a trial judge.</p> <p>4. 1. Objectives of E-court project; 2. Framing of charge; 3. Appreciation of evidence.</p> <p>5. 1. Accused has constitutional rights of having fair, important, Trial; 2. Reading thoroughly the materials before framing charges; 3. Accused has to right all the charges. Protection to witness and victims.</p> <p>6. 1. Learnt how to gather the relevant evidence during trial process; 2. Learnt how to prepare charge in serious offences properly; 3. Learnt how to appreciate evidence in serious offences.</p> <p>7. 1. I understand more effectively law provision; 2. I have gained latest judgement of Hon'ble Supreme Court; 3. I heard expert judge's speech, which is beneficial for me.</p> <p>8. 1. Preparation of charge in serious offences; 2. Appreciation of evidence in serious offences; 3. Witness protection and victim protection in serious offences.</p> <p>9. 1. The nuances of framing charges specially in circumstance where the bundle of fact lies fused with each other like in the cases of riot; 2. The fine details of appreciation of evidence; 3. The compensation and witness protection part: Appeared to me very useful and handy for facing matters if so appear in the court.</p> <p>10. 1. Concept of proof beyond the shadow of reasonable doubt, reasonable doubt &amp; proof beyond doubt, and differences inter-se; 2. Preparation of charges in serious offences; 3. Appreciation of evidence in serious offences.</p> <p>11. 1. Latest and important case laws; 2. Charge framing; 3. Appreciation of evidence.</p> <p>12. 1. I have learnt new ideas and knowledge through this programme; 2. It has increased my confidence level finding every part of Indian judiciary at one platform through NJA; 3. I got opportunity to know about the experience and knowledge of Hon'ble dignitaries.</p> <p>13. 1. There cannot be any straight Jacket formula for appreciation of evidence, appreciation of evidence is to be done as warranted by the facts and circumstances of every case; 2. To make the Courts witness friendly, especially for sexually assault</p>

case witnesses and child witnesses, a module for the structure of the Court building may be developed in such a way that witnesses feel comfortable and friendly to give testimony; 3. Charge should not be framed in casual manner, as charge is the backbone of any criminal trial.

14. None

15. 1. Proof beyond doubt and not beyond reasonable doubt; 2. How to frame question relating to accused statement e.g. within the accused worried be prejudicial if the question is not asked; 3. Admission of a confession in framing of the accused, when made before registration of the case.

16. 1. Appreciation of evidence in serious offences by Justice Nagamuthu; 2. Proof by means of presumption and assumptions by Justice Nagamuthu; Judicial and extrajudicial confession.

17. 1. The online training programme was very much useful; 2. The study materials given are also very much useful; 3. The subject chosen is very much useful.

18. 1. The programme was helpful in day to day working; 2. The resource persons were well conversant and participants were enlightened by their knowledge & expertise; 3. How to identify victim in criminal cases.

19. 1. Case law related to the subjects are useful; 2. Overall learning from this programme is very relevant and had great exposure to the subject; 3. The definition of the subject is very clear and beneficial.

20. I became familiar with some of the apps, like justice apps, e-court mobile apps, etc. and functioning of e-seva Kendra, relevancy of CNR Number, discussed on the early first day of the programme; Discussion of some important legal provisions under Section 211-214, 219-220, 221-223, 18(12), 172-228, 273, 357A of the CRPC and under Section 2,3,4,5,24-27,112,119,126,165 of the evidence act; Discussion of relevant case laws.

21. I learnt excise officers also comes within the meaning of police officers and confession made to them is hit by Sec. 25 of Indian evidence act.

22. Practical knowledge of problem solutions, sharing the experiences in judicial career by resource persons helped the judicial officers to overcome the upcoming challenges, and fruitful knowledges were provided for their future endeavors, in overall.

23. Victim compensation, witness protection and appreciation of evidence in serious offences.

24. This workshop will help me in future dealing with serious criminal case.

25. 1. Refreshed the trial process in serious offences; 2. Got a through idea of appreciation of evidence; 3. A broader perspective of evidence act is learnt.

26. 1. New scenario & vision were got; 2. Deep and practical aspect; 3. Knowledge of firm & adequate behavior.

27. 1. We were enriched on the topic up to date; 2. Certainly it is useful to us in our day to day work and we may not commit mistakes while passing judgments; 3. Doubts which were lingering in our mind were cleared, with the lectures of the experienced and excellent resource persons.

28. 1. Refresher type course; 2. Suggested ways to do effectively; 3. Idea to cope with technically difficult matters.

<p>2. Which part of the Programme did you find most useful and why</p>	<ol style="list-style-type: none"> <li>1. <b>Session 2: Preparation of Charge in Serious Offences.</b></li> <li>2. Witness protection and victim compensation; got an ideas to give special facilities to witnesses in sensitive matters, as being provided in district courts, Delhi.</li> <li>3. Lecture sessions of all resource persons who are having vast knowledge and experience on the field.</li> <li>4. Appreciation of evidence; I learnt how to admit the evidence first and appreciate the same while at the time of deciding the case. The word ‘believe’ or ‘unbelieve’ is incorporated u/s 3(2) of the Indian Evidence Act. I also learnt the meaning of supposition.</li> <li>5. Protection to witness- because witness are importance for criminal trials, Now days one is ready for witness for criminal cases for the reasons no unsafe, and when they pressure repeated adjournment.</li> <li>6. Regarding witness protection a not victim compensation. The reason is that, if adequate protection to witness is provided then he/she can depose freely, which ultimately would help the court to decide the case properly. Further victim of the crime is not to be neglected &amp; has to compensate appropriately.</li> <li>7. I found <b>Session 3: Appreciation of Evidence in Serious Offences-</b> very useful because it is useful for our daily work.</li> <li>8. None.</li> <li>9. I found the part of appreciation of evidence most useful as the same is concerned with day to day affair arising in court. The discourse rendered were practical and was relatable with the practice adopted in the court room.</li> <li>10. Preparation of charges &amp; appreciation of evidence in serious offences because former is more often than not taken for granted as mere formality, whereas, despite being a notice of accusation it is an important aspect and the later of course is backbone of well-reasoned judgment. All the Hon’ble Lordships and their insight were exceptional in these contexts.</li> <li>11. I found <b>Session 2: Preparation of Charge in Serious Offences-</b> programme most useful because of learning proper charge framing process through relevant case laws.</li> <li>12. Every part of programme has unique importance and value.</li> <li>13. Sessions on witness protection and victim compensation in serious offences were very useful, as we often face this issue of the security of witness in criminal trial.</li> <li>14. None.</li> <li>15. None.</li> <li>16. Appreciation of evidence in serious offences by Justice Nagamuthu and preparation of charge by Justice Bagchi.</li> <li>17. The entire programme.</li> <li>18. However, all the programmes were useful but the lectures delivered by justice R. Basant and Justice K.s. Ahluwalia were useful in day to day working.</li> <li>19. I find all parts of the programme is very useful and helpful in my work.</li> <li>20. Lecture delivered by Hon’ble Justice R. Basant on jurisprudence of criminal trial and concept of appreciation of evidence discussed on 4-4-2021.</li> </ol>
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	<p>21. Justice R. Basant, Justice Jaymalya Bagchi, Justice Nagamuthu and Justice P.N. Prakash programmes are useful as they have clearly explained the theory and case law.</p> <p>22. <b>Session 4: Witness Protection and Victim Compensation in Serious Offences</b>– of Justice Gita Mittal was effective in a nature that she provides the experiences not only in the Indian judiciary context, but also shared her knowledge of international projects she had done and practical court’s proceedings for speedy effective trials was shared to us.</p> <p>23. Victim compensation &amp; witness protection.</p> <p>24. Part of individual sessions was very effective because we get to know about the personal experience of Hon’ble resource person dealing with particular kind of serious criminal cases which will benefit us dealing with such kind of cases in future.</p> <p>25. <b>Session 3: Appreciation of Evidence in Serious Offences</b>- by justice Nagamuthu is the most useful programme as it takes through a broader perspective of the principles of evidence act. The presentation was powerful and the subject matter is conveyed aptly.</p> <p>26. All the parts are very useful specially part-1 and part-3 because good start half done. Concept of proved beyond reasonable doubt, difference between presumption and assumption are very valuable.</p> <p>27. On appreciation of evidence in serious offences; No judicial officer can write judgment without appreciating the evidence on record; Appreciation of evidence is a topic useful to day to day work of the judicial officer. If the judicial officer is thorough on the said subject, he can pass a perfect judgment.</p> <p>28. Whole of the programme, since was interactive.</p>
<p>3. Which part of the Programme did you find least useful and why</p>	<p>1. No one.</p> <p>2. All the parts of the programme were very useful &amp; effective.</p> <p>3. Noe such part is noticed.</p> <p>4. I find all the sessions were useful.</p> <p>5. victim compensation because the programme is have short item and most cases assumed are not ready to compensate the victim even ordered by court law of found by Govt.</p> <p>6. All the topics were of equal importance &amp; useful in conducting trial of serious offences. So, no part of programme can be said to be least useful.</p> <p>7. I found every programme useful.</p> <p>8. None.</p> <p>9. There was nothing which may be stated to be the least useful as all the august speakers were music to ears and with their rich experience we have been benefited.</p> <p>10. There was no such part in the entire programme which could be termed as such.</p> <p>11. None.</p> <p>12. It is very difficult to say because every part of the programme was equally useful.</p> <p>13. None.</p> <p>14. All programme were useful.</p> <p>15. No part of the programme was lease useful.</p>

	<p>16. None.</p> <p>17. No part.</p> <p>18. NA.</p> <p>19. None.</p> <p>20. None.</p> <p>21. Justice Ashutosh Kumar, Justice K.s. Ahluwalia and Justice Gitta Mittal programmes are least useful as they have not disclosed the content properly.</p> <p>22. Nil.</p> <p>23. All sessions were useful and relevant.</p> <p>24. None.</p> <p>25. <b>Session 2: Preparation of Charge in Serious Offences-</b> on preparation of charge as it lacks flow.</p> <p>26. None.</p> <p>27. I do not find any part of programme, to say that a particular part of programme is least useful to the judicial officers. The entire programme is excellent.</p> <p>28. No such part was least useful but all of the programme is very helpful.</p>
<p>4. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>1. Time duration are required to increase with 5-10 minutes break.</p> <p>2. Data be collected regarding general difficulties faced by judicial officers for timely disposal of cases; Then suggestion be invited from judicial officer and same be made part of programme to guide others.</p> <p>3. Please arrange the time schedule in such a manner that adequate time is set apart for the participants to clear their doubts from the resource persons.</p> <p>4. I request the study materials may kindly be sent as hard copy. Since the 1000's and above pages could not be taken print out.</p> <p>5. Full day programme will give sufficient time for all subjects and more time for interaction and questing sessions.</p> <p>6. Workshop was wonderfully arranged further, subject of workshop was very useful. So, no suggestions.</p> <p>7. If NJA provides us the copy of this programme it will be very useful.</p> <p>8. None.</p> <p>9. If the interactive session concerning just with the problems faced by courts across the board and the remedy thereof may be organized for the whole session, may in my opinion will benefit us to a great extent.</p> <p>10. The programmes were already very effective.</p> <p>11. NJA is serving better and its programmes are more effective already so there is no suggestion.</p> <p>12. I suggest that more such programme may be promoted to serve betterment of judicial officers.</p> <p>13. Law should be developed for the protection of witnesses.</p>

14. Two hour sessions with half an hours to participants to share experience or to seek qualification is desirable.
15. Sufficient time shall be provided to a sessions keeping included time was interactions also. Only then minutes on fifteen minutes not sufficient for interactions. There must be sufficient time with the resource person; An institution like NJA may have a help desk to help officers confronted with legal problems.
16. The case law referred by speakers and programme material be supplied to the participants.
17. Such type of online programme may be conducted for betterment of the judicial officers.
18. The NJA should make efforts to answer the queries of the participants even after the programme through email because during the programme shortage of time is always there.
19. Every session & structure of the programme is effective and well managed.
20. All such programmes should be thrown open to all the judicial officers on you tube; All the recordings of such programmes should be available on the website of National Judicial Academy, So that we judicial officers may try to remain updated in case laws and various interpretations of the Hon'ble Supreme Court and all the Hon'ble High Courts.
21. Select good resource persons who are having experience from trial courts on the relevant topics.
22. Interactive in session of training in person from different states at the premises of NJA is far better than online. I am looking forward for training in presence physically and not online in near future, after the lockdown of covide19 pandemic is over. Many Thanks.
23. Study materials should be shared/mailed at least a fortnight before the scheduled sessions/programme.
24. Timings of the programme must be shorter for some extent.
25. Relevant and recent legal issue in a topic can be allotted to the participants for discussion in open forum which can boost up original thoughts in a topic.
26. The time is so short it must be longer next time nothing else.
27. Undoubtedly, this type of programme is useful to all the Judicial Officers. It may not be possible to nominate all the Judicial Officers to participate in all the programmes conducted by the NJA; Therefore, I would like to suggest to issue the study material (soft copy), not only to the participant Judicial Officers, but also to non-participant Judicial Officers of all the states. This will be useful to all the Judicial Officers of all the states.
28. Increasing the holding of each sessions in future would be helpful.