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Understanding Summons Case Warrant Case and Sessions Case



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Here's a clear and comprehensive explanation of the **Summons Case**, **Warrant Case**, and **Sessions Case** under Indian criminal law (as per **CrPC**, now updated in **BNSS 2023**):

1. Summons Case

Definition

A **summons case** is one relating to an offence that is **punishable with less than 2 years** of imprisonment.

Reference: CrPC Section 2(w) / BNSS Section 2(1)(x)

Examples

- Causing hurt (IPC 323)
- Public nuisance (IPC 268)
- Simple assault (IPC 352)

Key Features

Point	Description
Punishment	Up to 2 years
Process	Simplified, faster
Notice	Court issues summons , not warrant
Framing of Charge	No formal charge framed, only substance of accusation explained
Plea	Accused can plead guilty and be convicted immediately
Trial	Witnesses and evidence recorded summarily
Conversion	Can be converted into warrant case if punishable offence found during trial

2. Warrant Case

Definition

A **warrant case** involves offences **punishable with imprisonment of 2 years or more**.

Reference: CrPC Section 2(x) / BNSS
Section 2(1)(zc)

Examples

- Theft (IPC 379)
- Criminal breach of trust (IPC 406)
- Cheating (IPC 420)
- Attempt to murder (IPC 307)

Key Features

Point	Description
Punishment	2 years or more
Process	Detailed and procedural
Notice	Accused often brought on warrant , not summons
Framing of Charge	Formal charges are framed by Magistrate
Plea	Accused pleads guilty or not guilty after charge is framed
Trial	More structured with examination-in-chief, cross, defense

Two Types of Warrant Case Trial

1. **Police Report Case** (u/s 173 CrPC / BNSS 193)
 2. **Private Complaint Case** (u/s 200 CrPC / BNSS 223)
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3. Sessions Case

Definition

A **Sessions Case** is a **warrant case triable only by a Court of Session**, due to the **seriousness of the offence** (punishable with **more than 7 years**, life imprisonment, or death).

Reference: CrPC Section 209 / BNSS Section 232

Examples

- Murder (IPC 302)
- Rape (IPC 376)
- Dacoity (IPC 395)

- Dowry death (IPC 304B)

Key Features

Point	Description
Trial Court	Sessions Court only
Procedure	Commitment from Magistrate to Sessions Court
Framing of Charges	Done by Sessions Judge
Presence of Public Prosecutor	Mandatory
Punishment	Severe (7+ years / life / death)
Committal	Magistrate commits case to Sessions after receiving chargesheet or complaint

Comparison Chart

Feature	Summons Case	Warrant Case	Sessions Case
Punishment	< 2 years	≥ 2 years	> 7 years / life / death
Trial Court	Magistrate	Magistrate	Sessions Court
Charges	No formal charge	Formal charge framed	Formal charge by Sessions Judge
Procedure	Simple	Detailed	Most serious and elaborate
Police Report Involved?	Usually Yes	Yes	Yes
Public Prosecutor Required?	No	Sometimes	Yes

Practical Understanding

- **Summons case = petty offences**, simple procedures.
- **Warrant case = serious offences**, full trial with charges.
- **Sessions case = most serious**, requiring higher court and public prosecutor.