

POWERS OF THE POLICE AND RIGHT OF THE ACCUSED

POLICE CAN STOP A PERSON



All police officers have the right to stop your car and it is practical to comply with them.



What are the rights of citizens being questioned?

A- To answer the police on their question regarding their name and identification.



B- Right to silence granted to the individual. (**Practical to comply with the police and answer**).



Right to ask for the
identification of a policeman.



Right to information (Ask the offence for which they are being questioned for.)



POWERS OF THE POLICE TO ARREST

- Reasonable suspicion
- Warrant execution
- Complaint has been lodged against the individual.
- Refusal to provide identification
- (Section 57 of the Cr.P.C)



What are the rights of arrested people?

1. Is there a right to resist or not comply with the police?

Legally yes, practically should not resist.

2. Is there a right to remain silent?

Legally yes, practically should answer questions. However, the individual cannot remain silent when asked for identification.

Inform the prisoners that a confession in front of the police outside the police station is inadmissible in a court of law. (Article 13 of the Constitution of Pakistan- self-incrimination is not allowed.)

Right after arrest

Do the police have to allow you to make a phone call?

Guardians have the right to be informed where the matter concerns a juvenile. However, the police need to inform.

No legal right to a phone call, but practically the right is given.

When should you ask for a lawyer?
Immediately after arrest.



Who will provide legal assistance?

If you cannot afford one ask for a Legal Aid Office advocate to represent you.

.

The individual is presented in front of a magistrate within 24 hours.



THE RIGHT TO BAIL

What is a bail offence?

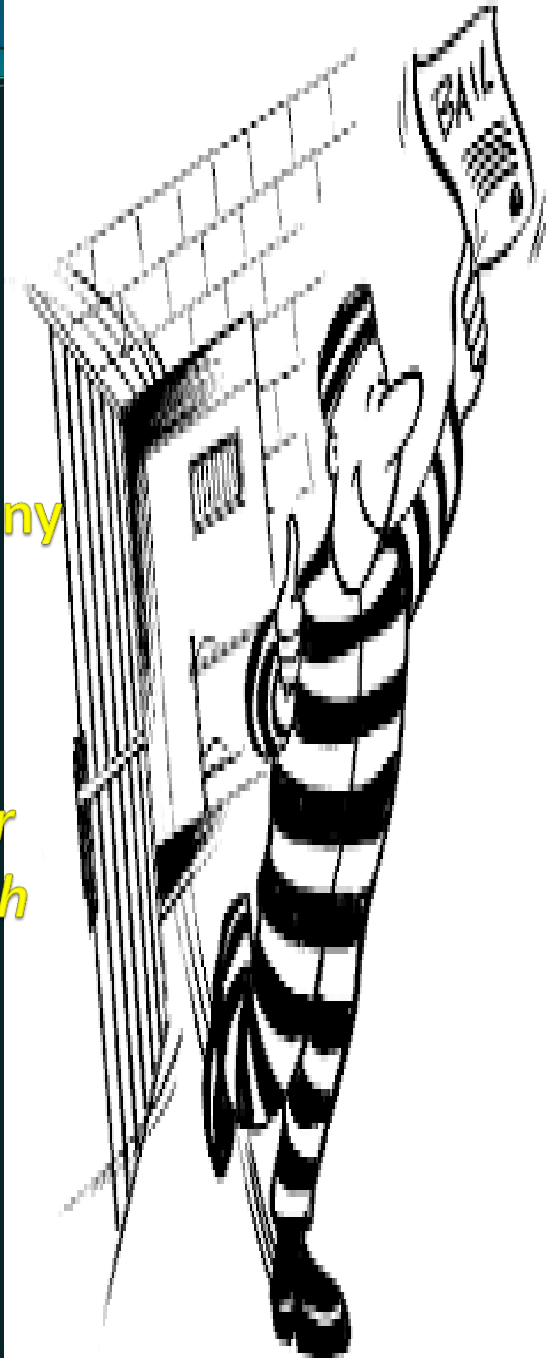
Bailable offence means an offence shown as bailable in the second schedule of the Code of Criminal Procedure, or which is made bailable by any other law for the time being in force.

Non-bailable offence means any other offence.

(Kindly take the copy of Schedule 2 of the Cr.P.C. for reference on which offences are bailable and which are non-bailable)

Bailable offences are those that are present in the schedule.

Bail is an interim relief.



When can you get bail?

During Jail Custody

During Police Custody

During Investigation

SEARCH AND SEIZURE

What are the powers of the police to search and seize property?

Section 103 of the Cr.P.C. entails that there must be a witness present during search and seize.

When can the police search you?

1. On the basis of reasonable suspicion
2. Search warrant
3. Snap checking

**When do the police require
a search warrant?**

In all situations

CRIMINAL TRIAL AND SENTENCING PROCESS



When can or will you get a lawyer

a

Anytime if you are paying, if state appointed then you can get it after the charge has been framed.



What's the process between arrest and the criminal trial?Brainstorm

(5 minutes)

FIR

Arrest

Production within 24 hours in front of Magistrate

Police Remand

Investigation

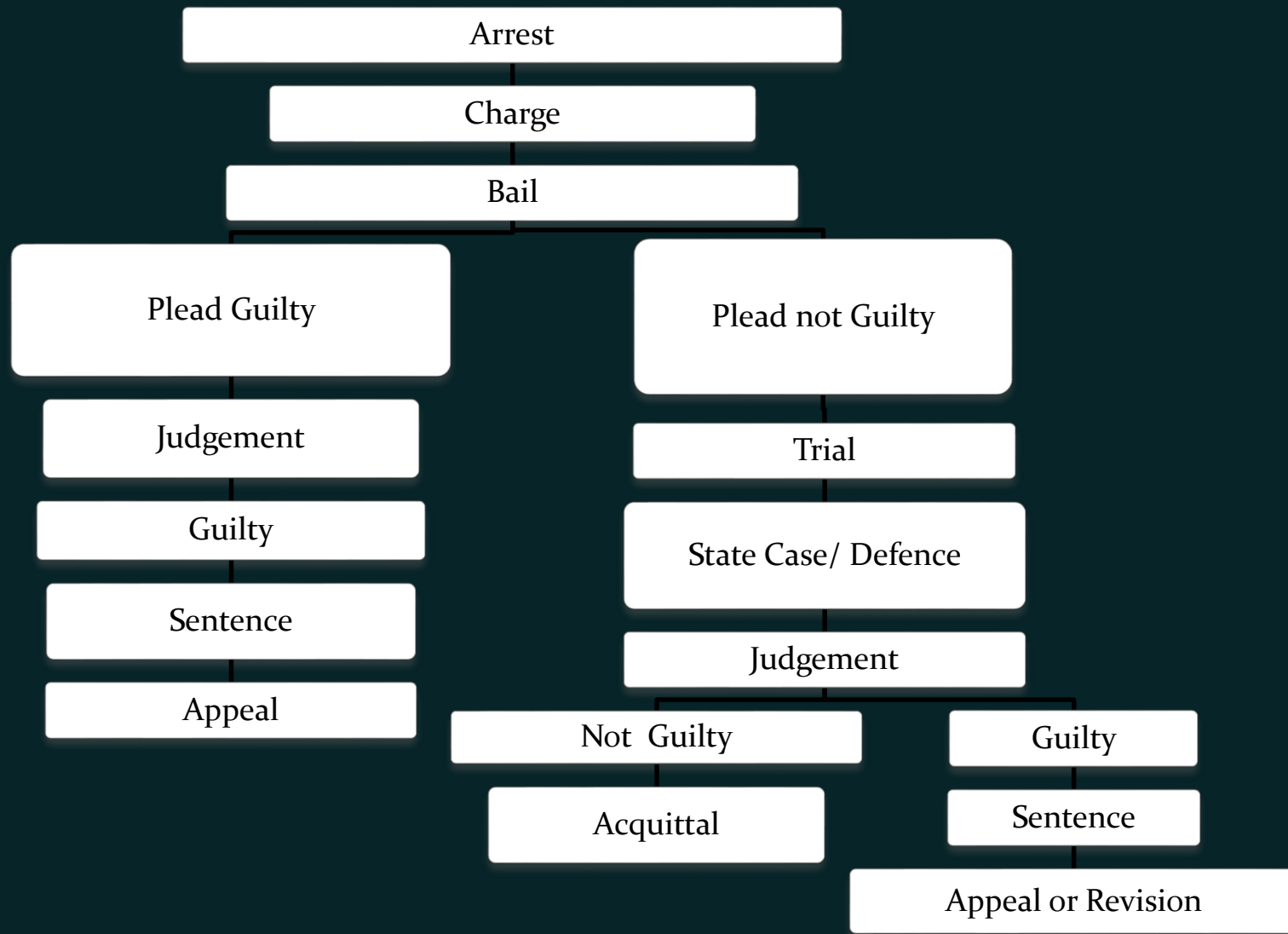
Challan


Copy Supply

Charge frame

Trial

What are the steps in a criminal trial?





**Once the sentence is given an appeal
can be filed.**