

time anti each accused separately charged for possessing heroin recovered from him. Joint trial unexceptionable.¹¹⁶ Accused alleged to have misappropriated the amount not within one year charged framed, illegal.¹¹⁷

31. SECTION 202 Cr.P.C. SCOPE OF

Section 202 contains mandatory provisions of law that charge shall contain all material particular as to time, place as well as specific name of the alleged offence, the manner in which the offence is committed and the particulars with which he is charged. The purpose behind giving such particulars is that the person against whom such charges framed should prepare his case accordingly and may not be misled in preparing his defence.¹¹⁸ The accused person is entitled to know with certainty and accuracy the exact nature of the charge brought against him, as the object of framing of charge is to enable an accused person to exactly know the allegations which he has to meet and for which he should be ready before taking of evidence. legal requirement in this context would be to provide the particulars of offence with which the accused is charged with certainty and accuracy of facts. When accused person is well aware allegations which the prosecution wants to prove against him and he knows the substantive charge which he is to meet, the object of remaining of charge would be satisfied.¹¹⁹ When the charge does not give full notice to the accused of the allegations made against him then it vitiates the whole trial.¹²⁰