

- (f) the offence complained of and the offence (if any) proved, and in cases coming under clause (d), clause (e), clause (f) or clause (g) of sub-section (1) of Section 260 the value of the property in respect of which the offence has been committed;
- (g) the plea of the accused and his examination (if any);
- (h) the finding, and, in the case of a conviction, a brief statement of the reason therefor;
- (i) the sentence or other final order; and
- (j) the date on which the proceedings terminated.

COMMENTARY

Name of witnesses not recorded. [1970 PCr.LJ 983]. Accused not put to detailed examination. [1972 PCr.LJ 282].

¹[264. **Record in appealable cases.**--In every case tried summarily by a Magistrate or Bench in which an appeal lies, such Magistrate or Bench shall record the substance of the evidence and also the particulars mentioned in Section 263 and shall, before passing any sentence, record a judgment in the case.]

265. Language of record and judgment.--(1) Record made under Section 263 and judgments recorded under Section 264 shall be written by the presiding officer, either in English or in the language of the Court, or, if the Court to which such presiding officer is immediately subordinate so directs, in such officer's mother-tongue.

(2) **Bench may be authorized to employ clerk.**--The Provincial Government may authorize any Bench of Magistrate empowered to try offences summarily to prepare the aforesaid record or judgment by means of an officer appointed in this behalf by the Court to which such Bench is immediately subordinate, and the record or judgment so prepared shall be signed by each member of such Bench present taking part in the proceedings.

(3) If no such authorization be given, the record prepared by a member of the Bench and signed as aforesaid shall be the proper record.

(4) If the Bench differ in opinion, any dissentient member may write a separate judgment.

COMMENTARY

Plea of guilty made by the counsel in absence of accused. Not binding. [PLJ 1996 Cr.C. (Lah) 812].