

Run By Shorthand Dictation Legal Matters

Since 2005

(Sir Isaac Pitman's Shorthand)

Krishna Shorthand Institute

कृष्णा आशुलिपिक संस्थान

(English Only) By. A.V. Kushwaha

(For Govt. Jobs, SSC (Group D & C), Supreme Court, High Court, District Courts, ASRB, CRPF, Railway, CBSC & all other departments requiring "English Stenographer/Personal Assistant/Private Secretary")

(87, Sulem Sarai, Prayagraj, Uttar Pradesh)

(Contact No. 7355504435)

If you are not upgrading, you are downgrading.

What will you receive today:

- 1. Dictation Passage**
- 2. Some Advance Outlines**
- 3. Vocabulary Building from the passage given**
- 4. Accuracy Building**
- 5. Some analysis**

Skill Test Based Court Dictation: It covers all skill tests conducted by any Court (Supreme Court, High Court, District Courts, Tribunals, Law Firms). It is useful for SSC etc. too.

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NOTE: Very important latest created passage for Supreme Court/High Court/District Court/Tribunal etc. related skill tests apart from speed building.

Topic: Sanction under Section 197 CrPC: Protection of Public Servants in Discharge of Official Duty

Volume 1:Transcription No. 5

Note: Outlines of all highlighted words/phrases are given at the end of the passage. Adopt all better outlines than yours.

Learned counsel for the complainant argued that want of sanction under Section 197(1) of the Code did not affect the jurisdiction of the court to proceed but it was only one of the defences available to the accused and the accused can raise the defence at the appropriate time. We are not in a position to accept this submission. Section 197(1), its opening words and the object sought to be achieved by it, and the decisions of this court earlier cited, clearly indicate that a prosecution hit by that provision cannot be launched without the sanction contemplated. It is a condition precedent, as it were, for a successful prosecution of a public servant when the provision is attracted, though the question may arise necessarily not at the inception, but even at a subsequent stage. We cannot,

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therefore, accede to the request to postpone a decision on this question.

Coming to the facts of this case, the question is whether the appellant was acting in his official capacity while the alleged offence was committed or was performed a duty in his capacity as a police officer which led to the offence complained of. That it was the day of election to the State Assembly, that the appellant was in uniform; that the appellant travelled in an official jeep to the spot, near a polling booth and the offence was committed while he was on the spot, may not by themselves attract Section 197(1) of the Code. But, as can be seen from the facts disclosed in the counter affidavit filed on behalf of the State based on the entries in the General Diary of the Phoolbagan Police Station, it emerges that on the election day, information was received in the Police Station at 1400 hours of some disturbance at a polling booth, that it took a violent turn and clashes between the supporters of two political parties was imminent. It was then that the appellant reached the site of the incident in his official vehicle. It is seen that a case had been registered on the basis of the incidents that took place and a report in this behalf had also been sent to the superiors by the Station House Officer. It is also seen that it is supported by the witnesses examined by the Chief Judicial Magistrate while taking cognizance of the offence that the appellant on reaching the spot had

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a discussion with the Officer-in-charge who was stationed at the spot and thereafter a lathi charge took place or there was an attack on the husband of the complainant and he met with his death.

Obviously, it was part of the duty of the appellant to prevent any breach of law and maintain order on the polling day or to prevent the blocking of voters or prevent what has come to be known as booth capturing. It, therefore, emerges that the act was done while the officer was performing his duty. Such being the position, it must be held that the respondent nos. 1 to 3 being the successors in interest from the side of Shyam Narayan whose name was duly recorded in respect of the said land were entitled to succeed to the said land on the basis of identity and re-settlement of the same. Section 197(1) of the Code makes sanction a condition precedent for prosecuting a public servant if the alleged act is connected with official duty. The object is to protect officers from frivolous litigation while ensuring accountability. In this case, the appellant, a police officer on election duty, acted to prevent disturbance near a polling booth.

Total Words: 605

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Outlines of all highlighted words and phrases. Note:

Adopt only those outlines which are better than yours.

Learned counsel for the complainant

argued that

argue that:

want

sanction

under Section

Code

jurisdiction

to proceed

one of the

defences

available

appropriate

we are not

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Handwritten notes on lined paper, likely a student's work. The notes are organized into several columns and rows, featuring various symbols, numbers, and letters. The handwriting is cursive and somewhat messy, typical of a child's work. The notes include:

- Top left: A vertical sequence of symbols: a dot, a 'b', a '3', a '2', and a '2'.
- Top right: A vertical sequence of symbols: a '2', a '3', a '2', and a '2'.
- Middle left: A vertical sequence of symbols: a '2', a '3', a '2', and a '2'.
- Middle right: A vertical sequence of symbols: a '2', a '3', a '2', and a '2'.
- Bottom left: A vertical sequence of symbols: a '2', a '3', a '2', and a '2'.
- Bottom right: A vertical sequence of symbols: a '2', a '3', a '2', and a '2'.

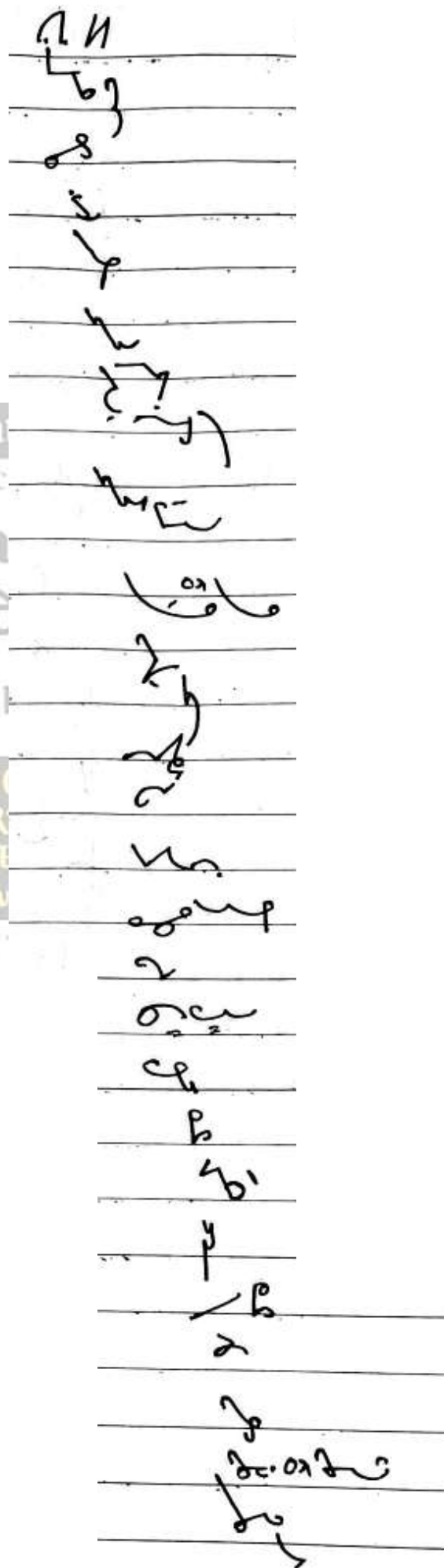
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Handwritten musical notation on a five-line staff, featuring various notes, rests, and symbols, including a treble clef and a key signature of one sharp (F#).

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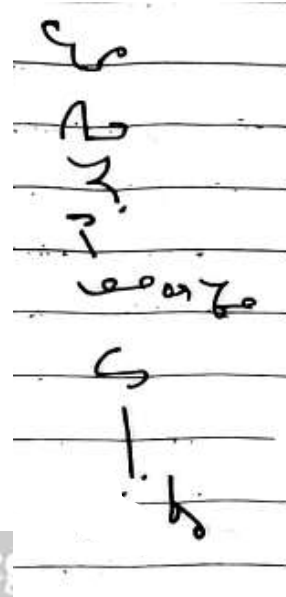
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frivolous
litigation
ensuring
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in this case,
election
duty
disturbance



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(Increase your vocabulary:

Learn New and Important Words of the
Matter)

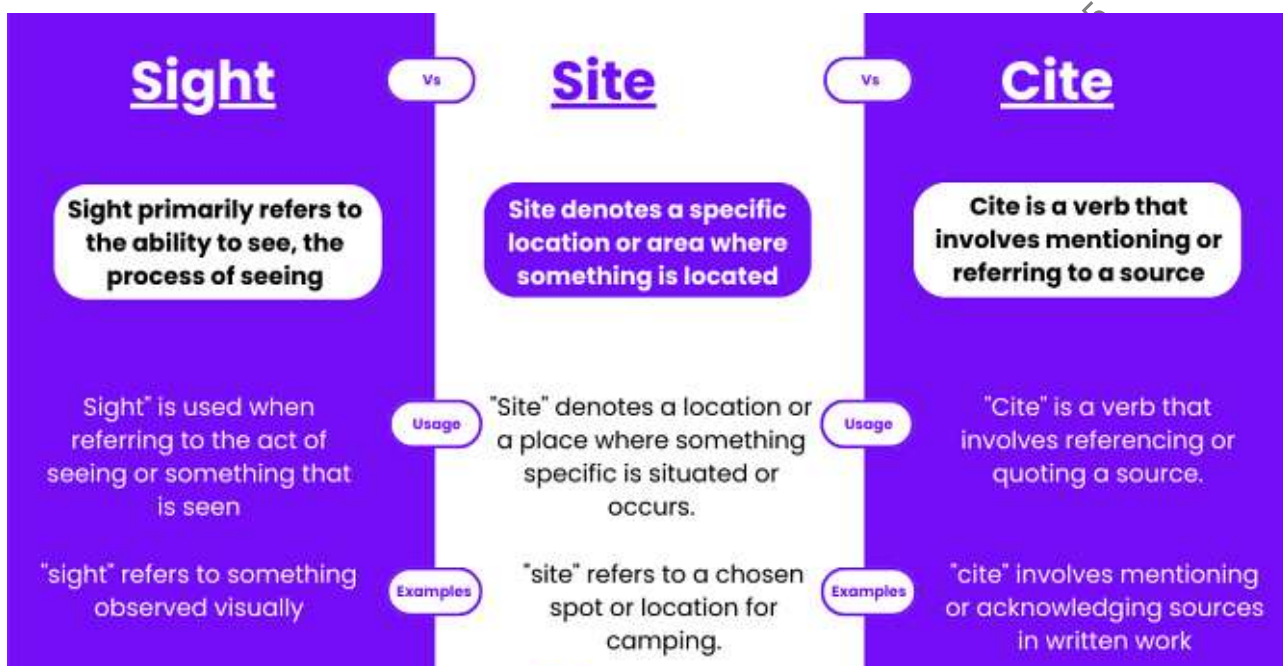
Keep revising all new words learned.

Legal/General Matter

1. **sanction:** (noun) official permission or approval;
(verb) to give official permission अनुमति/मंजूरी
2. **Code:** (noun) a systematic collection of laws कानून
संहिता
3. **jurisdiction:** (noun) the official power to make legal
decisions न्यायाधिकार/क्षेत्राधिकार
4. **to proceed:** (verb) to continue with a course of
action आगे बढ़ना/कार्यवाही करना
5. **submission:** (noun) the action of accepting or
yielding to authority निवेदन/प्रस्तुतीकरण
6. **to object:** (verb) to express disagreement or
opposition आपत्ति करना

Accuracy Mantra: To avoid, error in transcription, try to understand different in these words which sound similar.

7. **cite, sight, site:** (verb/noun) **cite:** to quote/reference उद्धृत करना; **sight:** vision/view दृश्य; **site:** location/place स्थान



8. **contemplated:** (verb) (past tense) considered or thought about विचारित/अपेक्षित

9. **precedent:** (noun) an earlier event or action that serves as an example पूर्व उदाहरण/न्यायिक मिसाल

10. **inception:** (noun) the beginning or start प्रारंभ/शुरुआत

11. **subsequent:** (adjective) coming after something in time बाद का/अनुवर्ती

12. **accede vs. exceed:** (verb) **accede:** to agree/consent सहमति देना; **exceed:** to go beyond सीमा पार करना;

Accuracy Mantra - "Accede vs. Exceed"

Dear Students, remember this:

- **Accede = Accept.** Whenever you agree, give consent, or take a position, think of "accepting" something. Example: The principal acceded to our request.
- **Exceed = Extra.** Whenever you go beyond a limit or do more than expected, think of "extra." Example: Do not exceed the speed limit.

Tip: Both sound alike, but meaning is worlds apart. **Accede** is about agreement; **Exceed** is about going beyond.

Practice: Say aloud - "I accede to your request but don't exceed your limits."

13. **postpone:** (verb) to delay or put off to a later time स्थगित करना

14. **official:** (adjective/noun) relating to authority/a person in authority आधिकारिक/अधिकारी

15. **alleged offence:** (noun phrase) a crime that is claimed to have occurred कथित अपराध

16. **committed:** (verb) (past tense) carried out or perpetrated किया गया/संपन्न

17. **uniform:** (noun/adjective) standard clothing/consistent वर्दी/एकरूप

18. **polling booth:** (noun) a place where votes are cast मतदान केंद्र

19. **counter affidavit:** (noun) a sworn statement in response to another affidavit प्रति-शपथपत्र

20. **General Diary:** (noun) official record book of daily events in a police station रोजनामचा

21. **emerges:** (verb) (present tense) comes to light/becomes apparent उभरना/स्पष्ट होना

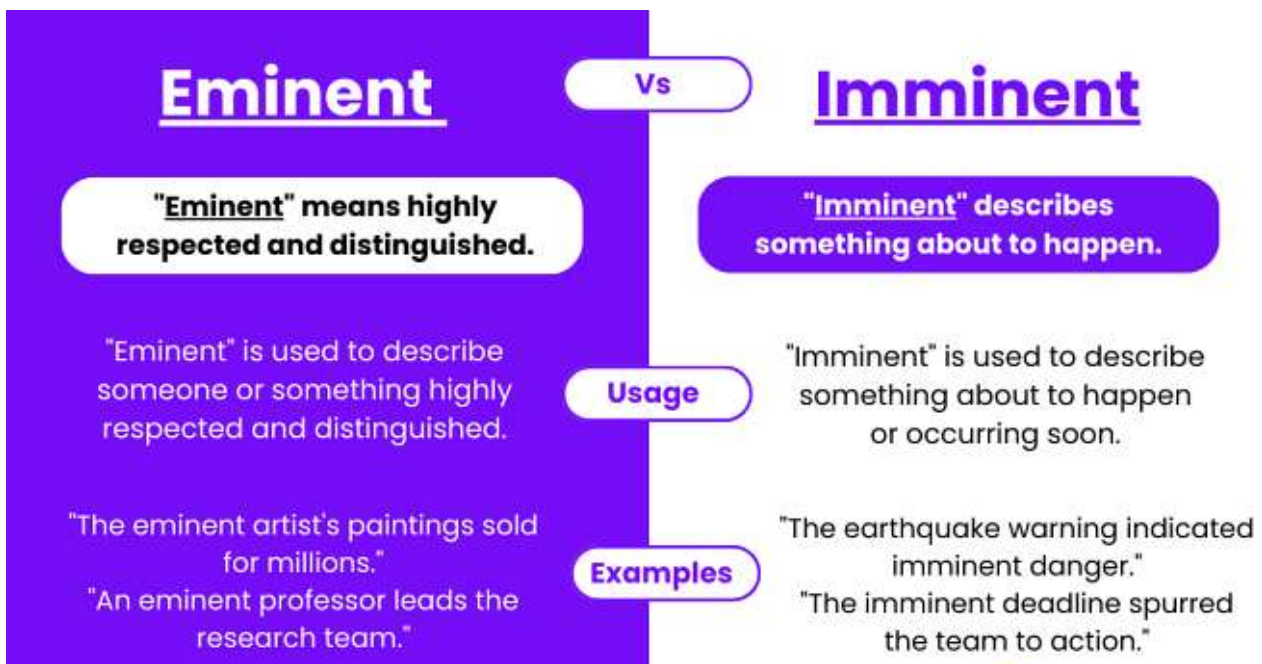
22. **1400 hours:** 1400 hours means 2:00 PM. In military or 24-hour time, the day runs from 0000 (midnight) to 2359 (11:59 PM). So 1400 hours = 14:00 = 2 बजे दोपहर.

23. **violent clashes:** (noun phrase) aggressive physical confrontations हिंसक झड़पें

Accuracy Mantra - "Imminent vs. Eminent"

Dear Students, remember this:

24. imminent means something about to happen
आसन्न/तत्काल; while eminent means
famous/distinguished प्रतिष्ठित/विख्यात



Tip: Both sound alike, but meaning is completely different. Imminent = something coming soon; Eminent = someone outstanding.

Practice: Say aloud - "An *imminent* storm warned us, while the *eminent* professor guided us."

25. Accuracy Mantra - "Incidents vs. Accident"

Dear Students, remember this:

- **Incident (noun)** घटनाएं; = **Any event or occurrence.** It can be good, bad, or neutral. Think of it as a **happening**. **Example:** Several minor incidents occurred during the festival.
- **Accident (noun)** दुर्घटना = **An unexpected event causing harm or damage.** Think of it as **unfortunate or harmful**. **Example:** He met with a car accident on his way home. Try to understand from the following image again:

Incident (noun /general)	VS Accident (noun/specific)
meaning: refer to any event – big or small, good or bad, intentional or unintentional.	meaning: always unintentional, and usually result in some damage/injury
Example:	Example:
 Mary Mary's coffee	 ambulance
Mary didn't have coffee this morning because an incident happened with her coffee.	Mary saw a car accident and the ambulance came.

Tip: Both sound similar, but meaning is different.

Incident = any event; **Accident** = harmful/unexpected event.

Practice: Say aloud - "Minor incidents happened at school, but thankfully no accident occurred."

26. **superiors:** (noun) people in higher positions
उच्चाधिकारी/वरिष्ठ

27. **Station House Officer:** (noun) officer in charge of a police station थाना प्रभारी

28. **cognizance:** (noun) awareness/judicial notice संज्ञान

29. **stationed:** (verb) (past tense) positioned/deployed
तैनात

30. **lathi charge:** (noun) police action using batons
लाठीचार्ज

31. **obviously:** (adverb) clearly/evidently स्पष्ट रूप से

32. **to prevent:** (verb) to stop from happening रोकना

33. **booth capturing:** (noun) illegal seizure of polling stations
बूथ कब्जा

34. **breach of law:** (noun phrase) violation of legal rules
कानून का उल्लंघन

35. **prosecuting:** (verb) (present participle) conducting legal proceedings
अभियोजन करना

36. **frivolous:** (adjective) lacking serious purpose/trivial तुच्छ/निरर्थक

37. **litigation:** (noun) the process of legal action मुकदमेबाजी

38. *Ensuring vs. Insuring vs. Assuring*

Accuracy Mantra -

Dear Students, remember this:

- **Ensuring (verb)** सुनिश्चित करना; = Making sure something happens. Think of it as guaranteeing or confirming.

Example: She is ensuring that all assignments are submitted on time.

- **Insuring (verb)** बीमा करना = Protecting against loss or risk (usually by insurance). Think of it as financial protection.

Example: He insured his car against theft and accidents.

- **Assuring (verb)** बीमा करना = Giving confidence or a promise to someone. Think of it as reassuring or encouraging.

Example: The teacher assured the students that they would do well in the exam.

Tip: All sound similar, but meanings differ:

- **Ensuring** = making sure
- **Insuring** = protecting financially
- **Assuring** = giving confidence

Practice: Say aloud - "I am **ensuring** my work is correct, have **insured** my car, and **assured** my friends that everything will be fine."

Assure, Ensure, and Insure



39. **accountability:** (noun) responsibility for one's actions जबाबदेही

Accuracy Builder: following words occurred in the dictation is to be capitalized;

Capital Words

1. **Section 197(1)** - Legal statute reference
2. **Code** - Specific legal document (Criminal Procedure Code)
3. **State Assembly** - Government institution
4. **General Diary** - Official police record
5. **Phoolbagan Police Station** - Specific place name
6. **Police Station** - Official institution
7. **Station House Officer** - Official police rank
8. **Chief Judicial Magistrate** - Judicial title
9. **Officer-in-charge** - Official designation
10. **Shyam Narayan** - Personal name

Accuracy Builder: Analysis from the passage dictated today.

When to Use Commas - Simple Rules

1. Around Extra Information

- Example: "It is a condition precedent, **as it were**, for prosecution"

- Rule: Put commas around words that add extra meaning but can be removed

2. Around Connecting Words

- Example: "We cannot, **therefore**, accept this"
- Rule: Put commas around words like "therefore," "however," "moreover"

3. After Opening Words

- Example: "**Obviously**, it was his duty"
- Rule: Put comma after words that start a sentence

4. Before "But" in Contrasts

- Example: "not at the beginning, **but** at a later stage"
- Rule: Use comma before "but" when showing opposite ideas

5. Between Multiple "That" Clauses

- Example: "**That** it was election day, **that** he was in uniform, **that** he travelled..."
- Rule: Separate multiple similar clauses with commas

6. Before Main Verb in Long Sentences

- Example: "The officer who was on duty and received information, **acted** properly"

- Rule: When subject is very long, put comma before the main action word

By Sir AV Kushwaha,

Principal,

Krishna Shorthand Institute,

via online Telegram Class through 7355504435

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