

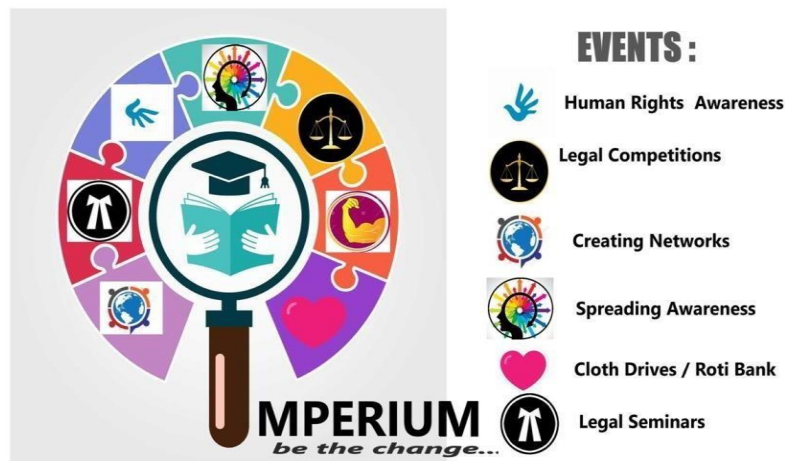


DUTIES IN DEMOCRACY & BAIL IS RULE, JAIL IS EXCEPTION



ABOUT US

IMPERIUM in its real essence means supreme power. The supreme power channelized to empower the budding lawyers with education and contribute to nation building which is in the very objective and goal of the company. As quoted by the infamous words of Nelson Mandela “*Education is the most powerful weapon that one can use to change the world*”. The basic idea that lies behind the formation of the company is that substantial importance is being given to the overall personality development of an individual other than the mere focus on academics which the founder strongly believes is the need of the hour. It is being observed that overall personality, attitudes, communication and convincing skills are important that should be given a considerable amount of concentration with the to pursue a legal career to make a competitive edge.



Personality development helps an individual to inculcate positive qualities like punctuality, flexible attitude, willingness to learn, friendly nature, eagerness to help others and so on. In addition to this, our company focuses on the practical technicalities of legal issues and topics and organizes conferences and seminars at regular intervals with the aid and assistance of legal luminaries so that students are able to understand the practical technicalities and develop the legal skills by learning from the experience of the legal luminaries beyond the theatrical approach. As this element of eagerness to help evolves with the personality development, our company focuses and aims at social works such as:

- Legal Conferences and Seminars
- Legal Events
- Menstrual Hygiene and Awareness
- Awareness about Human Rights

DUTIES IN DEMOCRACY

Inaugural session by our esteemed Chief Guest **Justice Dipak Misra**, Former Chief Justice of India, our Guest of Honor **Mr. Aman Lekhi**, Additional Solicitor General of India and our Patron-in-Chief **Mr. Vivek Narayan Sharma**, Joint Secretary of Supreme Court Advocates on Record Association would be discussing on the topic “**Duties in Democracy**”.

“**WE THE PEOPLE**” have been enshrined in the Constitution of India, a supreme law to ensure the protection of the individuals and inalienable rights from encroaching governments. Today we enjoy unprecedented amount of freedom not simply because we have a written constitution outlining on the scope of the government authority, but, because of the very essence of the foundation of democracy i.e. liberty. While the words that comprise our constitution are important in framing our freedoms, ultimately it's the people responsible exercise of these rights and their continued respect for their obligations to observe the rule of law.

Democracy assures basic fundamental rights for citizens like the right to vote, right to ask, right to liberty, right to practice any religion or be irreligious, right to information. Citizens should participate in every event in democracy with full enthusiasm to ensure the existence of democracy.

A Democratic citizen has all the rights to check the accountability of the ruler. Citizens should do everything to hold their rights as Baba Sahab Ambedkar said, 'Lost Rights are never regained by the appeals to the conscience of the usurpers, but by relentless struggle. Goats are used for sacrificial offerings and not lions.'

Besides the rights, a citizen has many responsibilities in a democracy. Citizens must not bow down to any leader irrespective of any ideology. They should always be aware and critical of what the government is doing. Citizens should also check how Institutions like Investigating agencies, lawmaking agencies, and even civil servants that are put in place for the well-being of the democracy, are working.

At the same time, while being critical, citizens must also not lose faith for the collective conscience. A positive kind of discourse should be maintained and development should be the main priority.

WHAT IS BAIL?

Bail denotes the provisional release of an accused in a criminal matter in which the court is yet to announce a judgment. The expression 'bail' means a security deposited to appear before the court for release. Originally, the word is derived from an old French verb 'bailer' which means 'to give' or 'to deliver'. A bail is granted to an accused after presenting a bail bond to the court.

The primary objective of arrest is to ensure that the accused in a criminal case appears before the court for the conveyance of justice. However, if the person's presence can be guaranteed for the court trial without putting the person in a jail, it would be unfair and unjust to violate a person's liberty. Thus, bail can be granted as a conditional liberty to the accused.

TYPES OF BAIL IN INDIA

There are commonly 3 types of bail in India which a person can apply depending upon the stage of the criminal matter:

1. **Regular Bail:** A regular bail can be granted to a person who has already been arrested and kept in police custody. A person can file a bail application for regular bail under Section 437 and 439 of the CrPC.
2. **Interim Bail:** Interim bail is a bail granted for a short period of time. Interim bail is granted to an accused before the hearing for the grant of regular bail or anticipatory bail.
3. **Anticipatory Bail:** A person who discerns that he may be arrested by the police for a non-bailable offence, can file an application for anticipatory bail. It is like an advance bail obtained under **Section 438 of the CrPC**. A bail under Section 438 is a bail before arrest and a person cannot be arrested by the police if the anticipatory bail has been granted by the court.

HOW TO APPLY FOR BAIL IN INDIA?

The process to apply for a bail depends upon the stage at which the criminal matter is. In case, the person is not yet arrested by the court, but fears that an FIR may be filed against him with the police, the person can hire a [criminal defence lawyer in India](#) to file an anticipatory bail application. For instance, if the person has an apprehension that his wife may file a false 498A case against him, he can obtain an anticipatory bail before the police register a complaint against him.

If the police have already arrested the person and taken him to the police station, the [bail lawyer](#) can file a bail as per the bail application format given in the CrPC. The bail application is to be filed and approved by the court and then presented to the police to get the arrested out of jail.

The bail amount or the bail bond to be deposited depends upon the discretion of court. However, a standardised bail amount is set and deposited for bail in less serious criminal cases.

BAIL APPLICATION

IN THE COURT OF _____, ADDITIONAL DISTRICT AND SESSION JUDGE,
 _____ COURTS, _____

IN THE MATTER OF:

LMN, _____, Son of _____ Years of Age, Working as _____ Residing at

..... Petitioner

Versus

State of _____ Through PQR, Son of _____, _____ Years of age, Working as _____ Residing
 at _____

..... Respondent

FIR No.: _____

U/s: _____

P.S.: _____

APPLICATION UNDER SECTION 439 OF THE CODE OF CRIMINAL PROCEDURE 1973 FOR GRANT OF BAIL

Most Respectfully Show:

1. That the present application under section 439 of the Code of Criminal Procedure 1973 is being filed by the Petitioner for seeking grant of bail in FIR No. _____ registered at Police Station _____. The present petition is being moved as the Petitioner has been arrested on _____ (give date) in connection with the said FIR. The petitioner is now in judicial/police custody.
2. That the Petitioner is innocent and is being falsely implicated in the above said case as he has nothing to do with the matter.
3. That the Petitioner is a law abiding citizen of India. The petitioner is gainfully carrying on the business of _____ at _____. (Give details).
4. That the Petitioner is a responsible person and is living at the above mentioned address.
5. (Give all other relevant facts, which have led to the arrest or which show the petitioner's innocence or disassociation with the alleged offence supposed to have been committed)

6. That the Petitioner is innocent and no useful purpose would be served by keeping him under custody and this is a fit case for grant of bail. (It would be pertinent to mention as to the stage of investigation or in case the charge sheet has been filed, whether charges have been imposed, evidence has started, the length of the list of witnesses cited by the prosecution etc. as these would all be mitigating circumstances)
7. That the Petitioner undertakes to abide by the conditions that this Honorable Court may impose at the time of granting bail to the Petitioner and further undertakes to attend the trial on every date of hearing.
8. That the Petitioner has not filed any other similar petition before this or any other Honorable Court for grant of bail in case of the present FIR. (Or give details and results of earlier applications)

PRAYER:

In view of the above stated facts and circumstances it is most respectfully prayed that this Honorable Court may be pleased to

- a. Grant bail to the Petitioner in connection with FIR No. _____ registered under section _____, for the offence of _____ (give sections) at Police Station _____ (give place).
- b. Pass any other such order as this Honorable Court may deem fit and proper in the interest of justice.

LMN.....Petitioner

Through

ABC.....Counsel

Place:

Dated:

WHY YOU SHOULD TAKE THIS NATIONAL SEMINAR?



Protection in Criminal Justice System

Bail is inherently intertwined with a defendant's right to innocence until proven guilty and gives protection against injustice or inequality.



Practical Technicalities

*Do not cram!
Understand the nuances of law and it's practicality.*



Ask the Experts

Learn from the experience of legal luminaries who are prominent in the legal world and get answers to the unanswered questions.

PERKS OF ATTENDING THE NATIONAL SEMINAR:

- Certificate of Attendance
- Sample Drafts
- Stationary Kit
- Test series coupons
- Refreshment

UPCOMING EVENT

IMPERIUM LAW INDIA is organizing a National Seminar on the topic

“Duties in Democracy”

and

“Bail is rule and Jail is exception”

DATE OF THE EVENT:	October 13, 2019
DAY:	SUNDAY
VENUE:	Indian Society of International Law, Bhagwan Das Road, VK Krishna Menon Road, New Delhi
REPORTING TIME:	08:30
EVENT TIMING:	09:00 AM - 05:00AM

The national seminar aims at better understanding of the practical aspects of the adjudication process of the criminal law beyond the theoretical approach. The locus of the national seminar lies with the Introduction of Criminal Procedure and Filing and Procedure of Bail Application which is vital in the field of criminal law.

The major emphasis will be given on:

- Duties in Democracy
- Drafting of Bail Application
- How to file a Bail Application
- Court Room Arguments during Bail
- Difference between Regular Bail and Anticipatory Bail
- What is Parole?
- Code of Criminal Procedure, an overview

The national seminar is open to all law students, Legal professionals and individuals preparing for or aiming at judicial examinations.

ESTEEMED PANEL OF GUESTS

CHIEF GUEST:

JUSTICE DEEPAK MISRA

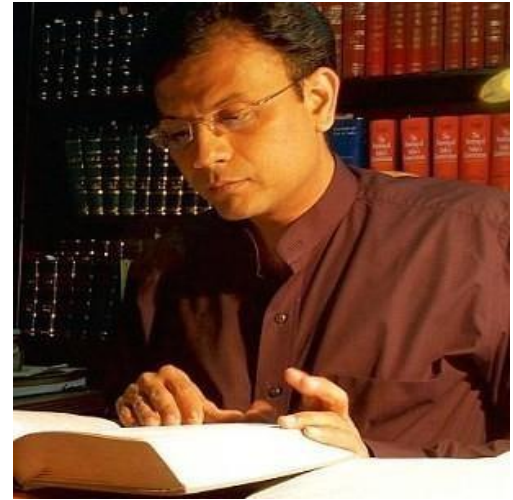
(Former Chief Justice of India)

Justice Dipak Misra (born 3 October 1953) is an Indian jurist who served as the 45th Chief Justice of India from 28 August 2017 till 2 October 2018.



Justice Misra's judgment in the *Own Motion vs State* case, requiring Delhi Police to upload First Information Reports (FIR) on their website within 24 hours of the FIRs being lodged. This enables the accused to file appropriate applications before the court for redressal of their grievances. Justice Misra led the bench which rejected the 1993 Mumbai serial blasts convict Yakub Memon's appeal to stop his execution. In an unprecedented overnight hearing at 3:20 am on 30 July 2015, a three-judge bench of the Supreme Court led by Justice Misra dismissed Yakub Memon's last-minute petition for a stay on his death warrant. A few moments later Memom was hanged. A three judge bench led by Justice Misra has upheld the death sentence awarded to the four convicts of the Nirbhaya rape case on 5 May 2017. Justice Misra authored the landmark judgement confirming the death penalty of four convicts in the brutal 2012 Delhi gang rape and murder case which shook the nation and spurred the genesis of a stringent anti-rape law. It was a bench of the Supreme Court headed by Justice Misra that settled the 120 year old dispute over the Cauvery river, also called the Ganga of the South and considered to be the lifeline for Tamil Nadu and Karnataka. In a historic unanimous ruling on Section 377 IPC, while presiding over a Constitution Bench, Chief Justice Misra partially struck down Section 377 of IPC citing it to be irrational, indefensible and manifestly arbitrary.

GUEST OF HONOUR:
ADV. AMAN LEKHI
(Additional Solicitor General at the
Supreme Court of India)



Mr. Aman Lekhi is a senior advocate of the Supreme Court of India and is the Additional Solicitor General of India in the Apex Court. He is named in the list of Top 100 Legal Luminaries of India by LexisNexis in May 2016.

He practices in the Supreme Court of India. He also appears regularly in various courts and Tribunals and is also actively involved in several arbitrations.

Apart from appearing in the Indian coal allocation scam case, 2G spectrum case and Commonwealth Games (CWG) scam case; he appeared for Ashis Nandy in a case that involved controversy regarding the latter's alleged anti-Dalit remarks at the Jaipur Literature Festival, 2013. He has argued the case under Right to Information Act, 2005 against Union Public Service Commission of India with regard to Civil Services (Preliminary) Examination, 2006 subsequent to which UPSC had to change the pattern of examination itself. As a lawyer, he has argued several matters relating to telecom sector involving the Telecom Regulatory Authority of India (TRAI) wherein also, he has achieved notable success. He was the lawyer for Farida Dar "Behenji" in Lajpat Nagar Blast Case and for Nazir Ahmed Qasid and Farooq Ahmed Qasid in the case concerning the 2000 terrorist attack on Red Fort.

Aman also appears for Zee network in the cases involving Naveen Jindal.

He also appeared for Nirmaljeet Singh Narula (Nirmal Baba). He was also the lawyer in Shanti Mukund case and also the case settling the law of medical negligence dealing with the duties and ethics of medical profession.

PATRON-IN-CHIEF:**ADV. VIVEK NARAYAN SHARMA****(Joint Secretary of Supreme Court
Advocates on Record Association)**

Advocate Vivek Narayan Sharma is a Socio-Politico-Constitution expert and renowned advocate practising at Supreme Court of India. He is the Joint Secretary of Supreme Court Advocates on Record Association. He

is the President of Society for Criminal Justice and National Advisor, Consultant & Convenor for eminent social, political outfits and law journals in India. He is Advisor (Legal) to Indo-Canada Chambre De Commerce (ICCC) (India Chapter). He is one of the most popular, most discussed and most read Columnist for Times of India (TOI) and Economic Times (ET).

He has authored “Electionomics”, a book published by world’s top publishers Thomson Reuters. Apart from catering to his opulent clients, he feels compelled to satisfy his philanthropic & social ennoblement urges. He has filed & contested cases of public importance to improve the hues and spectrum of society. He has advised Ministers and Political parties. He envisions strategic improvements in Democratic, Electioneering & Criminal Justice Delivery system in India.

Enrolled as an advocate with the Bar Council of Delhi in the year 1999, Vivek has handled litigation pertaining to politics, corporate, constitution, energy, consumer, environment, property, real estate apart from dealing in conventional civil, criminal and indirect tax appellate practice at Supreme Court, High Court of Delhi and Tribunals and Commissions. He has appeared and argued before numerous High Courts including Punjab & Haryana, Himachal Pradesh, U.P. & Karnataka etc.

Mr. Vivek is Senior Counsel on the panel of UOI and State of UP. He is counsel for several Public Corporations like Coal India Ltd. and its subsidiaries, NHPC, UP Power Corporation (UPPCL) etc.

PANEL OF SPEAKERS

We have invited distinguished speakers engaged in this domain to participate in the national seminar.

ZIA-UL MUSTAFA ANSARI

Founder of Zia Judicials

ADVOCATE RAJESH RAI

Major cases at Supreme Court ;

- National Anthem case; Initiating Writ Petition (2005)
- Anticipatory bail issue with regards to UP & Uttarakhand- Writ Petition 2015

ADVOCATE J.S.KALRA

Criminal and Matrimonial Cases

Trainer: Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal Act) 2013

ADVOCATE VIKRAM SINGH

Advocate at Supreme Court of India

PAYMENTS

Registration amount for the event

For students-₹1000

For professionals-₹1500

PAYMENT MODE

INDUSAND BANK

Account no.- 159650514357

*Name: SHIVANI GARG *

IFSC: INDB0000145

Branch: ROHINI BRANCH

or

Paytm; Vedansh Kumar Singh

@ +91 88265 43496

(Don't forget to send us your payment's screenshot for confirmation of your registration.)

CORE TEAM

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**Imperium Law India
Presents**

**National Seminar on
DUTIES IN A DEMOCRACY**

**&
BAIL IS RULE
JAIL IS EXCEPTION**

What is Bail | CrPC | Drafting of Bail | Anticipatory Bail

OUTSTANDING SPEAKERS AND PANELIST

Chief Guest

Guest of Honour

Patron In Chief



**Hon'ble Former
Chief Justice Of India
Dipak Misra**



**Mr. Aman Lekhi
Additional Solicitor General
Supreme Court of India**



**Mr. Vivek Narayan Sharma
Joint Secretary
Supreme Court Advocates on
Record Association**



**Mr. Zia Ansari
Founder Zia Judicials**



**Adv JS Kalra
Delhi High Court**



**Adv Rajesh Rai
Supreme Court of India**



**Adv Vikram Singh
Supreme Court of India**

**VENUE: THE INDIAN SOCIETY OF INTERNATIONAL LAW
BHAGWANDAS ROAD
NEW DELHI**

**Date : 13th October 2019 Time : 9 AM to 5 PM
For Registrations Contact : 9650514357 | 8586088936**

**Registration Fees
Rs 1000/- Students
Rs 1500/- Professionals
Certificate & Lunch
will be provided
at the Venue**