

TYPES OF CRIMINAL SUITS IN INDIA

CrPC vs BNSS

Based on Cognizability	
<ul style="list-style-type: none"> • Cognizable offences Police can register FIR & investigate (e.g., murder, rape) 	<ul style="list-style-type: none"> • Non-Cognizable offences Bail requires Court's approval (e.g., murder, rape, dacoity)
Based on Bailability	
<ul style="list-style-type: none"> • Bailable offences Accused has a right to bail (e.g., simple hurt, public nuisance) 	<ul style="list-style-type: none"> • Non-Bailable offences Offences cannot be compromised (e.g., murder, rape, terrorism)
Based on Compoundability	
<ul style="list-style-type: none"> • Compoundable offences Offences can be compromised (e.g., criminal trespass, hurt) 	<ul style="list-style-type: none"> • Non-Compoundable offences Offences cannot be compromised (e.g., murder, rape, terrorism)
Based on Type of Trial	
<ul style="list-style-type: none"> • Sessions Trial For serious offences (e.g., murder, rape, dacoity) 	<ul style="list-style-type: none"> • Warrant Trial Punishment of imprisonment > 2 yrs
<ul style="list-style-type: none"> • Summons Trial Punishment ≤ 2 yrs 	<ul style="list-style-type: none"> • Summary Trial For petty offences

Types of Criminal Suits in India – CrPC vs BNSS

Criminal law in India deals with **offences** against society, where the State prosecutes the accused. The **types of criminal suits** are largely determined by **procedure, nature of offence, and trial type**.

1. Based on Cognizability

Aspect	CrPC (1973)	BNSS (2023)	Key Changes
Cognizable offences	Police can register FIR & investigate without prior approval of Magistrate (e.g., murder, rape, robbery).	Retained same. FIR now must be recorded digitally (Sec. 173 BNSS) with e-signature and copy given to victim.	Digital system of FIR recording, victim rights more explicit.
Non-Cognizable offences	Police requires Magistrate's order to investigate (e.g.,	Same provision retained. Complaint can be	Use of technology introduced.

Aspect	CrPC (1973)	BNSS (2023)	Key Changes
	defamation, public nuisance).	filed electronically (Sec. 175 BNSS).	

2. Based on Bailability

Aspect	CrPC	BNSS	Key Changes
Bailable offences	Accused has a right to bail (e.g., simple hurt, public nuisance).	Same provision retained.	No major change.
Non-Bailable offences	Bail is discretionary and requires Court's approval (e.g., murder, rape, dacoity).	Same concept continues, but victim given right to be heard before bail is granted in heinous offences (Sec. 479 BNSS).	Victim participation in bail hearings added.

3. Based on Compoundability

Aspect	CrPC	BNSS	Key Changes
Compoundable offences	Certain offences can be compromised between complainant & accused (e.g., adultery, criminal trespass, hurt).	Retained, but provisions shifted and simplified (Sec. 356–360 BNSS).	Streamlined list; minor adjustments.
Non-Compoundable offences	Serious crimes (e.g., murder, rape, terrorism) cannot be compromised.	Same.	No substantive change.

4. Based on Type of Trial

Trial Type	CrPC Provisions	BNSS Provisions	Changes
Sessions Trial (for serious offences like murder, rape, dacoity)	CrPC Sec. 225–237	BNSS Sec. 247–258	Largely unchanged; timelines for speedy trial added.

Trial Type	CrPC Provisions	BNSS Provisions	Changes
Warrant Trial (for offences punishable with imprisonment >2 yrs, but not sessions cases)	CrPC Sec. 238–250	BNSS Sec. 259–272	Digital documents admissible; examination timelines shortened.
Summons Trial (minor offences, punishable ≤2 yrs)	CrPC Sec. 251–259	BNSS Sec. 273–283	E-summons & virtual hearings allowed.
Summary Trial (petty offences, punishment ≤3 months)	CrPC Sec. 260–265	BNSS Sec. 284–290	Summary trial limit increased to offences punishable up to 3 years . Huge expansion of scope.

5. Special Suits (Complaints)

Type	CrPC	BNSS	Change
Private Complaint Cases	Any individual can file complaint directly before	Similar provisions	Slight re-structuring, timelines added

Type	CrPC	BNSS	Change
	Magistrate (Sec. 200–203 CrPC).	(Sec. 214–216 BNSS).	for Magistrate to take cognizance.
State Prosecution	Majority of cases filed by Police in name of State.	Same system continues.	Digital police records required.

6. Classification by Punishment

Type	CrPC	BNSS	Change
Capital offences (death penalty cases)	Sessions Court trial with HC confirmation (Sec. 366 CrPC).	Same (Sec. 385 BNSS).	Introduced videography of trial to ensure fairness.
Imprisonment offences	Depending on severity, Sessions/Warrant/Summons trial.	Same.	Digital-first approach.
Fine-only offences	Mostly summary/summons trials.	Same, but disposal time	Speedier mechanism.

Type	CrPC	BNSS	Change
		reduced	

7. Victim-Oriented Changes in BNSS

- Victim has **right to be heard** at bail stage (Sec. 479 BNSS).
- Victim entitled to **free copy of FIR, chargesheet, judgement** digitally.
- Witness protection & video-recorded statements mandatory in sexual offence cases.

Key Takeaways

- **Substance same, procedure modernized:** BNSS doesn't radically alter types of criminal suits from CrPC, but digitizes processes and introduces strict timelines.
- **Summary trial widened:** Petty offences up to **3 years** punishment can now be disposed quickly.
- **Victim empowerment:** Victim rights formally recognized in bail, trial, and access to case documents.
- **Technology integrated:** E-FIR, e-summons, video trials, digital records are default.

So, in essence, **types of criminal suits remain:**

Cognizable/Non-cognizable, Bailable/Non-bailable,

Compoundable/Non-compoundable, and categorized by trial procedure.

The **BNSS (2023)** mainly strengthens **digital justice, timelines,**

and victim rights while carrying forward the **CrPC framework.**
