

CODE OF CRIMINAL PROCEDURE (CHHATTISGARH AMENDMENT) ACT, 2005

114-009/2003/20-01-03. " 30;-2001. åqar, 13 22, 1927 83 1 13 2006 •q. F.. -31/TTFqUT/Ø.JT./06.—vz 1973 '2005 13F(2006) (#1) {g, 1 3 qrå, 2006 F. NO. 2235/D-76/21-A/Drafling/C.G./06.—' In exercise of the powers conferred by sub-section (iii) Section I Of the Code of Criminal Procedure (Chhattisgarh Amendment) Act, 2005 (No. 13 of 2006) the State Government hereby appoint the 13th March, 2006 as the date on which the said Act shall come into force. 165 166 1994) 167 228 240 1 3 ATå 2006 13 Fl 2006) 1973 2005 1973 , 2009 \$17) 1973 (F. 2 1974) 2. 3. (1) (2) (3) (4) 167 (2) (U) .167\$1 (2) (u) (G q) qTq, 4. 5. q-lq, 240 (2) 13 2006 251 3qf?4d trdT P?' 13 Kri 2006 348 (3) 1973 (Ffr5 2 1 974) 2005 1 3 2006) 166 (1) 251 *TTdV-rrc, g. qrriiT{T4, CHHATTISGARH ACT (No. 13 of 2006) THE CODE OF CRIMINAL PROCEDURE (CHHATTISGARH AMENDMENT) ACT, 2005 An Act further to amend the Code of Criminal Procedure, 1973 (No. 2 of 1974) and its application to the State of Chhattisgarh. Be it enacted by the Chhattisgarh legislature in the fifty sixth year. of the Republic of India as follows :- (ii) (iii) This Act may be called the Code of Criminal Procedure, (Chhattisgarh Amendment) Act, 2005. It extends to the whole State Chhattisgarh. It shall come into force on such date as the State Government may by notification appoint. The Code of Criminal Procedure, 1973 (No. 2 Of 1974) (hereinafter referred to as the Principal Act), shall in its application to the State of Chhattisgarh be amended in the manner hereinafter provided. 3. Short title, extent and Commencement. Amendment of Central Act (No. 2 of 1974) its application to the State of Chhattisgarh. Amendment of Section 167. (1) (2) Clause (b) of sub-section (2) of section 167 of the Principal Act, for the words 'any' the words "police" shall be substituted. After clause (b) of sub-section (2) of section 167 of the Principal Act, the following new sub-clause (bb) shall be added, namely :- "(bb) No magistrate shall authorise detention of the accused person other than in the custody of the police under this section unless the accused is produced before him either in person or through the medium of electronic video linkage and represented by his pleader in the court." 166 (2) Amendment of Section 228. Amendment of section 240. Amendment of section 251. (4) 1 3 2006 In explanation 11, after words "was produced" the words "from shall be added. After explanation 11, the following new explanation shall be added, If any question arises whether an accused person was produced "11. otherwise than in the custody of the police in person or (as the case may be) through medium of electronic video linkage before Magistrate as required under paragraph (bb), the production of accused person may be proved by his or his pleader's order authorising detention." 011 4. 5

6. In sub-section (2) of section 228 of the Principal Act, after the word "to the accused, the following shall be added, namely :- "present in person or through the medium or electronic video linkage and being represented by his pleader in the court." In sub-section (2) of section 240 of the Principal Act. after the words "the following shall be added "Present either in person or through the medium or electronic video linkage in the presence of his pleader in the court." In section 251 of the Principal Act, after the words 'brought before the Magistrate' the following words shall be added :- "Or appears through the medium or electronic video linkage in the presence of his pleader in the Court." Tgi