

# ACT No. XXI OF 1932.

[AS PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 1st  
October, 1932.)

## An Act further to amend the Code of Criminal Procedure, 1898, for a certain purpose.

**W**HEREAS it is expedient further to amend the Code of  
Criminal Procedure, 1898, for the purpose hereinafter  
appearing; It is hereby enacted as follows:—

1. This Act may be called the Code of Criminal Procedure short title.  
(Amendment) Act, 1932.

2. In section 526 of the Code of Criminal Procedure, Amendment of  
section 526,  
Act V of 1898.  
1898,—

(a) in sub-section (5), for the words “ has power under  
this section to award by way of costs ” the words  
“ may under this section award by way of compen-  
sation ” shall be substituted;

(b) in sub-section (6A), for the word “ costs ” the word  
“ compensation ” shall be substituted, and for the  
words “ any expenses reasonably incurred by such  
person in consequence of the application ” the  
words “ such sum not exceeding two hundred and  
fifty rupees as it may consider proper in the cir-  
cumstances of the case ” shall be substituted;

(c) for sub-section (8) the following sub-section shall be  
substituted, namely:—

“ (8) If in any inquiry under Chapter VIII or Chapter  
XVIII or in any trial, any party interested inti-  
mates to the Court at any stage before the  
defence closes its case that he intends to make an  
application under this section, the Court shall,  
upon his executing, if so required, a bond  
without

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without sureties, of an amount not exceeding two hundred rupees, that he will make such application within a reasonable time to be fixed by the Court, adjourn the case for such a period as will afford sufficient time for the application to be made and an order to be obtained thereon :

Provided that nothing herein contained shall require the Court to adjourn the case upon a second or subsequent intimation from the same party, or, where an adjournment under this subsection has already been obtained by one of several accused, upon a subsequent intimation by any other accused ” ;

(d) to sub-section (9) the following Explanation shall be added, namely :—

“ *Explanation.*—Nothing contained in sub-section (8) or sub-section (9) restricts the powers of a Court under section 344 ” ; and

(e) after sub-section (9) as so amended the following subsection shall be added, namely :—

“(10) If, before the argument (if any) for the admission of an appeal begins, or, in the case of an appeal admitted, before the argument for the appellant begins, any party interested intimates to the Court that he intends to make an application under this section, the Court shall, upon such party executing, if so required, a bond without sureties of an amount not exceeding two hundred rupees that he will make such application within a reasonable time to be fixed by the Court, postpone the appeal for such a period as will afford sufficient time for the application to be made and an order to be obtained thereon.”