

THE CRIMINAL LAW (AMENDMENT) ACT, 1959

No. 41 OF 1959

[12th September, 1959]

An Act further to amend the Criminal Law Amendment Ordinance, 1944.

BE it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

Short title
and com-
mencement,

1. (1) This Act may be called the Criminal Law (Amendment) Act, 1959.

(2) It shall be deemed to have come into force on the 26th day of January, 1950.

Amendment
of section 2.

2. For sub-section (2) of section 2 of the Criminal Law Amendment Ordinance, 1944, the following sub-section shall be substituted, namely:—

“(2) For the purposes of this Ordinance, the date of the termination of criminal proceedings shall be deemed to be—

(a) where such proceedings are taken to the Supreme Court in appeal, whether on the certificate of a High Court or otherwise, the date on which the Supreme Court passes its final orders in such appeal; or

(b) where such proceedings are taken to the High Court and orders are passed thereon and—

(i) no application for a certificate for leave to appeal to the Supreme Court is made to the High Court, the day immediately following the expiry of ninety days from the date on which the High Court passes its final orders;

(ii) an application for a certificate for leave to appeal to the Supreme Court has been refused by the

High Court, the day immediately following the expiry of sixty days from the date of the refusal of the certificate;

(iii) a certificate for leave to appeal to the Supreme Court has been granted by the High Court, but no appeal is lodged in the Supreme Court, the day immediately following the expiry of thirty days from the date of the order granting the certificate; or

(c) where such proceedings are not taken to the High Court, the day immediately following the expiry of sixty days from the date of the last judgment or order of a criminal court in the proceedings.”