

BILL NO. 1 OF 2004

**THE CODE OF CRIMINAL PROCEDURE
(DELHI AMENDMENT)
BILL, 2004.**



**(As Passed by the Legislative Assembly of the
National Capital Territory of Delhi on 25th March, 2004.)**

THE CODE OF CRIMINAL PROCEDURE (DELHI AMENDMENT
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A

Bill

further to amend the Code of Criminal Procedure, 1973 in its application to the National Capital Territory of Delhi.

BE it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the Fifty-fifth Year of the Republic of India as follows :-

1. Short title and commencement. – (1) This Act may be called the Code of Criminal Procedure (Delhi Amendment) Act, 2004.



- (2) it shall come into force on such date as the Lieutenant Governor of the National Capital Territory of Delhi may, by notification in the official Gazette, appoint.

2. Amendment of section 167. – In the Code of Criminal Procedure, 1973 (2 of 1974), in section 167 in its application to the National Capital Territory of Delhi, in sub - section (2)-

- (i) for clause (b), the following shall be substituted, namely :-

“(b) no Magistrate shall authorise detention in any custody under this section unless the

accused is produced before him either in person or through the medium of electronic video linkage:

Provided that if the accused is in police custody, no Magistrate shall authorise his detention in any custody unless the accused is produced before him in person;”;

- (ii) for the Explanation II thereunder, the following shall be substituted, namely :-

“Explanation II. – If any question arises whether an accused person was produced in person or, as the case may be, through the medium of electronic video linkage before the magistrate as required under paragraph (b), the production of the accused person may be proved by his signature on the order authorizing his detention or by video recording of the proceedings, as the case may be.”



This Bill has been passed by the Legislative Assembly of the National Capital Territory of Delhi on 25th March, 2004.

Ajay Maken
(AJAY MAKEN)

**Speaker, Legislative Assembly of the
National Capital Territory of Delhi**