

Bengal Criminal Law (Arms And Explosives) Act, 1932

21 of 1932

[12 January 1932]

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PREAMBLE

An Act to provide enhanced punishment for certain offences under the Indian Arms Act, 1878, and the Explosive Substances Act, 1908, in their application to Bengal and to make special provision for the trial of certain offences under the Indian Arms Act, 1878.

WHEREAS it is expedient to provide enhanced punishment for certain offences under the Indian Arms Act, 1878, and the Explosive Substances Act, 1908, in their application to Bengal, and for this purpose to amend the said Act in the manner hereinafter appearing ;

AND WHEREAS it is also expedient to make special provision for the trial of certain offences under the Indian Arms Act, 1878;

AND WHEREAS the previous sanction of the Governor-General has been obtained, under sub-section (3) of section 80A of the Government of India Act, to the passing of this Act;

It is hereby enacted as follows :-

1. Short title and extent :-

(1) This Act may be called the Bengal Criminal Law (Arms and Explosives) Act, 1932

(2) It extends to the whole of 1[West Bengal].

2. Amendment of Indian Arms Act, 1878, and Explosive Substances Act, 1908 :-

The Indian Arms Act, 1878, and the Explosive Substances Act, 1908, shall, in their application to ¹[West Bengal], be amended in the manner provided in this Act.

1. Words Substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

3. Insertion of new section 19A in Act 11 of 1878 :-

After section 19 of the Indian Arms Act, 1878, the following section shall be inserted, namely :-

"19A. For breaches of sections 6, 13, 14 and 15 in respect of certain arms.--

Notwithstanding anything contained in section 19, whoever commits an offence under clause (c) or clause (e) or clause (f) of section 19 shall, if the offence is committed in respect of a pistol, revolver, rifle or shot gun, be punished with transportation for life or any shorter term, or with imprisonment for a term which may extend to fourteen years, or with fine."

4. Amendment of section 20 of Act 11 of 1878 :-

At the end of section 20 of the Indian Arms Act, 1878, the following proviso shall be added, namely :-

"Provided that if an offence committed under this section is in respect of a pistol, revolver, rifle or shot gun, the offender shall be punished with transportation for life or any shorter term, or with imprisonment for a term which may extend to fourteen years, or with fine."

5. Insertion of new section 5A in Act 6 of 1908 :-

After section 5 of the Explosive Substances Act, 1908, the following section shall be inserted, namely :-

"5A. Enhanced punishment for offences under sections 3, 4, and 5 in certain cases.--

Notwithstanding anything contained in section 3, section 4, or

section 5, if an offence under any of these sections is tried by Commissioners appointed under the Bengal Criminal Law Amendment Act, 1925, or by a Special Magistrate under the Bengal Suppression of Terrorist Outrages Act, 1932, any person found guilty of such offence shall be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment for a term which may extend to fourteen years, to which fine may be added."

6. XXX XXX XXX :-

XXX XXX XXX

7. XXX XXX XXX :-

XXX XXX XXX

8. XXX XXX XXX :-

Rep. by Ben. Act 16 of 1946.