

**Code Of Criminal Procedure (West Bengal Amendment) Act,  
1992**

**25 of 1992**

**[22 April 1993]**

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PREAMBLE

An Act to amend the Code of Criminal Procedure, 1973, in its application to West Bengal.

WHEREAS it is expedient to amend the Code of Criminal Procedure, 1973, in its application to West Bengal, for the purpose and in the manner hereinafter appearing;

It is hereby enacted as follows:-

NOTE

The Criminal Procedure Code, 1973, (West Bengal Amendment) Act, in its application to West Bengal, this Act has been enacted.

1. Assent of the President of India was first published in the Calcutta Gazette, Extraordinary, of the 22nd April, 1993.

**1. Short title and commencement :-**

(1) This Act may be called the Code of Criminal Procedure (West Bengal Amendment) Act, 1992.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

**2. Application of the Act :-**

The Code of Criminal Procedure, 1973 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended for the purposes and in the manner hereinafter provided.

**3. Amendment of section 24 of Act 2 of 1974 :-**

In sub-section (6) of section 24 of the principal Act, the proviso shall be omitted.

**4. Amendment of section 125 :-**

In sub-section (1) of section 125 of the principal Act,-

(1) for the words "five hundred rupees", the words "one thousand and five hundred rupees" shall be substituted;

(2) after the existing proviso, the following proviso shall be inserted:-

"Provided further that where in any proceeding under this section it appears to the Magistrate that the wife referred to in clause (a)-or the minor child referred to in clause (b) or the child (not being a married daughter) referred to in clause (c) or the father or the mother referred to in clause (d) is in need of immediate relief for her or its or his support and the necessary expenses of the proceedings, the Magistrate may, on the application of the wife or the minor child or the child (not being a married daughter) or the father or the mother, as the case may be, order the person against whom the allowance for maintenance is claimed, to pay to the petitioner, pending the conclusion of the proceeding, the expenses of the proceeding, and monthly during the proceeding such allowance as, having regard to the income of such person, it may seem to the Magistrate to be reasonable.".