

Code Of Criminal Procedure (Madhya Pradesh Amendment) Act, 1995

21 of 1995

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An Act further to amend the Code of Criminal Procedure, 1973, in its application to the State of Madhya Pradesh. Be it enacted by the Madhya Pradesh Legislature in the Forty-sixth Year of the Republic of India as follows :- 1. Received the assent of the President on the 24th May, 1995; assent first published in the "Madhya Pradesh Gazette (Extraordinary)" dated the 30th May, 1995.

1. Short Title :-

This Act may be called The Code of Criminal Procedure (Madhya Pradesh Amendment) Act, 1995.

2. Amendment Of Central Act No. 2 Of 1974 In Its Application To The State Of Madhya Pradesh :-

The Code of Civil Procedure, 1973, (No. 2 of 1974) (hereinafter referred to as the Principal Act), shall in its application to the State of Madhya Pradesh, be amended in the manner hereinafter provided.

3. Amendment Of Section 24 :-

In Section 24 of the Principal Act,-

- (i) in sub-section (6), for the words, brackets and figure "Notwithstanding anything contained in sub-section (5)", the

words, brackets, letter and figures "Notwithstanding anything contained in sub-section (5), but subject to the provisions of sub-section (6A)" shall be substituted and shall be deemed to have been substituted with effect from 18th December, 1978;

(ii) after sub-section (6), the following sub-section shall be inserted and shall be deemed to have been inserted with effect from 18th December, 1978, namely :-

"(6-A) Notwithstanding anything contained in sub-section (6), the State Government may appoint a person who has been in practice as an advocate for not less than seven years as the Public Prosecutor or Additional Public Prosecutor for the district and it shall not be necessary to appoint the Public Prosecutor or Additional Public Prosecutor for the district from among the persons constituting the Cadre of Prosecuting Officers in the State of Madhya Pradesh and the provisions of sub-sections (4) and (5) shall apply to the appointment of a Public Prosecutor or Additional Public Prosecutor under this sub-section",

(iii) in sub-section (7), after the words, brackets and figure "sub-section (6)" the words, brackets, figure and letter "or sub-section (6-A) shall be inserted and shall be deemed to have been inserted with effect from 18th December, 1978; and

(iv) in sub-section (9), for the words, brackets and figure, "sub-section (7)", the words, brackets, figures and letter "sub-section (6-A) and sub-section (7)" shall be substituted and shall be deemed to have been substituted with effect from 28th December, 1978.