



The Criminal Law (Himachal Pradesh Amendment) Act, 1997

Act 19 of 1997

Keyword(s):

Special Judge, Criminal Law Central Act

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FORM -III
IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
(ORIGINAL JURISDICTION)

CONTEMPT PETITION (CIVIL/ CRIMINAL) NO..... OF 199 .

.. Petitioner
Versus
.. Respondent

To

The superintendent (or Keeper) of the Jail at

Whereas this court on this day of 199 ... adjudged (name of the contempt of court, and he has been sentenced to suffer imprisonment for a term of here specify the term) and/ or to pay a fine of rupees

This is to authorise and require you, the Superintendent (or Keeper) of the said Jail, to receive the said (Name of the contemner) into your custody together with this warrant, and safely to keep him in the said jail for the said period of (term of imprisonment) or for such shorter period as may hereafter be fixed by order of this court and intimated to you. You are directed to return this warrant with an endorsement certifying the manner of its execution.

You are further directed that while the said is in your custody, produce the said before the court, at all times when the court shall so direct.

Given under my hand and the seal of the court this day of 199 .

Sd/-
Registrar.

(R.H.P. dated 5.4.1997 , p. 595-597).

THE CRIMINAL LAW (HIMACHAL PRADESH AMENDMENT)
ACT, 1997
ARRANGEMENT OF SECTIONS

Sections :

1. Short title, extent and commencement.
2. Amendment of Central Act No. 45 of 1860.
3. Amendment of Central Act No. 2 of 1974.

THE CRIMINAL LAW (HIMACHAL PRADESH AMENDMENT)

ACT, 1997

(ACT NO. 19 OF 1997)¹.

(Received the assent of the President on 30th August, 1997, and was published in Hindi and English in R.H.P. Extra, dated 17.9.1997, p. 3789-3788 and 3789-3790).

An Act further to amend the Indian Penal Code, 1860 (Act No. 45 of 1860) and the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), in their application to the State of Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Forty-eighth Year of the Republic of India, as follows :-

1. Short title, extent and commencement.- (1) This Act may be called the Criminal Law (Himachal Pradesh Amendment) Act, 1997.

(2) It extends to whole of the State of Himachal Pradesh.

(3) It shall come into force at once.

2. Amendment of Central Act No. 45 of 1860.- After section 304- A of the Indian Penal Code, 1860, in its application to the State of Himachal Pradesh, the following section shall be added, namely:-

"304-AA. Causing death or injury by driving a public service vehicle while in a state of intoxication.- Whoever, while in a state of intoxication, drives or attempts to drive a public service vehicle and causes the death of any person not amounting to culpable homicide, or causes any bodily injury likely to cause death, shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine, as if the act by which death or bodily injury is caused, is done with the knowledge that he is likely by such act to cause death or cause such bodily injury as is likely to cause death.

Explanation.- "Public service vehicle" means any motor vehicle used or adapted to be used for the carriage of passengers for hire or reward, and includes a maxicab, a motorcab, contract carriage and stage carriage ".

3. Amendment of Central Act No. 2 of 1974.- In the First Schedule to the Code of Criminal Procedure, 1973, under the heading "1. OFFENCES UNDER THE INDIAN PENAL CODE" after the entries relating to section 304-A, the following entries shall be inserted, namely :-

1. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see R.H.P.Extra., dated 31.3.1997 pages 1026 and 1030.