

**THE UTTAR PRADESH CRIMINAL LAW (COMPOSITION OF
OFFENCES AND ABATEMENT OF TRIALS) (AMENDMENT)
ACT, 1979**

(U. P. Act No. 35 of 1979)

Amended by

U.P. Act No. 29 of 2016

U.P. Act No. 09 of 2018

U.P. Act No. 21 of 2019

U.P. Act No. 04 of 2023

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Dand Vidhi (Apradho Ka Shaman Aur Vicharano Ka Upashaman) (Sanshodhan) Adhinyam, 1979 (Uttar Pradesh Adhinyam Sankhya 35 of 1979) as passed by the Uttar Pradesh Legislature and assented to by the President on December 18, 1979 and published in the Uttar Pradesh Gazette Extraordinary, dated December 21, 1979.

AN

ACT

further to amend the Motor Vehicles Act, 1939, the Minimum Wages Act, 1948, the Factories Act, 1948, the Police Act, 1861 and the Public Gambling Act, 1867 (in their application to Uttar Pradesh) and the Uttar Pradesh' Nagar Mahapalika Adhinyam, 1959, and the Uttar Pradesh Dookan Aur Vanijya Adhistan Adhinyam, 1962 with a view to provide for the composition of certain offences and abatement of certain criminal trials.

IT IS HEREBY enacted in the Thirtieth-Year of the Republic of India as follows :—

Short title and extent

1. (1) This Act may be called the Uttar Pradesh Criminal Law (Composition of Offences and Abatement of Trials) (Amendment) Act, 1979.

(2) It shall extend to the whole of Uttar Pradesh.

Insertion of new section 131-B in Act no. 4 of 1939

2. After section 131-A of the Motor Vehicles Act, 1939, the following section shall be inserted, namely :—

“131-B. (1) Any offence punishable under this Chapter (excluding sections 116, 117, 118-A, 123 and 123-A) offences. may, subject to any general or special order of the State Government in this behalf, be compounded either before or after the institution of the prosecution by an officer specially empowered by the State Government in this behalf by notification, on realisation of such amount of composition fee as he thinks fit, not exceeding the maximum amount of fine fixed for the offence.

(2) Where the offence is so compounded—

(i) before the institution of the prosecution, the offender shall not be liable to prosecution for such offence and shall if in custody, be set at liberty;

(ii) after the institution of the prosecution the composition shall amount to acquittal of the offender.”

Insertion of new section 22-CC, in Act no. 11 of 1948

Compounding of offences

3. In the Minimum Wages Act, 1948, *after* section 22-C, the following section shall be *inserted*, namely

"22-CC. An Officer specially empowered by the State Government in this behalf by notification may, subject to any general or special order of the State Government in this behalf, compound any offence punishable under this Act with fine only committed for the first time, either before or after the institution of the prosecution, on realisation of such amount of composition fee as he thinks fit, not exceeding the maximum amount Of fine fixed for the offence ; and where the offence is so compounded—

(i) before the institution of the prosecution, the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty;

(ii) after the institution of the prosecution, the composition shall amount to acquittal of the offender."

Insertion of new section 106-A in Act no. 63 of 1948.

Compounding of offences

4. In Chapter X of the Factories Act, 1946, *after* section 106, the following section shall be *inserted*, namely :—

"106-A. the Inspector may, subject to any general or special order Compounding of the State Government in this behalf compound any of offences. offence punishable under this Act with fine only and committed for the first time, either before or after the institution of the prosecution, on realisation of such amount of composition fee as he thinks fit not exceeding the maximum amount of fine fixed for the offence ;.and where the offence is so compounded—

(i) before the institution of the prosecution, the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty ;

(ii) (ii) after the institution of the prosecution, the composition shall amount to acquittal of the offender."

Amendment of section 34-A of Act no. 5 of 1861

Compounding of offences under section 32 and 34

5. For section 34-A of the Police Act, .1861,. the following section shall be *substituted*, namely :—

"34-A. An offence punishable under section 32 or section 34 may, subject to any general or special order of the State Government in this behalf, be compounded by the sections 32 and District Superintendent of Police, either before or after the institution of the prosecution, on realisation of such amount of composition fee as he thinks fit, not exceeding the maximum amount of fine fixed for the offence; and when the offence is so compounded—

(i) before the institution of the prosecution, the offender shall not be liable to prosecution, for such offence and shall, if in custody, be set at liberty;

(ii) after the institution of the prosecution the composition shall amount to acquittal of the offender."

Insertion of new section 14-A in Act no. 3 of 1867

6. *After* section 14 of the Public Gambling Act, 1867, the following section shall be *inserted*, namely :—

Compounding of offences.

"14-A An officer specially empowered in this behalf by the State Government by notification may, subject to any general or special order of the State Government in this behalf, compound any offence punishable under this Act, either before or after the institution of the prosecution, on realisation of such amount of composition fee as he thinks fit, not exceeding the maximum amount of fine fixed for the offence: and where the offence is so compounded—

(i) before the institution of the prosecution the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty;

(ii) after the institution of the prosecution, the composition shall amount to acquittal of the offender.

Provided that nothing contained in this section shall authorise the composition of any subsequent offence committed by an offender who has once been convicted for any offence punishable under this Act.

Amendment of section 564 of U.P. Act no. 2 of 1959

7. In section 564 of the Uttar Pradesh Nagar Mahapalika Adhinyam, 1959 for clause (b), the following shall be *substituted*, namely :—

“ (b) subject to any general or special orders of the State Government in this behalf, compound any Offence punishable under this Act, or . rules, bye-laws or regulations made thereunder, -either before or after dm institution of the prosecution, on realisation of such amount of composition fee as he thinks fit not exceeding the Maximum amount of fine fixed for the offence ; and where the offence is so compounded :—

(i) before the institution of the prosecution ; the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty;

(ii) after the institution of the prosecution the composition shall amount to acquittal of the offender.”

Amendment of section 36 of U.P. Act no. 26 of 1962

8. In section 36 of the Uttar Pradesh Dookan Aur Vanijya Aclhithari Adhinyam, 1962, *after* sub-section(2), the following sub-section shall be *inserted*, namely :—

"(3) The Chief Inspector may, subject to any- general or special order of the State Government in this behalf, compound any offence punishable under this Act, either before after the institution _of the prosecution,' on realisation of such amount of composition fee as he thinks fit not exceeding the maximum amount of fine fixed for the offence; and where the offence is so compounded—

(i) before the institution of the prosecution, the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty;

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(ii) after the institution of the prosecution, the composition shall amount to acquittal of the offender."

Abatement of certain trials

9. Notwithstanding anything 'contained in any other law for the time being in force,—

(1) the trial of an accused for—

(a) an offence punishable under—

¹[(i) the Motor Vehicles Act, 1988; or]

(ii) or the Public Gambling Act, 1367, not being- an offence punishable under section 3 of that Act or an offence in respect of wagering punishable under section 13 of that Act ; or

(iii) section 34 of the Police Act, 1861 ; or

(iv) section 160 of the Indian Penal Code, 1860; or

(b) any other offence punishable with fine only, or

(2) a proceeding under section 107 or section 109 of the Code of Criminal Procedure, 1973, pending before a Magistrate on the date of commencement of this Act from before ²[December 31, 2021] shall abate.

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[1. Subs. by sec. 2\(a\) of U.P. Act no. 29 of 2016.](#)

[2. Subs. by sec. 2 of U.P. Act no. 4 of 2023.](#)