

CRIMINAL LAW, BOMBAY ACT, 1840

ACT NO. XI. OF 1840

(Rep., Bom. Act 4 of 1865)

[20th April, 1840.]

*Passed by the Right Hon'ble the Governor General of India in Council, On the 20th April, 1840*

An Act for the Presidency of Bombay, amending the law concerning Prisoners sentenced to labor or solitude.

I. It is hereby enacted, in modification of Clause 2, Section XLV. Regulation XIII. of 1827, of the Bombay Code, that no Prisoner confined in any part of the Provinces under the Presidency of Bombay shall be forced to labor in any manner or be confined solitarily, unless such labor or solitary confinement be expressly directed by the sentence of the Court under whose warrant he is confined; and no Prisoner shall be forced to labor or be confined solitarily otherwise than according to his sentence.

II. And it is hereby enacted, in modification of Clause I, Section VII. Regulation XIV. of 1829, of the Bombay Code, that wherever under the laws in force under that Presidency a Prisoner may be sentenced to imprisonment with labor, it shall be law-full for the Court pronouncing such sentence to direct that solitary confinement be combined with the punishment of imprisonment with labor.

III. And it is hereby provided that nothing in this Act contained shall be construed to be applicable to Convicts undergoing the punishment of transportation, or to legal restraint or punishment for breaches of prison discipline.

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