

FORGERY, BENGAL ACT 1848

ACT No. I. of 1848

(Rep., Act 17 of 1862)

[22nd January, 1848.]

*Passed by the Right Hon'ble the Governor General of India in Council, On the 22nd January 1848.*

An Act for amending Regulation V. of 1831 of the Madras Code as for as the same regards penalties for certain breaches of the Salt Laws.

It is hereby enacted, that within the Territories subject to the Presidency of Fort William in Bengal, except the local limits of the court established by Her Majesty's Charter, the Magistrates of the seven Zillahs and Cities shall not receive any charges of Forgery, or of procuring or causing Forgery, or of fraudulently issuing and publishing true or otherwise fraudulently giving effect to, or attempting to give effect to false and fabricated Deeds and Papers, knowing the same to be false and fabricated, which may be preferred by parties to Civil or criminal cases in respect to Deeds and Papers offered in evidence in suit cases against the adverse parties to such cases, or other persons, except as provided in the next following Section.

II. And it is hereby enacted, that in cases pending before any Civil or Criminal Court (except the Court of the Magistrate, or of any officer exercising the committing powers of a Magistrate) in which there may appear to the Court sufficient grounds for sending for investigation to Magistrate a charge of any of the offences specified in Section I. of the Act the Court shall send the party or parties accused in custody to the Magistrate, together with the evidence and documents relevant to the charge, and shall take a recognizance from each of the witnesses, who have given such evidence to appear before the Magistrate, who shall thereupon receive such charge and proceed with it in the usual Course.

Provided always, that nothing herein contained shall be construed to affect the powers vested in Sessions Judges in cases of Forgery, Section 6, Regulation II. of 1807, of the Bengal Code.

III. And it is hereby enacted, that the powers vested by Clause 2, Section 14, Regulation XVII. of 1817, of the said Code, in Zillah City judges, of committing persons chargeable with Perjury or Subornation of Perjury in cases pending before such Judges, are hereby vested in Principal Sudder Ameens in Civil cases pending before them, and the Principal Sudder Ameens and the Magistrates are hereby authorized and required to proceed in the manner in which the said Judges and Magistrates are authorized and required to proceed by the said Clause.

IV. And it is hereby enacted, that it shall be competent to the Sessions Judges to try persons committed by themselves as Civil Judges under the provisions of the said Clause for Perjury or Perjury any Law to the contrary notwithstanding.

V. And it is hereby enacted, that for the purposes of this Act, the expression Civil Courts shall be held to include all Revenue Officers acting judicially.

