

ACT NO. IV OF 1895.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.
(Received the assent of the Governor General on the 8th February,
1895.)

An Act to amend sections 366 and 371 of the
Code of Criminal Procedure, 1882.

WHEREAS it is expedient to amend sections 366
and 371 of the Code of Criminal Procedure, 1882; X of 1882.
It is hereby enacted as follows:—

1. For section 366 of the said Code the following
shall be substituted, namely:—

“366. (1) The judgment in every trial in any
Criminal Court of original jurisdiction shall be pro-
nounced, or the substance of such judgment shall be
explained,—

- (a) in open Court either immediately after the
termination of the trial or at some subse-
quent time of which notice shall be given
to the parties or their pleaders, and
- (b) in the language of the Court, or in some other
language which the accused or his pleader
understands :

Provided that the whole judgment shall be read
out by the presiding Judge, if he is requested so to do
either by the prosecution or the defence.

(2) The accused shall, if in custody, be brought
up, or, if not in custody, shall be required by the
Court to attend, to hear judgment delivered, except
where his personal attendance during the trial has
been dispensed with and the sentence is one of fine
only,

Substitution
of new sec-
tion for sec-
tion 366, Act
X, 1882.

Mode of deli-
vering judg-
ment.

only, in which case it may be delivered in the presence of his pleader.

(3) No judgment delivered by any Criminal Court shall be deemed to be invalid by reason only of the absence of any party or his pleader on the day or from the place notified for the delivery thereof, or of any omission to serve, or defect in serving, on the parties or their pleaders, or any of them, the notice of such day and place.

(4) Nothing in this section shall be construed to limit in any way the extent of the provisions of section 537."

2. In section 371 of the said Code, for the words "The judgment shall be explained to the accused and on his application" the words "On the application of the accused" shall be substituted.

Amendment
of section
371, Act X,
1892.