

Repealed by Act 35 of 1957.

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**THE CODE OF CRIMINAL PROCEDURE (AMENDMENT)
ACT, 1952**

No XXIII OF 1952



[6th March, 1952.]

An Act further to amend the Code of Criminal Procedure, 1898

BE it enacted by Parliament as follows:—

1. **Short title.**—This Act may be called the Code of Criminal Procedure (Amendment) Act, 1952.

2. **Substitution of new section for section 527 in Act V of 1898.**—For section 527 of the Code of Criminal Procedure, 1898, the following section shall be substituted, namely:—

“527. *Power of Supreme Court to transfer cases and appeals.*—

(1) Whenever it is made to appear to the Supreme Court that an order under this section is expedient for the ends of justice, it may direct that any particular case or appeal be transferred from one High Court to another High Court or from a criminal court subordinate to one High Court to another criminal court of equal or superior jurisdiction subordinate to another High Court.

(2) The Supreme Court may act under this section only on the application of the Attorney-General of India or of a party interested, and every such application shall be made by motion which shall, except when the applicant is the Attorney-General of India or the Advocate-General, be supported by affidavit or affirmation.

(3) The court to which such case is transferred may act on the evidence already recorded or partly so recorded and partly recorded by itself, or it may re-summon the witnesses and recommence the inquiry or trial:

Provided that in any case so transferred the person accused may, when the court to which the case is transferred commences its proceedings, demand that the witnesses or any of them be re-summoned and reheard.

(4) Where any application for the exercise of the powers conferred by this section is dismissed, the Supreme Court may, if it is of opinion that the application was frivolous or vexatious, order the applicant to pay by way of compensation to any person who has opposed the application such sum not exceeding one thousand rupees as it may consider appropriate in the circumstances of the case.”

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