

THE CRIMINAL PROCEDURE CODE
(AMENDMENT) ACT, 1948.

Resolution No. 226:- Criminal Procedure Code First Amendment Act of 1948, as shown in the Appendix 'A' was put before the Council and was passed without any objection.

Appendix 'A' to Resolution No. 226.

JUDICIAL SECRETARIAT

Whereas an emergency has arisen which makes it necessary to

provide short and speedy procedure of trial for cases exclusively triable by the Sessions Judges, it is hereby enacted as follows :-

1.

This Act may be called the Criminal Procedure Code
(Amendment) Act I of 1948.

It shall extend to all the liberated area and to such areas which may thereafter be liberated from the Dogra Rule.

It shall come into force at once.

(a) 'Sessions Judge' means a Judge appointed as such under the Code of Criminal Procedure and such other officer who may be empowered by the Government to exercise the powers of Sessions Judge.

(b) The Word "Code" shall means the Code of Criminal Procedure.

(c) 'Government' means the Azad Kashmir Government.

The Sessions Judge shall try all cases, triable by him under the Code, without commitment, but with the aid of Assessors and shall adopt for it the procedure prescribed under Chapter XX of

the Code for the trial of summons cases.

Chapter 18 of the Code shall be considered to have been repealed.

Notwithstanding anything contained in any other enactment for the time being in force, sections 321 to 324 and 326 of the Criminal Procedure Code are repealed and the Sessions Judge will be entitled to summon any person not being public servants as assessors.

When the Court of Sessions passes a sentence for death after a trial under this Act it shall be subject to confirmation by the Government in accordance with the provisions of Section. 374. of the Code.