



# महाराष्ट्र शासन राजपत्र

असाधारण  
प्राधिकृत प्रकाशन

मंगळवार, जुलै १७, २००७/आषाढ २६, शके १९२९

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

## भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Code of Criminal Procedure (Maharashtra Amendment) Bill, 2007 (L. A. Bill No. XL of 2007), introduced in the Maharashtra Legislative Assembly on the 17th July 2007, is hereby published under the authority of the Governor:

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,  
Secretary to Government,  
Law and Judiciary Department.

### L. A. BILL No. XL OF 2007.

#### A BILL

*further to amend the Code of Criminal Procedure, 1973, in its application to the State of Maharashtra.*

2 of  
1974. WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1973, in its application to the State of Maharashtra ; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Code of Criminal Procedure (Maharashtra Amendment) Act, 2007.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

(३३६)

Amendment  
of section 29  
of Act 2 of  
1974.

2. In section 29 of the Code of Criminal Procedure, 1973, in its application to the State of Maharashtra,—

2 of  
1974.

(a) in sub-section (2), for the words “ten thousand rupees” the words “fifty thousand rupees” shall be substituted;

(b) in sub-section (3), for the words “five thousand rupees” the words “ten thousand rupees” shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

As per the provisions of sub-sections (2) and (3) of section 29 of the Code of Criminal Procedure, 1973 (2 of 1974), as recently amended by the Code of Criminal Procedure (Amendment) Act, 2005 (25 of 2005), the Magistrate of the first class is empowered to pass sentence of fine not exceeding ten thousand rupees ; and the Magistrate of the second class is empowered to pass sentence of fine not exceeding five thousand rupees, respectively.

2. The Government of Maharashtra has noticed the tremendous decline in the value of money in the past few years, which is coupled with higher rate of inflation. It has ultimately resulted into reducing element of deterrence from commission of the offences. The Government of Maharashtra has been receiving requests to enhance the limit of the amount of fine provided under various State Acts for various offences. Accordingly, the Government has also made amendments for enhancing the amount of fine upto fifty thousand rupees in various State Acts like the Bombay Prohibition Act, 1949, the Bombay Police Act, 1951, and certain other Acts. However, inspite of these amendments in various State Acts, the Magistrates of the first class have not been able to pass sentences of fine beyond the limit of ten thousand rupees which consequently resulted indirectly in ousting jurisdiction of such Magistrates. The Government of Maharashtra therefore, considers it expedient and necessary to enhance the limit of the sentence of fine to be imposed by the Magistrate (First Class), from Rs. 10,000 to Rs. 50,000 and the Magistrate (Second Class) from Rs. 5,000 to Rs. 10,000 by amending section 29 of the said Code, suitably.

3. This Bill is intended to achieve the above objective.

Mumbai,  
Dated the 12th July 2007.

VILASRAO DESHMUKH,  
Chief Minister.