



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ४१]

गुरुवार, जून ७, २०१८/ज्येष्ठ १७, शके १९४०

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असाधारण क्रमांक ८२

प्राधिकृत प्रकाशन

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 Indian Penal Code and Code of Criminal Procedure (Maharashtra Amendment) Act, 2017 (Mah. Act No. XL of 2018), is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XL OF 2018.

(First published, after having received the assent of the President in the "Maharashtra Government Gazette", on the 7th June 2018.)

An Act further to amend the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973, in their application to the State of Maharashtra.

45 of 1860. 2 of 1974. WHEREAS it is expedient further to amend the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973, in their application to the State of Maharashtra, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-eighth Year of the Republic of India, as follows :—

CHAPTER I

PRELIMINARY.

1. This Act may be called the Indian Penal Code and the Code of Short title. Criminal Procedure (Maharashtra Amendment) Act, 2017.

(१)

CHAPTER II

AMENDMENTS TO THE INDIAN PENAL CODE, 1860.

Amendment of section 332 of 45 of 1860. **2.** In section 332 of the Indian Penal Code, 1860, in its application to the State of Maharashtra (hereinafter, in this Chapter, referred to as “ the said Code”), for the words “ three years” the words “ five years” shall be substituted. 45 of 1860.

Amendment of section 353 of 45 of 1860. **3.** In section 353 of the said Code, for the words “ two years” the words “ five years ” shall be substituted.

CHAPTER III

AMENDMENTS TO THE CODE OF CRIMINAL PROCEDURE, 1973.

Amendment of section 309 of 2 of 1974. **4.** In section 309 of the Code of Criminal Procedure, 1973, in its application to the State of Maharashtra (hereinafter, in this Chapter, referred to as “ the Code of Criminal Procedure”), after the existing proviso, the following proviso shall be added, namely :— 2 of 1974.

“ Provided further that, when the enquiry or trial relates to an offence under section 332 or 353 of the Indian Penal Code, the inquiry or trial shall, as far as possible be completed within a period of six months from the date of filing of the charge sheet.”. 45 of 1860.

Amendment of First Schedule of 2 of 1974. **5.** In the First Schedule to the Code of Criminal Procedure, under the heading “I.-OFFENCES UNDER THE INDIAN PENAL CODE”,—

(i) for the entry relating to section 332, the following entry shall be substituted, namely :—

“332 Voluntary causing hurt to deter public servant from his duty.	Imprison- ment for five years, or fine, or both.	Cognizable	Non- bailable	Court of Session.”;
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(ii) for the entry relating to section 353, the following entry shall be substituted, namely :—

“353 Assault or use of criminal force to deter a public servant from discharge of his duty.	Imprison- ment for five years, or fine, or both.	Cognizable	Non- bailable	Court of Session.”.
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