

The Code of Criminal Procedure (Goa, Daman and Diu Amendment) Act, 1986

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Act 1 of 1987

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The Code of Criminal Procedure (Goa, Daman and Diu Amendment) Act, 1986(Act No. 1 of 1987)[Dated 13-1-1987]

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-21-86/LA. - An Act to amend the Code of Criminal Procedure, 1973 in its application to the Union territory of Goa, Daman and Diu.Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-seventh Year of the Republic of India as follows:-

1. Short title and commencement.

(1)This Act may be called the Code of Criminal Procedure (Goa, Daman and Diu Amendment) Act, 1986.(2)It shall come into force at once.

2. Amendment of section 357.

- In section 357 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974)-(i)in sub-section (1), for the brackets, figure and words "(1) When a Court imposes a sentence of fine or a sentence (including a sentence of death) of which fine forms a part, the Court may, when passing judgement, order the whole or any part of the fine recovered to be applied-", the brackets, figure and words "(1) When a Court imposes a sentence of fine or a sentence (including a sentence of death) of which fine forms a part, the Court may, and where a person against whom an offence is committed belongs to the Scheduled Caste or the Scheduled Tribe as defined in clauses (24) and s(25)of article 366 of the Constitution except when both the accused person and the person against whom an offence is committed belong either to such Castes or Tribes, the Court shall, when passing judgement, order

the whole or any part of the fine recovered to be applied -" shall be substituted;(ii)for sub-section (3), the following sub-section shall be substituted, namely:-(3) When a Court imposes a sentence, of which fine does not form a part, the Court may, and where a person against whom an offence is committed belongs to the Scheduled Castes or the Scheduled Tribes as defined in clauses (24) and (25) of article 366 of the Constitution, the Court shall, when passing judgement, order the accused person to pay, by way of compensation, such amount as may be specified in the order to the person who has suffered any loss or injury by reason of the act for which the accused person has been so sentenced:Provided that the Court may not order the accused person to pay by way of compensation any amount, if both the accused person and the person against whom an offence is committed belong either to the Scheduled Castes or the Scheduled Tribes." .Home Department

'A'NotificationsHD.44-104/73-A. - In exercise of the powers conferred by sub-sections (1) and (2) of section 10 of the Criminal Law Amendment Act, 1932 (23 of 1932) the Lt. Governor of Goa, Daman and Diu hereby declares that-(i)notwithstanding anything contained in the Code of Criminal Procedure, 1898, any offence punishable under Sections 186, 188, 189, 228, 295-A, 298, 505, [506] [[Added '506' after Section '505' by Corrigendum dated 5th July, 1973 published in the Official Gazette, Series I No. 17dated 26th July, 1973.]] or 507 of the Indian Penal Code, 1860 (45 of 1860) when committed within the Union territory of Goa, Daman and Diu shall be cognizable; and(ii)any offence punishable under Section 188 or 506 of the Indian Penal Code 1860 shall be non-bailable when committed within the Union territory of Goa, Daman and Diu.