

Code of Criminal Procedure, (Gujarat Amendment) Act, 2017

GUJARAT

India

Code of Criminal Procedure, (Gujarat Amendment) Act, 2017

Act 31 of 2017

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Code of Criminal Procedure, (Gujarat Amendment) Act, 2017(Gujarat Act No. 31 of 2017)First published after having received the assent of the Governor on 30-8-2017 and published in the "Gujarat Government Gazette" Extraordinary Part IV, No. 32 dated 8-9-2017.An Act further to amend the Code of Criminal Procedure, 1973 in its application to the State of Gujarat.It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :

1. Short title.

- This Act may be called the Code of Criminal Procedure, (Gujarat Amendment) Act, 2017.

2. Amendment of Section 273 of 2 of 1974.

- In the Code of Criminal Procedure, 1973 (hereinafter referred to as "the principal Act"), in Section 273, after the words "in the presence of his pleader", the words "or as the case may be, through the medium of Electronic Video Linkage when the Court on its own motion or on an application so directs in the interests of justice" shall be added.

3. Amendment of Section 278 of 2 of 1974.

- In the principal Act, in Section 278, after sub-Section (3), the following sub-sections shall be added, namely :"(4) Nothing contained in sub-Sections (1) to (3) shall apply when the evidence under Section 273 is taken through the medium of Electronic Video Linkage.(5)The evidence taken through the medium of Electronic Video Linkage in electronic form shall be the electronic record within the meaning of clause (t) of Section 2 of the Information Technology Act, 2000 (21 of 2000).

4. Amendment of Section 281 of 2 of 1974.

- In the principal Act, in Section 281, in sub-Section (6), after the words "the examination of an accused person", the words "either through the medium of Electronic Video Linkage or" shall be inserted.

5. Amendment of Section 291 of 2 of 1974.

- In the principal Act, in Section 291, in sub-Section (1), after the words "in the presence of accused", the words "or as the case may be through the medium of Electronic Video Linkage" shall be inserted.

6. Amendment of Section 317 of 2 of 1974.

- In the principal Act, to Section 317, the following Explanation shall be added, namely
:"Explanation. - For the purpose of this Section "Personal attendance of the accused" shall include his attendance through the medium of Electronic Video Linkage as provided in Section 273.".