

518. In the case of a continuing offence, a fresh period of limitation shall begin to run at every moment of the time during which the offence continues.

Continuing offence.

519. Notwithstanding anything contained in the foregoing provisions of this Chapter, any Court may take cognizance of an offence after the expiry of the period of limitation, if it is satisfied on the facts and in the circumstances of the case that the delay has been properly explained or that it is necessary so to do in the interests of justice.

Extension of period of limitation in certain cases.

CHAPTER XXXIX

MISCELLANEOUS

520. When an offence is tried by the High Court otherwise than under section 447, it shall, in the trial of the offence, observe the same procedure as a Court of Sessions would observe if it were trying the case.

Trials before High Courts.

45 of 1950.
46 of 1950.
62 of 1957.

521. (1) The Central Government may make rules consistent with this Sanhita and the Air Force Act, 1950, the Army Act, 1950, the Navy Act, 1957, and any other law, relating to the Armed Forces of the Union, for the time being in force, as to cases in which persons subject to army, naval or air-force law, or such other law, shall be tried by a Court to which this Sanhita applies, or by a Court-martial; and when any person is brought before a Magistrate and charged with an offence for which he is liable to be tried either by a Court to which this Sanhita applies or by a Court-martial, such Magistrate shall have regard to such rules, and shall in proper cases deliver him, together with a statement of the offence of which he is accused, to the commanding officer of the unit to which he belongs, or to the commanding officer of the nearest army, naval or air-force station, as the case may be, for the purpose of being tried by a Court-martial.

Delivery to commanding officers of persons liable to be tried by Court-martial.

Explanation.—In this section—

(a) "unit" includes a regiment, corps, ship, detachment, group, battalion or company;

(b) "Court-martial" includes any Tribunal with the powers similar to those of a Court-martial constituted under the relevant law applicable to the Armed Forces of the Union.

(2) Every Magistrate shall, on receiving a written application for that purpose by the commanding officer of any unit or body of soldiers, sailors or airmen stationed or employed at any such place, use his utmost endeavours to apprehend and secure any person accused of such offence.

(3) A High Court may, if it thinks fit, direct that a prisoner detained in any jail situate within the State be brought before a Court-martial for trial or to be examined touching any matter pending before the Court-martial.

522. Subject to the power conferred by article 227 of the Constitution, the forms set forth in the Second Schedule, with such variations as the circumstances of each case require, may be used for the respective purposes therein mentioned, and if used shall be sufficient.

Forms.

523. (1) Every High Court may, with the previous approval of the State Government, make rules—

Power of High Court to make rules.

(a) as to the persons who may be permitted to act as petition-writers in the Criminal Courts subordinate to it;

(b) regulating the issue of licences to such persons, the conduct of business by them, and the scale of fees to be charged by them;

(c) providing a penalty for a contravention of any of the rules so made and determining the authority by which such contravention may be investigated and the penalties imposed;

(d) any other matter which is required to be, or may be, provided by rules made by the State Government.