

THE CODE OF CRIMINAL PROCEDURE, 1973
ACT NO. 2 OF 1974

[25th January, 1974.]

An Act to consolidate and amend the law relating to Criminal Procedure.

BE it enacted by Parliament in the twenty-fourth Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Code of Criminal Procedure, 1973.

(2) It extends to the whole of India ^{1***}:

Provided that the provisions of this Code, other than those relating to Chapters VIII, X and XI thereof, shall not apply—

- (a) to the State of Nagaland,
- (b) to the tribal areas,

but the concerned State Government may, by notification, apply such provisions or any of them to the whole or part of the State of Nagaland or such tribal areas, as the case may be, with such supplemental, incidental or consequential modifications, as may be specified in the notification.

Explanation.—In this section, “tribal areas” means the territories which immediately before the 21st day of January, 1972, were included in the tribal areas of Assam, as referred to in paragraph 20 of the Sixth Schedule to the Constitution, other than those within the local limits of the municipality of Shillong.

(3) It shall come into force on the 1st day of April, 1974.

STATE AMENDMENT

Haryana

In the Code of Criminal Procedure (Haryana Amendment) Act, 2014,—In section 1, after figures “2014”, the words “as extended to the Union territory of Chandigarh” shall be inserted;

[Vide Notification No. GSR929(E) dated 16th December, 2019.]

2. Definitions.—In this Code, unless the context otherwise requires,—

(a) “bailable offence” means an offence which is shown as bailable in the First Schedule, or which is made bailable by any other law for the time being in force; and “non-bailable offence” means any other offence;

(b) “charge” includes any head of charge when the charge contains more heads than one;

(c) “cognizable offence” means an offence for which, and “cognizable case” means a case in which, a police officer may, in accordance with the First Schedule or under any other law for the time being in force, arrest without warrant;

(d) “complaint” means any allegation made orally or in writing to a Magistrate, with a view to his taking action under this Code, that some person, whether known or unknown, has committed an

1. The words “except the State of Jammu and Kashmir” omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019).