

## STATE AMENDMENT

### Chhattisgarh

In first proviso to sub-section (1) of section 154 of the Code of Criminal Procedure (here-in-after referred to as the Code) for the words and figure “or section 509” the words, figures, letters and punctuations, “ section 509, section 509A or section 509B” shall be substituted.

[Vide Chhattisgarh Act 25 of 2015, s. 7.]

**155. Information as to non-cognizable cases and investigation of such cases.**—(1) When information is given to an officer in charge of a police station of the commission within the limits of such station of a non-cognizable offence, he shall enter or cause to be entered the substance of the information in a book to be kept by such officer in such form as the State Government may prescribe in this behalf, and refer the informant to the Magistrate.

(2) No police officer shall investigate a non-cognizable case without the order of a Magistrate having power to try such case or commit the case for trial.

(3) Any police officer receiving such order may exercise the same powers in respect of the investigation (except the power to arrest without warrant) as an officer in charge of a police station may exercise in a cognizable case.

(4) Where a case relates to two or more offences of which at least one is cognizable, the case shall be deemed to be a cognizable case, notwithstanding that the other offences are non-cognizable.

**156. Police officer’s power to investigate cognizable case.**—(1) Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII.

(2) No proceeding of a police officer in any such case shall at any stage be called in question on the ground that the case was one which such officer was not empowered under this section to investigate.

(3) Any Magistrate empowered under section 190 may order such an investigation as above-mentioned.

## STATE AMENDMENT

### Maharashtra

**Amendment of section 156.**—In section 156 of the Code of Criminal Procedure, 1973, (2 of 1974) in its application to the State of Maharashtra (Hereinafter referred to as “the said Code”), after sub-section (3), the following provisos shall be added, namely:—

“Provided that, no Magistrate shall order an investigation under this section against a person who is or was a public servant as defined under any other law for the time being in force, in respect of the act done by such public servant while acting or purporting to act in the discharge of his official duties, except with the previous sanction under section 197 of the Code of Criminal Procedure, 1973 (2 of 1974) or under any law for the time being in force:

Provided further that, the sanctioning authority shall take a decision within a period of ninety days from the date of the receipt of the proposal for sanction and in case the sanctioning authority fails to take the decision within the said stipulated period of ninety days, the sanction shall be deemed to have been accorded by the sanctioning authority.”.

[Vide Maharashtra Act 33 of 2016, s. 2.]

**157. Procedure for investigation.**—(1) If, from information received or otherwise, an officer in charge of a